



COMMISSION OF THE EUROPEAN COMMUNITIES

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2003/0031 (ACC)

Proposal for a

**COUNCIL DECISION**

**on the signature and conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

On 30 March 1999, the Council authorised the Commission to open negotiations for additional mutual agricultural concessions in the framework of the Europe Agreements between the European Community and the associated Central and Eastern European Countries.

The negotiations with the Republic of Poland, which were undertaken in the overall context of the accession process, were based on Article 20(5) of the Europe Agreement. This Article provides that the Community and Poland shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other further concessions, taking account of the volume of trade in agricultural products between them, of their particular sensitivity, of the rules of the common agricultural policy of the Community and of the role of agriculture in Poland's economy.

According to the Council directives, the negotiations should lead to a fair equilibrium, both in terms of exports and imports, between the interests of the European Community and its Member States and those of the associated countries. On this basis, negotiations were undertaken and concluded between the Parties on 23 December 2002.

The results of the negotiations between the Commission and Poland on additional agricultural concessions involve immediate, full and reciprocal liberalisation of trade in some agricultural products. Agreement was also reached on opening new tariff quotas in certain sectors and increasing certain previously existing quotas.

On 9 July 2002, the Commission submitted a proposal for a Council Decision relating to the conclusion of an Additional Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of the negotiations between the parties on new mutual agricultural concessions (COM(2002) 363). This proposal, which has not yet been adopted, will now be withdrawn and replaced by the present proposal which incorporates all agricultural concessions (i.e. both old and new) between the Community and Poland.

Both sides implemented the results of the first round of negotiations on an autonomous and transitional basis from 1 January 2001. On the Community side, the new concessions were brought into effect by Council Regulation (EC) No°2851/2000 of 22 December 2000. The present Protocol will replace these autonomous and transitional measures on the day of its entry into force.

The present Protocol will form an integral part of the Europe Agreement with Poland. The Protocol will automatically lapse, along with the Europe Agreement, on the date of accession of Poland to the European Union.

Proposal for a

**COUNCIL DECISION**

**on the signature and conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with Article 300(2), subparagraph 1, first sentence, thereof,

Having regard to the proposal from the Commission<sup>1</sup>,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part<sup>2</sup>, provides for certain reciprocal trade concessions for certain agricultural products.
- (2) Article 20(5) of the Europe Agreement provides that the Community and Poland shall examine product by product and on an orderly and reciprocal basis the possibilities of granting each other further concessions.
- (3) The first improvements to the preferential arrangements of the Europe Agreement with Poland were provided for in the Protocol adjusting trade aspects of the Europe Agreement to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements, approved by Council Decision 2002/63/EC<sup>3</sup>.
- (4) Improvements to the preferential arrangements were also provided for as a result of negotiations to liberalise agricultural trade concluded in 2000. On the Community side, these were implemented from 1 January 2001 by Regulation (EC) No 2851/2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Poland<sup>4</sup>. This second adjustment of the preferential arrangements has

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<sup>1</sup> OJ C ..., ..., p. ...

<sup>2</sup> OJ L 348, 31.12.1993, p. 2.

<sup>3</sup> OJ L 27, 30.01.2002, p. 1.

<sup>4</sup> OJ L 332, 28.12.2000, p. 7.

not yet been incorporated in the Europe Agreement in the form of an Additional Protocol.

- (5) Negotiations for further improvements to the preferential arrangements of the Europe Agreement with Poland were concluded on 23 December 2002.
- (6) The new Additional Protocol to the Europe Agreement adjusting the trade aspects of the Europe Agreement between the European Communities and their Member States, of the one part, and Poland, of the other part (hereinafter referred to as “the Protocol”) should be approved with a view to consolidating all concessions in agricultural trade between the two sides, including the results of the negotiations concluded in 2000 and 2002.
- (7) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code<sup>5</sup> has codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Certain tariff quotas under this Decision should therefore be administered in accordance with those rules.
- (8) Further measures necessary for the implementation of this Decision should be adopted in accordance with the management committee procedure of Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>6</sup>.
- (9) As a result of the aforementioned negotiations, Regulation (EC) No 2851/2000 has effectively lost its substance and should therefore be repealed.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

The attached Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions, is hereby approved on behalf of the Community.

#### *Article 2*

The President of the Council is authorised to designate the person empowered to sign the Protocol on behalf of the Community and make the notification of approval provided for in Article 3 of the Protocol.

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<sup>5</sup> OJ L 253, 11.10.1993, p. 1. Regulation last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002 p. 11).

<sup>6</sup> OJ L 184, 17.7.1999, p. 23.

### *Article 3*

The Commission shall adopt rules for the application of the Protocol in accordance with the procedure referred to in Article 5.

### *Article 4*

The order numbers as attributed to the tariff quotas in the Annex to this Decision may be changed by the Commission in accordance with the procedure referred to in Article 5. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

### *Article 5*

1. The Commission shall be assisted by the Committee for Sugar instituted by Article 42 of Regulation (EEC) No 1260/2001<sup>7</sup> or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.
2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be one month.

### *Article 6*

Regulation (EC) No 2851/2000 is hereby repealed from the entry into force of the Protocol.

Done at Brussels,

*For the Council*  
*The President*

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<sup>7</sup> OJ L 178, 30.6.2001, p. 1.

