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LIMITE

WTO 63
AGRI 123
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Agreement in the form of an exchange of letters between the European Union and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN UNION
AND THE ARGENTINE REPUBLIC
PURSUANT TO ARTICLE XXVIII OF THE GENERAL AGREEMENT ON TARIFFS
AND TRADE (GATT) 1994 RELATING TO THE MODIFICATION OF CONCESSIONS
ON ALL THE TARIFF-RATE QUOTAS INCLUDED IN THE EU SCHEDULE CLXXV
AS A CONSEQUENCE OF THE UNITED KINGDOM'S WITHDRAWAL
FROM THE EUROPEAN UNION

A. Letter from the European Union

Sir/Madam,

I have the honour of referring to the negotiations which took place in accordance with Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on tariff-rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ("EU"), as communicated to WTO Members in document G/SECRET/42/Add.2.

On the conclusion of the negotiations, the Argentine Republic ("Argentina") and the EU agreed on the following:

Without prejudice to future negotiations under Article XXVIII of the GATT 1994 and for the purposes of United Kingdom's withdrawal from the EU only, Argentina agrees with the methodology of apportioning the scheduled quantitative commitments in the form of the tariff-rate quotas of the EU that included the United Kingdom, whereby there is an apportioned quantity taken on by the EU that no longer includes the United Kingdom with the remainder of the quantity taken on by the United Kingdom. This reflects the unique circumstances resulting from the United Kingdom's withdrawal from the EU.

In respect of the tariff-rate quotas where Argentina has negotiating or consultation rights under Article XXVIII of the GATT 1994, Argentina agrees and is satisfied with the proposed tariff-rate quota quantity commitments, as set out in document G/SECRET/42/Add.2, taken on by the EU after the withdrawal of the United Kingdom.

Notwithstanding the previous paragraph, with respect to the tariff-rate quotas below, Argentina and the EU agree to changes to scheduled commitments as follows:

- Tariff-rate quota 020 (Meat of sheep or goat: fresh, chilled or frozen) the EU volume of the Argentina country-specific part will be adjusted to 19 090 tonnes;
- Tariff-rate quota 069 (Barley): the EU volume of the *erga omnes* quota will be adjusted to 307 105 tonnes;
- Tariff-rate quota 071 (Maize): the EU volume of the *erga omnes* quota will be adjusted to 276 440 tonnes;
- Tariff-rate quota 080 (Broken rice): the EU volume of the *erga omnes* quota will be adjusted to 28 360 tonnes;
- Tariff rate quota 111 (Grape juice): the EU volume of the *erga omnes* quota will be adjusted to 2 525 tonnes.

Furthermore, Argentina and the EU agree on the following changes to scheduled commitments to facilitate the usage of certain of tariff-rate quotas:

- Tariff-rate quota 046 (Garlic): the EU shall eliminate the current distinction between traditional and new importers. In terms of the administration of Argentina's specific part of this quota, the spread of the volume of 19 147 tonnes will be adjusted as follows:

Yearly TRQ	1st quarter (1 June–31 August)	2nd quarter (1 Sept–30 Nov)	3rd quarter (1 Dec–28 Feb)	4th quarter (1 March–31 May)
19 147 t	0 t	0 t	11 700 t	7 447 t

- Tariff-rate quota 011 (Meat of bovine animals, frozen; edible offal of bovine animals, frozen): the EU shall adjust the *ad valorem* part of the in-quota duty from 20 to 15 %.

In addition, as regards the following tariff-rate quotas, the EU will implement the following provisions in its applicable internal legislation:

- Tariff-rate quota 026 (Cuts of fowls of the species *Gallus domesticus*, frozen): the EU will create a country-specific suballocation for Argentina of 2 080 tonnes based on its historical exports in a representative period. This country allocation will be created under the existing *erga omnes* TRQ;
- Tariff-rate quota 029 (Salted poultry meat): the EU will create a country-specific suballocation for Argentina of 456 tonnes based on its historical exports in a representative period. This country allocation will be created under the existing *erga omnes* TRQ.

