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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Draft DECISION OF THE EC/ FAROE ISLANDS JOINT COMMITTEE amending Protocols 1 and 4 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part

DRAFT

DECISION No …/…
OF THE EC/ FAROE ISLANDS JOINT COMMITTEE

of …

amending Protocols 1 and 4 to the Agreement
between the European Community, of the one part,
and the Government of Denmark
and the Home Government of the Faroe Islands, of the other part

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part[1], and in particular Article 34(1) thereof,

[1] OJ EU L 53, 22.2.1997, p. 2.

Whereas:

(1) Protocol 1 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part ('the Agreement') concerns the tariff treatment and arrangements applicable to certain fish and fishery products released for free circulation in the European Union or imported into the Faroe Islands. The Annex to Protocol 1 indicates the preferential customs duties and other conditions to be applied on imports into the European Union of products originating in, and coming from, the Faroe Islands.

(2) The Faroe Islands have submitted a request based on Article 36 of the Agreement that the CN codes 0303 53 90 and 1604 13 90 be added to the Annex to Protocol 1. The European Union considers, after the examination of the relevant market, that the products to which those codes refer could be imported free of duty into the European Union without quantitative restrictions.

(3) Protocol 4 to the Agreement concerns the special provisions applicable to imports of certain agricultural products other than those listed in Protocol 1.

(4) Under Article 1 of Protocol 4, the European Union initially granted tariff concessions for Faroese fish feed, in respect of an annual duty free tariff quota of 5 000 tonnes. That duty free tariff quota has been amended by Decision No 2/98 of the EC/Denmark-Faroe Islands Joint Committee[1], increasing it to 10 000 tonnes as of 1 January 2000, and by Decision No 1/2007 of the EC/Denmark-Faroe Islands Joint Committee[2], which increased it to 20 000 tonnes and provided that fish feed which benefits from the preferential import regime cannot contain added gluten.

(5) The Faroe Islands requested to amend Protocol 4 by removing the restrictions on added gluten contained in fish feed that benefits from preferential treatment, as gluten has become an essential raw material in the fish feed composition.

(6) Article 2 of Protocol 4 lists the goods of European Union origin, falling within chapters 1 to 24 of the Harmonized System, for which the Faroe Islands does not grant freedom from tariffs and duties upon import into the Faroe Islands.

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1 Decision No 2/98 of the EC/Denmark-Faroe Islands Joint Committee of 31 August 1998 amending Protocol 4 of the Agreement (OJ EU L 263, 26.9.1998, p. 37).

2 Decision No 1/2007 of the EC/Denmark-Faeroe Islands Joint Committee of 8 October 2007 amending Protocol 4 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part (OJ EU L 275, 19.10.2007, p. 32).

(7) The European Union requested that a duty free tariff quota be open for CN codes 0204, 0206 80 99, 0206 90 99, 0210 90 11, 0210 90 60, ex 0210 90 90, which are listed in Article 2 of Protocol 4. The Faroe Islands considers that a duty free tariff rate quota of 80 tonnes of European Union exports of the products to which those codes refer could be granted, subject to a three-year transition period with a duty free tariff rate quota of 40 tonnes.

(8) Protocols 1 and 4 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Table I of the Annex to Protocol 1 to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part, is amended as follows:

(1) the following is inserted between CN code 0303 50 98 and CN code 0303 60 11:

‘0303 53 90	– – – Brisling or sprats (*Sprattus sprattus*)	0’;	

(2) the following is inserted between CN code 1604 12 99 and CN code 1604 19:

‘1604 13	– – Sardines, sardinella and brisling or sprats		
	– – – Sardines:		
1604 13 90	– – – Other	0’.	

Article 2

Protocol 4 to the Agreement is amended as follows:

(1) Article 1 is replaced by the following:

‘*Article 1*

The European Union shall grant to products originating in and coming from the Faroes the following tariff quotas:

CN code	Description	Rate of duty	Tariff quota (TQ) in tonnes
0204	Meat of sheep or goats, fresh, chilled or frozen	0	
0206 80 99	Edible offal of sheep and goats, fresh or chilled	0	
0206 90 99	Edible offal of sheep and goats, frozen	0	
0210 90 11	Meat of sheep or goats, salted, in brine, dried or smoked, with bone in	0	
0210 90 19	Meat of sheep or goats, salted, in brine, dried or smoked, boneless	0	
0210 90 60	Edible meat offal of sheep or goats, salted, in brine, dried or smoked	0	20
ex 1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products:		
	— Of sheep and goats	0	
ex 1602	Other prepared or preserved meat, meat offal or blood:		
	— Of sheep and goats	0	

CN code	Description	Rate of duty	Tariff quota (TQ) in tonnes
ex 2309 90 10 ex 2309 90 31 ex 2309 90 41	Fish feed	0	20 000

’;

(2) the following article is added:

‘*Article 3*

The Faroes shall open the following tariff quotas for products originating in and coming from the European Union:

CN code	Description	Rate of duty	Tariff quota (TQ) in tonnes
0204	Meat of sheep or goats, fresh, chilled or frozen	0	40 in 2020, 2021 and 2022; 80 as from the year 2023
0206 80 99	Edible offal of sheep and goats, fresh or chilled	0	
0206 90 99	Edible offal of sheep and goats, frozen	0	
0210 90 11	Meat of sheep or goats, salted, in brine, dried or smoked, with bone in	0	
0210 90 60	Edible meat offal of sheep or goats, salted, in brine, dried or smoked	0	
ex 0210 90 90	Edible flours and meals of meat and meal offal, of sheep and goats	0	

’;

(3) Annex I is deleted.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at …,

For the Joint Committee
The Chair