## ANNEX

### **Order numbers for EU tariff quotas for products originating in Poland (as referred to in Article 4)**

<b>Quota Order No</b>	<b>CN code</b>	<b>Description</b>
09.4598	0102 90 05	Live bovine animals of domestic species of a live weight not exceeding 80 kg
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of domestic species of a live weight exceeding 80 kg but not exceeding 300 kg
09.4563	ex 0102 90	Heifers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau
09.4820	0103 92 19	Live swine, domestic species
09.4824	0201 0202 1602 50 10	Meat of bovines, fresh, chilled or frozen  Uncooked; mixture of cooked meat or offal and uncooked meat or offal of bovine animals
09.4809	ex 0203  ex 0210 0210 11 0210 12 0210 19	Meat of domestic swine, fresh, chilled or frozen,  Meat of swine: – Ham, shoulders and cuts thereof, with bone in – Bellies and cuts thereof – Other
09.5811	ex 0207	Meat and edible offal, of the poultry of heading No 0105, excluding 0207 34, 0207 36 81, 0207 36 85
09.4813	0402 10 19 0402 21 19 0402 21 99	Skimmed milk powder Whole milk powder Whole milk powder
09.4814	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90	Butter and dairy spreads
09.4815	0406	Cheese and curd
09.4816	0407 00 11 0407 00 19 0407 00 30	Poultry eggs, in shell
09.4825	0408 91 80 0408 99 80	Birds' eggs, dried Other whole eggs, not in shell
09.5101	0701 10 00	Seed potatoes
09.5103	0701 90 90	Potatoes
09.5107	0703 10 11	Sets of onion
09.5109	0703 10 19	Onions
09.5113	0703 20 00	Garlic
09.5159	0808 10 20 0808 10 50 0808 10 90	Apples

09.5282	0808 20 10	Perry pears, in bulk, 1 August to 31 December
09.4831	ex 1001 90	Wheat and wheat meslin, other than durum wheat excl. CN code 1001 90 10
09.5815	1101 00 1102	Wheat and meslin flour Cereals flours other than of wheat or meslin
09.4804	1108 13 00	Potato starch
09.5816	1210	Hop cones; lupulin
09.5579	1514 11 10 1514 91 10	Crude rapeseed, colza or msutard oil, other than for human consumption
09.4806	ex 1601 10  ex 1602 1602 41 10 1602 42 10 ex 1602 49	Sausages and similar products of meat, meat offal or blood: food preparations based on these products but excl. CN code 1601 00 10 Other prepared or preserved meat, meat offal or blood, of swine: - Domestic swine, hams and cuts thereof - Domestic swine, shoulders and cuts thereof - Domestic swine, other, including mixtures excl. CN code 1602 49 90
09.5817	1602 32 11 1602 39 21	Poultry meat of <i>Gallus domesticus</i> , uncooked, processed Other poultry meat, uncooked, processed.
09.5547	1703 90 00	Molasses, other than cane molasses
09.5285	ex 2009 80	Juice of fruit or vegetables, whether or not containing added sugar or other sweetening matter, excluding CN-codes 2009 80 19, 2009 80 38, 2009 80 69, 2009 80 95, 2009 80 96, 2009 80 97 and 2009 80 99
09.5813	ex 2302	Bran, sharps and other residues, excl. CN-code 2302 50 00

## PROTOCOL

**adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions**

THE EUROPEAN COMMUNITY, hereinafter referred to as «the Community»,

of the one part, and

THE REPUBLIC OF POLAND,

of the other part,

WHEREAS:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part (hereinafter referred to as “the Europe Agreement”) was signed in Brussels on 16 December 1991 and entered into force on 1 February 1994<sup>8</sup>.
- (2) Article 20(5) of the Europe Agreement provides that the Community and the Republic of Poland shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other additional agricultural concessions. On this basis negotiations have been undertaken and were concluded between the parties.
- (3) For the first time, improvements to the preferential agricultural regime of the Europe Agreement were provided for in the Protocol adjusting trade aspects of the Europe Agreement<sup>9</sup> to take account of the last enlargement of the Community and the outcome of the GATT Uruguay Round.
- (4) Two further rounds of negotiations for improved agricultural trade concessions were concluded on 26 September 2000 and 23 December 2002.
- (5) From the one side, the Council decided, by virtue of Regulation (EC) No 2851/2000<sup>10</sup>, to apply on a provisional basis, as from 1 January 2001, the European Community concessions resulting from the 2000 round of negotiations and from the other side the Government of Poland took legislative provisions to apply, as from the same date of 1 January 2001, the equivalent Polish concessions (Ordinance No 1253/2000, 1273/2000 and 1274/2000<sup>11</sup>).

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<sup>8</sup> OJ L 348, 31.12.1993, p. 2.

<sup>9</sup> OJ L 27, 30.01.2002, p. 2.

<sup>10</sup> OJ L 332, 28.12.2000, p. 7.

<sup>11</sup> Published in the Polish “Official Journal” 119/2000 of 28.12.2000 and 120/2000 of 29.12.2000.



- (6) The above mentioned concessions will be supplemented and replaced on the date of entry into force of this Protocol by the concessions provided for herein,

HAVE AGREED AS FOLLOWS:

*Article 1*

The arrangements for import into the Community applicable to certain agricultural products originating in Poland as set out in Annex A(a) and A(b) and the arrangements for import into Poland applicable to certain agricultural products originating in the Community as set out in Annex B(a) and B(b) to this Protocol shall replace those set out in Annexes VIII and IX as referred to in Article 20(2) and 20(4), as amended, of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Poland, of the other part.

*Article 2*

The Annexes to this Protocol shall form an integral part thereof. This Protocol shall form an integral part of the Europe Agreement.

*Article 3*

This Protocol shall be approved by the Community and the Republic of Poland in accordance with their own procedures. The Contracting Parties shall take the necessary measures to implement this Protocol.

The Contracting Parties shall notify each other of the accomplishment of the corresponding procedures according to the first paragraph hereof.

*Article 4*

This Protocol shall enter into force on the first day of the first month following the Contracting Parties' notification of the accomplishment of the corresponding procedures according to Article 3.

Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 2851/2000 shall be fully counted against the quantities provided for in Annex A(b) to the attached Protocol, except for quantities for which import licences were issued before 1 July 2002.