This Agreement does not prejudice negotiations between the EU and other WTO Members with rights under Article XXVIII of the GATT 1994 as regards the *erga omnes* tariff-rate quotas concerned, other than those listed above. The EU undertakes to inform Argentina if the result of such negotiations would change the shares set out in document G/SECRET/42/Add.2.

The EU and Argentina shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification.

I should be obliged if you would confirm that your Government is in agreement with the above.

I have the honour to propose that this letter and your Government's confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.

Please accept, Sir/Madam, the assurance of my highest consideration.

For the European Union

B. Letter from the Argentine Republic

Sir/Madam,

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:

"I have the honour of referring to the negotiations which took place in accordance with Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on tariff-rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('EU'), as communicated to WTO Members in document G/SECRET/42/Add.2.

On the conclusion of the negotiations, the Argentine Republic ('Argentina') and the EU agreed on the following:

Without prejudice to future negotiations under Article XXVIII of the GATT 1994 and for the purposes of United Kingdom's withdrawal from the EU only, Argentina agrees with the methodology of apportioning the scheduled quantitative commitments in the form of the tariff-rate quotas of the EU that included the United Kingdom, whereby there is an apportioned quantity taken on by the EU that no longer includes the United Kingdom with the remainder of the quantity taken on by the United Kingdom. This reflects the unique circumstances resulting from the United Kingdom's withdrawal from the EU.

In respect of the tariff-rate quotas where Argentina has negotiating or consultation rights under Article XXVIII of the GATT 1994, Argentina agrees and is satisfied with the proposed tariff-rate quota quantity commitments, as set out in document G/SECRET/42/Add.2, taken on by the EU after the withdrawal of the United Kingdom.

Notwithstanding the previous paragraph, with respect to the tariff-rate quotas below, Argentina and the EU agree to changes to scheduled commitments as follows:

- Tariff-rate quota 020 (Meat of sheep or goat: fresh, chilled or frozen) the EU volume of the Argentina country-specific part will be adjusted to 19 090 tonnes;
- Tariff-rate quota 069 (Barley): the EU volume of the *erga omnes* quota will be adjusted to 307 105 tonnes;
- Tariff-rate quota 071 (Maize): the EU volume of the *erga omnes* quota will be adjusted to 276 440 tonnes;
- Tariff-rate quota 080 (Broken rice): the EU volume of the *erga omnes* quota will be adjusted to 28 360 tonnes;
- Tariff rate quota 111 (Grape juice): the EU volume of the *erga omnes* quota will be adjusted to 2 525 tonnes.

Furthermore, Argentina and the EU agree on the following changes to scheduled commitments to facilitate the usage of certain of tariff-rate quotas:

- Tariff-rate quota 046 (Garlic): the EU shall eliminate the current distinction between traditional and new importers. In terms of the administration of Argentina's specific part of this quota, the spread of the volume of 19 147 tonnes will be adjusted as follows:

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In addition, as regards the following tariff-rate quotas, the EU will implement the following provisions in its applicable internal legislation:

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- Tariff-rate quota 029 (Salted poultry meat): the EU will create a country-specific suballocation for Argentina of 456 tonnes based on its historical exports in a representative period. This country allocation will be created under the existing *erga omnes* TRQ.

This Agreement does not prejudice negotiations between the EU and other WTO Members with rights under Article XXVIII of the GATT 1994 as regards the *erga omnes* tariff-rate quotas concerned, other than those listed above. The EU undertakes to inform Argentina if the result of such negotiations would change the shares set out in document G/SECRET/42/Add.2.

The EU and Argentina shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification.

I should be obliged if you would confirm that your Government is in agreement with the above.

I have the honour to propose that this letter and your Government's confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994."

I hereby have the honour to express my Government's agreement with the above letter.

For the Argentine Republic