EU/China Agreement: modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the EU

2012/0304(NLE) - 28/01/2014 - Final act

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of Bulgaria and Romania in the course of their accession to the European Union.

NON-LEGISLATIVE ACT: Council Decision 2014/116/EU on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union.

BACKGROUND: negotiations between the EU and China resulted in a draft Agreement in the form of an Exchange of Letters relating to the modification of concessions in the schedules of Bulgaria and Romania and was initialled on 31 May 2012.

The Agreement was signed on behalf of the European Union on 9 September 2013, subject to its conclusion at a later date, in accordance with Council Decision 2012/763/EU.

The Agreement should now be approved on behalf of the EU.

CONTENT : with this Decision, the Council concluded, with Parliament’s approval, and on behalf of the EU, an Agreement in the form of an Exchange of Letters, on the following concessions:

- the European Union shall incorporate in its schedule, for the customs territory of the EU 27, the concessions contained in the schedule of the EU 25 with the following modifications:

- on tariff line 0703 20 00 add 12 375 tonnes to the allocation for People's Republic of China under the EU tariff rate quota for **garlic**, maintaining the present in quota rate of 9.6%;

- add 800 tonnes (drained net weight) to the allocation for China under the EU tariff rate quota for **mushroom of species Agaricus**, prepared or preserved otherwise than by vinegar and mushroom of species Agaricus, provisionally preserved or preserved otherwise than by vinegar in-quota rate 23%;

- create a tariff rate quota of 2 026 tonnes for **chocolate** with an in-quota rate of 38%;

- create a tariff rate quota of 2 289 tonnes for **confectionary** with an in-quota rate of 35%;

- create a tariff rate quota of 409 tonnes for **biscuits** with an in-quota rate of 40%.

- China accepts the European Union's approach to netting-out of tariff rate quotas as a way of adjusting the GATT obligations of the EU 25 and those of Bulgaria and Romania following the most recent enlargement of the European Union.

Implementing Regulation: an implementing Regulation will be adopted by the Commission laying down the trade arrangements applicable.

ENTRY INTO FORCE: the Decision enters into force on 28.01.2014. The date of entry into force of the Agreement will be published in the Official Journal by the General Secretariat of the Council.