Similarly, quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 or 1 January 2003 under the concessions provided for in Regulation of the Council of Ministers of 24 September 2002<sup>12</sup> and Regulation of the Minister of Economy of 17 December 2002<sup>13</sup> shall be fully counted against the quantities provided for in Annex B(b)

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<sup>12</sup> Published in the Polish "Official Journal" 157 of 24.9.2002, pos. 1310, p. 10111.

<sup>13</sup> Published in the Polish "Official Journal" 227 of 23.12.2002, pos. 1897, p. 14323 and pos. 1898, p. 14335.

to the attached Protocol, except for quantities for which import licences were issued before 1 July 2002 or 1 January 2003.

*Article 5*

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Polish languages, each of these texts being equally authentic.

Done at Brussels,

*For the European Community*

*For the Republic of Poland*

## ANNEX A(a)

**Custom duties on imports applicable in the Community to products originating in Poland and listed below shall be abolished**

CN code <sup>(1)</sup>	CN code <sup>(1)</sup>	CN code <sup>(1)</sup>	CN code <sup>(1)</sup>	CN code <sup>(1)</sup>	CN code <sup>(1)</sup>	CN code <sup>(1)</sup>
0101 10 90	0703 90 00	0711 90 80	0813 40 10	1504 10 10	1602 90 98	2008 50 31
0101 90 19	0704	0711 90 90	0813 40 30	1504 10 99	1603 00 10	2008 50 39
0101 90 30	0705	0712 20 00	0813 40 95	1504 20 10	2001 10 00	2008 50 59
0101 90 90	0706	0712 31 00	0813 50 12	1504 30 10	2001 90 20	2008 50 61
0106 19 10	0707 00 90	0712 32 00	0813 50 15	1508 10 90	2001 90 50	2008 50 69
0106 39 10	0708	0712 33 00	0813 50 19	1508 90	2001 90 70	2008 50 71
0205	0709 20 00	0712 39 00	0813 50 39	1511 10 90	2001 90 75	2008 50 79
0206 80 91	0709 30 00	0712 90 05	0813 50 91	1511 90	2001 90 85	2008 50 92
0206 90 91	0709 40 00	0712 90 30	0813 50 99	1513	2001 90 93	2008 50 94
0208 10 11	0709 51 00	0712 90 50	0814 00 00	1515 19	2001 90 96	2008 50 99
0208 10 19	0709 52 00	0712 90 90	0901 12 00	1515 21	2003	2008 60 11
0208 20 00	0709 59	0713 50 00	0901 21 00	1515 29	2004 10 10	2008 60 31
0208 30 00	0709 60 10	0713 90	0901 22 00	1515 30 90	2004 10 99	2008 60 39
0208 40	0709 60 99	0802 21 00	0901 90 90	1515 50	2004 90 30	2008 60 51
0208 50 00	0709 70 00	0802 22 00	0902 10 00	1515 90	2004 90 50	2008 60 59
0208 90 10	0709 90 10	0802 31 00	0904 12 00	1516 20 95	2004 90 91	2008 60 61
0208 90 55	0709 90 20	0802 32 00	0904 20 10	1516 20 96	2004 90 98	2008 60 69
0208 90 60	0709 90 40	0802 40 00	0904 20 90	1516 20 98	2005 10 00	2008 60 71
0208 90 95	0709 90 50	0802 90 85	0907 00 00	1518 00 31	2005 20 20	2008 60 79
0210 91 00	0709 90 70	0806 20	0910 40 13	1518 00 39	2005 20 80	2008 60 91
0210 92 00	0709 90 90	0807 11 00	0910 40 19	1522 00 91	2005 40 00	2008 60 99
0210 93 00	0710 10 00	0807 19 00	0910 40 90	1601 00 10	2005 51 00	2008 80
0210 99 10	0710 21 00	0808 20 90	0910 91 90	1602 10 00	2005 59 00	2008 99 28
0210 99 31	0710 22 00	0809 40 90	0910 99 99	1602 20	2005 60 00	2008 99 37
0210 99 39	0710 29 00	0810 10	1001 90 10	1602 31	2005 90	2008 99 40
0210 99 59	0710 30 00	0810 40 30	1008 10 00	1602 32 19	2006 00 99	2008 99 45
0210 99 79	0710 80 51	0810 40 50	1008 20 00	1602 32 30	2007 10 99	2008 99 49
0210 99 80	0710 80 59	0810 40 90	1105	1602 32 90	2007 99 10	2008 99 55
0407 00 90	0710 80 61	0810 60 00	1106 10 00	1602 39 29	2007 99 91	2008 99 68
0409 00 00	0710 80 69	0810 90 95	1106 30	1602 39 40	2007 99 98	2008 99 72
0410 00 00	0710 80 70	0811 90	1108 20 00	1602 39 80	2008 40 11	2008 99 78
0601 10	0710 80 80	0812 10 00	1208 10 00	1602 41 90	2008 40 21	2008 99 99
0601 20 30	0710 80 85	0812 90 10	1209	1602 42 90	2008 40 29	2009 50
0601 20 90	0710 80 95	0812 90 20	1211 90 30	1602 49 90	2008 40 39	2009 71
0602	0710 90 00	0812 90 40	1212 10 10	1602 50 31	2008 40 51	2009 79 19
0604 10 90	0711 30 00	0812 90 50	1212 10 99	1602 50 39	2008 40 59	2009 79 30
0604 91	0711 40 00	0812 90 60	1214 90 10	1602 50 80	2008 40 71	2009 79 93
0604 99 90	0711 51 00	0812 90 99	1302 19 05	1602 90 10	2008 40 79	2009 79 99
0701 90 10	0711 59 00	0813 10 00	1501 00 90	1602 90 31	2008 40 91	2009 80 19
0701 90 50	0711 90 10	0813 20 00	1503 00 19	1602 90 41	2008 40 99	2009 80 38
0703 10 90	0711 90 50	0813 30 00	1503 00 90	1602 90 69	2008 50 11	2009 80 69

<b>CN code</b> <sup>(1)</sup>	<b>CN code</b> <sup>(1)</sup>	<b>CN code</b> <sup>(1)</sup>	<b>CN code</b> <sup>(1)</sup>	<b>CN code</b> <sup>(1)</sup>	<b>CN code</b> <sup>(1)</sup>
2009 80 95	2009 80 99	2009 90 39	2308 00 90	2309 90 10	2309 90 51
2009 80 96	2009 90 19	2302 50 00	2309 10 51	2309 90 31	2309 90 91
2009 80 97	2009 90 29	2306 90 19	2309 10 90	2309 90 41	

<sup>(1)</sup> As defined in Commission Regulation (EC) No 1832/2002 of 1 August 2002, amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 290, 28.10.2002, p. 1).

## ANNEX A(b)

### Imports into the Community of the following products originating in Poland shall be subject to the concessions set out below

(MFN = Most Favoured Nation duty)

CN code	Description <sup>(1)</sup>	Applicable duty (% of MFN) <sup>(2)</sup>	QUANTITY from 1.7.2002 to 30.6.2003 (tonnes)	ANNUAL QUANTITY from 1.7.2003 (tonnes)	Subsequent YEARLY QUOTA INCREASE (tonnes)	Specific provisions
0102 90 05	Live bovine animals of a live weight not exceeding 80 kg	free	178 000 heads	178 000 heads		(3)(15)
0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg	free	153 000 heads	153 000 heads		(3)(15)
ex 0102 90	Heifers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau breed	free	7 000 heads	7 000 heads		(4)(15)
0103 92 19	Live swine, domestic species	free	1 750	1 750		(15)
0104 10 30 0104 10 80 0104 20 10 0104 20 90  0204 0210 99 21 0210 99 29 0210 99 60 1502 00 90 1602 90 72 1602 90 74 1602 90 76 1602 90 78	Live sheep or goats  Meat of sheep or goats, fresh, chilled or frozen Edible meat of sheep and goats, with bone in Edible meat of sheep and goats, boneless Edible meat offal of sheep and goats Fat of bovine animals, sheep or goats Prepared or preserved meat or offal of sheep and goats	free	unlimited	unlimited		(6)
0201 0202 1602 50 10	Meat of bovines, fresh, chilled or frozen  Uncooked; mixtures of cooked meat or offal and uncooked meat or offal of bovine animals	free	19 200	20 800	1 600	(15)  (10) (15)
ex 0203 ex 0210 0210 11 0210 12 0210 19	Meat of domestic swine, fresh, chilled or frozen Meat of swine: – Ham, shoulders and cuts thereof, with bone in – Bellies and cuts thereof – Other	free	36 000	39 000	3 000	(5)(6)(15) (6) (15)
ex 0207	Meat and edible offal, of the poultry of heading No 0105, excluding 0207 34, 0207 36 81, 0207 36 85	free	43 200	46 800	3 600	(6) (15)
0402 10 19 0402 21 19 0402 21 99	Skimmed milk powder Whole milk powder Whole milk powder	free	12 575	14 300	1 430	(15)
0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90	Butter and dairy spreads	free	7 545	8 580	860	(6)(15)
0406	Cheese and curd	free	11 318	12 870	1 290	(6)(15)
0407 00 11 0407 00 19 0407 00 30	Poultry eggs, in shell	free	1 875	1 875		(15)
0408 91 80 0408 99 80	Birds' eggs, dried Other whole eggs, not in shell	free	375	375		(7) (15)
0603 90 00	Cut flowers	35	unlimited	unlimited		
0701 10 00	Seed potatoes	free	550	550		(15)
0701 90 90	Potatoes	free	5 000	5 000		(15)

CN code	Description <sup>(1)</sup>	Applicable duty (% of MFN) <sup>(2)</sup>	QUANTITY from 1.7.2002 to 30.6.2003 (tonnes)	ANNUAL QUANTITY from 1.7.2003 (tonnes)	Subsequent YEARLY QUOTA INCREASE (tonnes)	Specific provisions
0703 10 11	Sets of onion	free	400	400		(15)
0703 10 19	Onions	free	148 500	148 500		(15)
0703 20 00	Garlic	free	875	875		(15)
0703 20 00	Garlic	9.6% <i>ad valorem</i>	unlimited	unlimited		
0707 00 05	Cucumbers	free	unlimited	unlimited		(8) (11)
0709 10 00	Globe artichokes	free	unlimited	unlimited		(8) (11)
0808 10 10	Cider apples, in bulk from 16 September – 15 December	free	unlimited	unlimited		
0808 10 20 0808 10 50 0808 10 90	Apples	free	5 375	5 375		(8) (13)(15) (8) (13)(15) (8) (13)(15)
0808 10 20 0808 10 50 0808 10 90	Apples	100% MFN	-	-		(13) (13) (13)
0808 20 10	Perry pears, in bulk, from 1 August to 31 December	free	250	250		(15)
0808 20 50	Fresh pears	free	unlimited	unlimited		(8)
0809 20	Cherries	free	unlimited	unlimited		(8) (11)
0809 40 05	Plums: – For processing, in immediate containers of a net capacity weight exceeding 250 kg <sup>(14)</sup> – Other	free free	unlimited unlimited	unlimited unlimited		(8) (12)
0810 20	Raspberries, blackberries, mulberries and loganberries	free	unlimited	unlimited		(9)
0810 30	Black, white or redcurrants and gooseberries					(9)
0811 10 0811 20	Strawberries, frozen Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen	free	unlimited	unlimited		(9) (9)
ex 1001 90	Wheat and meslin, other than durum wheat excl. CN code 1001 90 10	free	480 000	520 000	40 000	(6) (15)
1101 00 1102	Wheat or meslin flour Cereals flours other than of wheat or meslin	free	12 000	13 000	1 000	(6) (15)
1108 13 00	Potato starch	free	9 375	9 375		(15)
1210	Hop cones; lupulin	free	250	1 000	100	
1514 11 10 1514 91 10	Crude rapeseed, colza or mustard oil, other than for human consumption	free	625	625		(15)
ex 1601 00  ex 1602  1602 41 10 1602 42 10 ex 1602 49	Sausages and similar products of meat, meat offal or blood; food preparations based on these products but excl. CN code 1601 00 10  Other prepared or preserved meat, meat offal or blood, of swine: – Domestic swine, hams and cuts thereof – Domestic swine, shoulders and cuts thereof – Domestic swine, other, including mixtures excl CN code 1602 49 90	free	19 200	20 800	1 600	(6) (15)
1602 32 11 1602 39 21	Poultry meat of <i>Gallus domesticus</i> , uncooked, processed Other poultry meat, uncooked, processed	free	250	1 000	100	
1703 90 00	Molasses, other than cane molasses	free	300 000	300 000		(15)

CN code	Description <sup>(1)</sup>	Applicable duty (% of MFN) <sup>(2)</sup>	QUANTITY from 1.7.2002 to 30.6.2003 (tonnes)	ANNUAL QUANTITY from 1.7.2003 (tonnes)	Subsequent YEARLY QUOTA INCREASE (tonnes)	Specific provisions
2007 99 31 2007 99 33 2007 99 35	Sour cherry jam Strawberry jam Raspberry jam	free	unlimited	unlimited		(8)
2007 99 39	Other preparations with a sugar content exceeding 30% by weight.	free	unlimited	unlimited		(8)
ex 2009 80	Juice of fruit or vegetables, whether or not containing added sugar or other sweetening matter, excluding CN-codes 2009 80 19, 2009 80 38, 2009 80 69, 2009 80 95, 2009 80 96, 2009 80 97 and 2009 80 99	free	500	500		(15)
ex 2302	Bran, sharps and other residues, excl. CN code 2302 50 00	free	4 800	5 200	400	(6) (15)

- (1) Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.
- (2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.
- (3) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic. Where it appears likely that total Community imports of live bovine animals may exceed 500 000 head in a given marketing year the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.
- (4) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic.
- (5) Excluding tenderloin presented alone.
- (6) Products for which Poland will not grant any export subsidies for all exports to the EU.
- (7) In dried egg equivalent (100 kg liquid egg = 25.7 kg of dried egg).
- (8) The reduction applies only to the *ad valorem* part of the duty.
- (9) Subject to minimum import price arrangements contained in the Appendix to the present Annex.
- (10) Co-efficient for conversion to fresh meat = 2,14, providing meat content is > 60%.
- (11) In addition to the reduction of the *ad valorem* part of the duty, five additional stages (10%, 12%, 14%, 16% and 18%) are herewith introduced which have to be used before the application of the full specific duty as mentioned in the Combined Nomenclature.
- (12) In addition to the reduction of the *ad valorem* part of the duty, three additional stages (10%, 12% and 14%), are herewith introduced which have to be used before the application of the full specific duty as mentioned in the Combined Nomenclature.
- (13) For these CN-codes, the following concessions - applicable for apples imported within, as well as outside, the tariff quota - should be applied:
- five additional stages (10%, 12%, 14%, 16% and 18%) are herewith introduced for the period 1 January to 14 February, which have to be used before the application of the full specific duty as mentioned in the Combined Nomenclature;
  - three additional stages (14%, 16% and 18%) are herewith introduced for the period 15 February to 31 March, which have to be used before the application of the full specific duty as mentioned in the Combined Nomenclature;
  - two additional stages (16% and 18%) are herewith introduced for the period 1 April to 15 July, which have to be used before the application of the full specific duty as mentioned in the Combined Nomenclature;
  - five additional stages (10%, 12%, 14%, 16% and 18%) are herewith introduced for the period 16 July to 31 December, which have to be used before the application of the full specific duty as mentioned in the Combined Nomenclature.
- (14) Entry under this subheading is subject to conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 71) and subsequent amendments).
- (15) Quantities of goods subject to this existing tariff quota and released for free circulation as from 1 July 2002 before the entry into force of this Protocol shall be fully counted against the quantity provided for in the fourth column.

## APPENDIX TO ANNEX A(b)

### Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Poland:

CN Code	Description	Minimum import price (EUR/100 kg net)
ex 0810 20 10	Raspberries, fresh, intended for processing	63.1
ex 0810 30 10	Blackcurrants, fresh, intended for processing	38.5
ex 0810 30 30	Redcurrants, fresh, intended for processing	23.3
ex 0811 10 11	Frozen strawberries containing added sugar or other sweetening matter, with a sugar content exceeding 13% by weight, whole fruit	75.0
ex 0811 10 11	Frozen strawberries containing added sugar or other sweetening matter, with a sugar content exceeding 13% by weight, other	57.6
ex 0811 10 19	Frozen strawberries containing added sugar or other sweetening matter, with a sugar content not exceeding 13% by weight, whole fruit	75.0
ex 0811 10 19	Frozen strawberries containing added sugar or other sweetening matter, with a sugar content not exceeding 13% by weight, other	57.6
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	75.0
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter : other	57.6
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13% by weight: whole fruit	99.5
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13% by weight: other	79.6
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	99.5
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter : other	79.6
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	62.8
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	44.8
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	39.0
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	29.5



2. The minimum import prices, as set out in point 1, will be respected on a consignment by consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.
3. If the import prices of a given product covered by this Appendix show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Polish authorities in order to enable them to correct the situation.
4. At the request of either the Community or Poland, the Association Committee shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Committee shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting will be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, of the one part and the authorities', producers' and exporters' organisations of all the associated exporting countries, of the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

## ANNEX B(a)

### Custom duties on imports applicable in Poland to products originating in the Community and listed below shall be abolished

PCN Code <sup>(1)</sup>	PCN Code <sup>(1)</sup>	PCN Code <sup>(1)</sup>	PCN Code <sup>(1)</sup>	PCN Code <sup>(1)</sup>	PCN Code <sup>(1)</sup>	PCN Code <sup>(1)</sup>
0101 10 90 0	0708 90 00 0	0809 30 90 0	1001 10 00 0	1301	2005 70	2009 49 19 0
0101 90 11 0	0709 10 00 0	0810 40	1005 10 11 0	1302 11 00 0	2005 90 10 0	2009 49 93 0
0101 90 19 0	0709 20 00 0	0810 50 00 0	1005 10 13 0	1302 19 05 0	2005 90 30 0	2009 49 99 0
0101 90 30 0	0709 30 00 0	0810 60 00 0	1005 10 15 0	1302 19 98 1	2005 90 50 0	2009 61 10 0
0101 90 90 0	0709 52 00 0	0810 90 30 0	1005 10 19 0	1302 19 98 9	2006 00 10 0	2009 61 90 0
0102 90 90 0	0709 59 10 0	0810 90 40 0	1006 10 10 0	1302 32 90 0	2007 91 90 0	2009 69 11 0
0103 91 90 0	0709 59 30 0	0810 90 95 0	1006 30	1302 39 00 0	2007 99 93 0	2009 69 19 0
0103 92 90 0	0709 59 90 0	0811 90 70 0	1007 00 10 0	1501 00 11 0	2008 11 92 0	2009 69 51 0
0106 19 10 1	0709 60	0811 90 85 0	1008 20 00 0	1502 00	2008 11 94 0	2009 69 59 0
0106 19 10 9	0709 90 31 0	0812 10 00 0	1008 30 00 0	1503 00	2008 11 96 0	2009 69 90 0
0106 39 10 0	0709 90 40 0	0812 90 10 0	1008 90 90 0	1508	2008 11 98 0	2301
0203 11 90 0	0709 90 50 0	0812 90 20 0	1102 90 90 0	1509	2008 19 11 0	2302 50 00 0
0203 12 90 0	0710 80 10 0	0812 90 30 0	1103 19 90 0	1510 00	2008 19 13 0	2303 10 19 0
0203 19 90 0	0710 80 59 0	0812 90 40 0	1103 20 90 0	1511	2008 19 19 0	2303 10 90 0
0203 21 90 0	0711 20 10 0	0812 90 50 0	1106 10 00 0	1513	2008 19 51 0	2303 20
0203 22 90 0	0711 20 90 0	0812 90 60 0	1106 30 10 0	1515 19	2008 19 59 0	2303 30 00 0
0203 29 90 0	0711 30 00 0	0812 90 70 0	1106 30 90 0	1515 21	2008 19 93 0	2304 00 00 0
0205 00	0711 59 00 1	0812 90 99 1	1201 00	1515 29	2008 19 95 0	2305 00 00 0
0208	0711 59 00 9	0812 90 99 9	1203 00 00 0	1515 30	2008 19 99 0	2306
0210 91 00 0	0711 90 10 0	0813 10 00 0	1204 00	1515 40 00 0	2008 99 41 0	2307 00 11 0
0210 92 00 0	0711 90 50 0	0813 40 10 0	1206 00	1515 50	2008 99 51 0	2307 00 90 0
0210 93 00 0	0711 90 80 0	0813 40 30 0	1207 10	1515 90	2009 11 19 0	2308 00 11 0
0210 99 10 0	0712 90 11 0	0813 40 50 0	1207 20	1516 20 95 0	2009 11 99 0	2308 00 40 0
0210 99 31 0	0713	0813 40 60 0	1207 30 10 0	1516 20 96 0	2009 12 00 0	2308 00 90 0
0210 99 39 0	0714 20	0813 40 70 0	1207 40	1516 20 98 0	2009 19 19 0	2309 10 11 0
0210 99 71 0	0714 90 90 0	0813 40 95 0	1207 50	1518 00 31 0	2009 19 98 0	2309 10 31 0
0210 99 79 0	0801	0813 50	1207 60	1518 00 39 0	2009 21 00 0	2309 10 51 0
0407 00 90 0	0802	0814 00 00 0		1522 00 91 0	2009 29 19 0	2309 10 90 0
0408 91 20 0	0803 00	0901 11 00 0	1207 99	1522 00 99 0	2009 29 99 0	2309 90 10 0
0408 99 20 0	0804	0901 12 00 0	1208	1602 31	2009 31 19 0	2309 90 31 9
0410 00 00 0	0805	0901 21 00 0	1209 21 00 0	1603 00 10 0	2009 31 51 0	2309 90 41 9
0511	0806 10 10 1	0901 22 00 0	1209 22	1603 00 80 0	2009 31 59 0	2309 90 51 9
0601	0806 10 10 3	0901 90 10 0	1209 29 60 0	1801 00 00 0	2009 31 91 0	
0602	0806 10 10 5	0901 90 90 0	1209 30 00 0	1802 00 00 0	2009 31 99 0	
0604	0806 10 10 7	0902	1209 91	2001 90 10 0	2009 39 19 0	
0701 90 10 0	0806 10 10 9	0904	1209 99	2001 90 20 0	2009 39 39 0	
0703 10 90 0	0806 10 90 0	0905 00 00 0	1211	2001 90 65 0	2009 39 55 0	
0703 90 00 0	0806 20	0906	1212 10	2001 90 75 0	2009 39 59 0	
0705 19 00 0	0807	0907 00 00 0	1212 30 00 0	2001 90 85 0	2009 39 95 0	
0705 21 00 0	0808 20 90 0	0908	1212 99 80 0	2003 20 00 0	2009 39 99 0	
0705 29 00 0	0809 10 00 0	0909	1213 00 00 0	2004 90 30 0	2009 41 91 0	
0708 10 00 0	0809 30 10 0	0910	1214	2005 60 00 0	2009 41 99 0	

<sup>(1)</sup> As defined by the Polish Customs Tariff – Annex to Council of Ministers Regulation of 17 December 2002 (Dz.U. No. 226 item 1885, 23 December 2002).

## ANNEX B(b)

**Imports into Poland of the following products originating in the Community  
shall be subject to the concessions set out below**

(MFN = Most Favoured Nation duty)

PCN code	Description <sup>(1)</sup>	Applica- ble duty (% of MFN)	QUANTITY from 1.1.2003 to 31.12.2003 (tonnes)	ANNUAL QUANTITY from 1.1.2004 (tonnes)	Subsequent YEARLY QUOTA INCREASE (tonnes)	Specific provisions
0102 90 41 0 0102 90 49 0 0102 90 51 0 0102 90 59 0	Live bovine animals	50 50 50 50	unlimited	unlimited		(2)
ex 0203 ex 0210 0210 11 0210 12 0210 19	Meat of domestic swine, fresh, chilled or frozen Meat of swine: – Ham, shoulders and cuts thereof, with bone in – Bellies and cuts thereof – Other	free	37 500	40 500	3 000	(3)(5)(7)
0104 10 30 0 0104 10 80 0 0104 20 10 0 0104 20 90 0  0204 0206 80 99 0 0206 90 99 0 0210 99 21 0 0210 99 29 0 0210 99 60 0  1602 90 72 0 1602 90 74 0 1602 90 76 0 1602 90 78 0	Live sheep or goats   Meat of sheep or goats, fresh, chilled or frozen Edible offal of sheep and goats, fresh or chilled  Edible meat of sheep and goats, with bone in Edible meat of sheep and goats, boneless Edible meat offal of sheep and goats  Prepared or preserved meat or offal of sheep and goats	free	unlimited	unlimited		(5)
0207	Meat and edible offal, of the poultry of heading No 0105	free	25 000	27 000	2 000	(5) (7)
0403 10 11 0 to 0403 10 39 0 0403 90 11 0 to 0403 90 69 0	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream	71	unlimited	unlimited		
0405 10 11 0 0405 10 19 0 0405 10 30 0 0405 10 50 0 0405 10 90 0 0405 20 90 0	Butter and dairy spreads	free	6 250	6 750	500	(5) (7)
0406	Cheese and curd	free	11 250	12 150	900	(5) (7)
0603 10 20 1	Carnations from 1 June to 31 October	free	75	100	10	
0701 10 00 0	Potatoes seed, fresh or chilled	33	unlimited	unlimited		
0704 10 00 1 0704 10 00 3 ex 0704 20 00 0 ex 0704 90 90 0	Cauliflowers and broccoli 1 January – 14 April Cauliflowers and broccoli 15 April – 31 May Brussels sprouts 1 January – 31 May Other 1 January – 31 May	free	unlimited	unlimited		
0707 00 05 1 0707 00 05 3 0707 00 05 7 0707 00 05 8 0707 00 05 9	Cucumbers from 1 October – 30 April	free	5 400	7 200		
ex 0810 10 00 1 ex 0810 10 00 3	Strawberries from 1 January – 31 May	free	570	760		

PCN code	Description <sup>(1)</sup>	Applicable duty (% of MFN)	QUANTITY from 1.1.2003 to 31.12.2003 (tonnes)	ANNUAL QUANTITY from 1.1.2004 (tonnes)	Subsequent YEARLY QUOTA INCREASE (tonnes)	Specific provisions
1001 90	Wheat and meslin, other than durum wheat	free	480 000	520 000	40 000	(5) (7) (8)
1101 00 1102	Wheat or meslin flour Cereal flour other than wheat or meslin	free	12 500	13 500	1 000	(5) (7)
1006 1102 30 00 0 1103 19 50 0 1103 20 50 0	Rice Rice flour Rice groats and meal Rice pellets	free	unlimited	unlimited		
1107	Malt	free	33 750	45 000	4 500	(5)
1205 10 90 0 1205 90 00 9	Rape or colza seeds	15% <i>ad valorem</i>	32 000	32 000		(7)
1515 11 00 0	Crude linseed oil	50	unlimited	unlimited		
1601 00  ex 1602  1602 41 1602 42 1602 49	Sausages and similar products of meat, meat offal or blood; food preparations based on these products  Other prepared or preserved meat, meat offal or blood, of swine – Hams and cuts thereof – Shoulders and cuts thereof – Other, including mixtures	free	1 250	1 350	100	(5) (7)
ex 1602  1602 32 1602 39	Other prepared or preserved meat, meat offal or blood, of poultry of heading No 0105: – Of fowls of the species <i>Gallus domesticus</i> – Other	free	1 250	1 350	100	(5) (7)
1701	Sugar	40% <i>ad val.</i> , min. € 0.17/kg	32 500	32 500		(6) (7)
1902 20 30 0	Stuffed pasta, whether or not cooked or otherwise prepared.	75	unlimited	unlimited		
2008 70 61 0 to 2008 70 99 0	Peaches, prepared or preserved, not containing added spirit	71	unlimited	unlimited		
2009 11 11 0 2009 11 91 0 2009 19 11 0 2009 19 91 0 2009 29 11 0 2009 29 91 0 2009 39 11 0 2009 31 11 0 2009 39 31 0 2009 39 51 0 2009 39 91 0 2009 41 10 0 2009 49 11 0 2009 49 30 0 2009 49 91 0 2009 69 71 0 2009 69 79 0 2009 80 32 0 2009 80 33 0 2009 80 35 0 2009 80 36 0 2009 80 38 0 2009 80 71 0 to 2009 80 99 9 2009 90 41 0 to 2009 90 98 0	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	80 67 80 67 80 67 80 67 67 67 67 67 80 67 67 67 67 67 67 67 67 71 71 71 80 80 80 80 71 71 71 71 71 71	unlimited	unlimited		

PCN code	Description <sup>(1)</sup>	Applicable duty (% of MFN)	QUANTITY from 1.1.2003 to 31.12.2003 (tonnes)	ANNUAL QUANTITY from 1.1.2004 (tonnes)	Subsequent YEARLY QUOTA INCREASE (tonnes)	Specific provisions
ex 2204 10	Wine of fresh grapes, sparkling wine excl. PCN 2204 10 11 9 and 2204 10 19 9	free	337 500 hl	450 000 hl	45 000 hl	(5)
ex 2204 21	Wine of fresh grapes, in containers holding 2 litres or less, excl. PCN 2204 21 10 9 and 2204 21 99 0					
ex 2204 29	Other wine of fresh grapes, excl. PCN 2204 29 10 9 and 2204 29 99 0					
2204 10 2204 21 10 1 2204 21 10 9	Wine of fresh grapes, including fortified wines; grape must other than of heading No 2009	20% <i>ad val</i> min. €42/hl	unlimited	unlimited		(4)
2204 21 11 0 to 2204 21 98 0	Wine of fresh grapes, including fortified wines; grape must other than of heading No. 2009	20% <i>ad val</i> min. €25/hl	unlimited	unlimited		(4)
2204 21 99 0	Wine of fresh grapes, including fortified wines; grape must other than that of heading No 2009	25% <i>ad val</i> min. €25/hl + €1.7%/hl	unlimited	unlimited		(4)
2204 30 10 1 2204 30 10 9 2204 30 92 0 to 2204 30 98 9	Grape must other than of heading No 2009	78 78 85	unlimited	unlimited		(4)
ex 2302	Bran, sharps and other residues, excl. PCN-code 2302 50 00 0	free	5 000	5 400	400	(5) (7)

- (1) Notwithstanding the rules for the interpretation of Polish Combined Nomenclature (PCN), the wording of the description of the products should be regarded as indicative; the applicability of the preferential arrangements is determined, in the context of this Annex, by the coverage of the PCN codes.
- (2) Heifers of a weight exceeding 220 kg.
- (3) Excluding tenderloin presented alone.
- (4) Rate of duty applicable. If the applied MFN duty rate *ad valorem* for this product is reduced, the preferential duty rate *ad valorem* set out in the 3rd column will be reduced by the same proportion. If the applied MFN minimum/specific duty rate is reduced below the preferential minimum/specific duty, the latter will be reduced to the same level.
- (5) Products for which the EU will not grant any export refunds for all exports to Poland.
- (6) Within the framework of the Polish WTO tariff quota.
- (7) Quantities of goods subject to this existing tariff quota and released for free circulation as from 1 January 2003 or as from 1 July 2002 in the case of PCN code 1001 90, before the entry into force of this Protocol shall be fully counted against the quantity provided for in the fourth column.
- (8) This quota is managed on a marketing year 1 July-30 June. Therefore the quantity indicated in column 4 is available from 1 July 2002 to 30 June 2003. The quantity indicated in column 5 is available from 1 July 2003 to 30 June 2004.

# FINANCIAL STATEMENT

<b>FINANCIAL STATEMENT</b>				
1.	BUDGET HEADING: Chapter 10 – Agricultural duties Agricultural expenditure – B1-1 B1-2	APPROPRIATIONS 2003: Mio EUR 1 173,1 Mio EUR 26 176,0 Mio EUR 13 099,0		
2.	TITLE: Council decision on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions			
3.	LEGAL BASIS: Article 133 of the Treaty			
4.	AIMS: Further liberalise trade before accession between EUR-15 and Poland.			
5.	FINANCIAL IMPLICATIONS	12 MONTH PERIOD  (EUR million)	CURRENT FINANCIAL YEAR 2003 (EUR million)	FOLLOWING FINANCIAL YEAR 2004 (EUR million)
5.0	EXPENDITURE (1) - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL AUTHORITIES - OTHER	6.1	1.5	6.1
5.1	REVENUE (2) - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-5,27	-3,96	-2,64
		2005	2006	2007
5.0.1	ESTIMATED EXPENDITURE			
5.1.1	ESTIMATED REVENUE	-	-	-
5.2	METHOD OF CALCULATION:			
6.0	CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?			YES / NO
6.1	CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?			YES / NO
6.2	WILL A SUPPLEMENTARY BUDGET BE NECESSARY?			YES / NO
6.3	WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS?			YES / NO
<b>OBSERVATIONS:</b>				
The calculation has been based on the following assumptions. For the period 1.4.2003 to 30.6.2003 : 25% of the annual quotas will be applied. For the period 1.7.2003 to 30.4.2004 the full annual quantities are supposed to be fulfilled.				
(1)	<u>Expenditure:</u> The costs for the EU budget of the concessions will be limited in most sectors except for dairy, where it is assumed, that the increased quantities to be imported will lead to increased quantities to be exported from the Union with refund. Refund level equal to those used in Budget 2003.			
	Quantitative		refund	annual cost
	Increase		€/t	mio €
	Tonnes			
Butter	1380		1800	2.5
Powder	2300		800	1.8
Cheese	2070		855	1.8
			<b>Total</b>	<b>6.1</b>
(2)	Based on the actual trade level, the annual loss of own resources can be estimated at 5,27 Mio €.			