

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 100 final

Brussels, 10 March 1993

European Economic Area

Bilateral agreements with Austria, Finland, Iceland, Norway and Sweden
in the field of agriculture

Proposal for a Council Decision on the conclusion of agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, in the field of agriculture

(presented by the Commission)

EXPLANATORY MEMORANDUM

European Economic Area

Bilateral agreements with Austria, Finland, Iceland, Norway and Sweden
in the field of agriculture

1. The Council Decision of authorized the Commission to negotiate with Austria, Finland, Iceland, Norway and Sweden for bilateral agreements in the form of exchanges of letters concerning the provisional application of the agreements in the field of agriculture concluded by the same parties in Oporto on 2 May 1992.
2. On the basis of this mandate, the Commission negotiators reached agreement with their counterparts from the countries in question. The five draft agreements in the form of exchanges of letters which emerged from these negotiations are in line with the directives given to the Commission by the Council.
3. In view of the foregoing, the Commission recommends that the Council adopt the attached Decision on the conclusion of agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, in the field of agriculture.

Proposal for a
COUNCIL DECISION

concerning the conclusion of agreements in the form of exchanges of letters
between the European Economic Community, of the one part,
and the Republic of Austria, the Republic of Finland,
the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden,
of the other part,
in the field of agriculture

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas it was possible during the negotiations on the adjustment of the Agreement on the European Economic Area (EEA) following the decision of the Swiss Confederation not to ratify that Agreement to negotiate agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, for the provisional application, from 15 April 1993, of the bilateral agriculture agreements concluded by the same parties in Oporto on 2 May 1992;

Whereas the agreements in the form of exchanges of letters refer to Article 15 of the Free Trade Agreements between the European Economic Community and each of those countries;

Whereas the agreements in question should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, in the field of agriculture, are hereby approved on behalf of the Community.

The texts of the agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the agreements in order to bind the Community.

Done at Brussels,

For the Council
The President

5

Agreement
in the Form of an
Exchange of Letters between
the European Economic Community
and the Republic of Austria
on the provisional application of
certain arrangements in the field of agriculture

Letter No 1

Sir,

I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Austria, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Austria the text of which is set out below :

"Arrangement between the European Economic Community and the Republic of Austria
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Republic of Austria, the EEC and the Republic of Austria agree that the Agreement in the form of an Exchange of Letters between the EEC and the Republic of Austria concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:

[REDACTED]

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Republic of Austria concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. Originating products within the meaning of this Annex shall, on importation into the Community or Austria, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies."."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Republic of Austria is in agreement with the contents of this letter.

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

On behalf of
the Council of the European Communities



Letter No 2

Sir,

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

"I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Austria, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Austria the text of which is set out below :

**"Arrangement between the European Economic Community and the Republic of Austria
in the field of agriculture**

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Republic of Austria, the EEC and the Republic of Austria agree that the Agreement in the form of an Exchange of Letters between the EEC and the Republic of Austria concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Republic of Austria concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. Originating products within the meaning of this Annex shall, on importation into the Community or Austria, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies."."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Republic of Austria is in agreement with the contents of this letter."

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the Government of
the Republic of Austria



Agreement
in the Form of an
Exchange of Letters between
the European Economic Community
and the Republic of Finland
on the provisional application of
certain arrangements in the field of agriculture

Letter No 1

Sir,

I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Finland, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Finland the text of which is set out below :

"Arrangement between the European Economic Community and the Republic of Finland
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Republic of Finland, the EEC and the Republic of Finland agree that the Agreement in the form of an Exchange of Letters between the EEC and the Republic of Finland concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:

[REDACTED]

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Republic of Finland concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. (1) Originating products within the meaning of this Annex shall, on importation into the Community or Finland, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
- (2) Notwithstanding subparagraph (1), the certificates referred to in Section IV of the Agreement in the Form of an Exchange of Letters concerning vodka, and in Annex I concerning cheese respectively shall be accepted as valid proof of origin within the meaning of this Agreement without it being necessary to submit a separate proof of origin as specified in subparagraph (1).
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies." "

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Republic of Finland is in agreement with the contents of this letter.

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

On behalf of
the Council of the European Communities



Letter No 2

Sir,

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

"I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Finland, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Finland the text of which is set out below :

"Arrangement between the European Economic Community and the Republic of Finland
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Republic of Finland, the EEC and the Republic of Finland agree that the Agreement in the form of an Exchange of Letters between the EEC and the Republic of Finland concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Republic of Finland concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. (1) Originating products within the meaning of this Annex shall, on importation into the Community or Finland, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
- (2) Notwithstanding subparagraph (1), the certificates referred to in Section IV of the Agreement in the Form of an Exchange of Letters concerning vodka, and in Annex I concerning cheese respectively shall be accepted as valid proof of origin within the meaning of this Agreement without it being necessary to submit a separate proof of origin as specified in subparagraph (1).
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies." "

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Republic of Finland is in agreement with the contents of this letter."

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the Government of
the Republic of Finland



Agreement
in the Form of an
Exchange of Letters between
the European Economic Community
and the Republic of Iceland
on the provisional application of
certain arrangements in the field of agriculture

Letter No 1

Sir,

I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Iceland, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Iceland the text of which is set out below :

"Arrangement between the European Economic Community and the Republic of Iceland
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Republic of Iceland, the EEC and the Republic of Iceland agree that the Agreement in the form of an Exchange of Letters between the EEC and the Republic of Iceland concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
 2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:
- 

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Republic of Iceland concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. Originating products within the meaning of this Annex shall, on importation into the Community or Iceland, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies."."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Republic of Iceland is in agreement with the contents of this letter.

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

On behalf of
the Council of the European Communities



Letter No 2

Sir,

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

"I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Iceland, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Iceland the text of which is set out below :

"Arrangement between the European Economic Community and the Republic of Iceland
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Republic of Iceland, the EEC and the Republic of Iceland agree that the Agreement in the form of an Exchange of Letters between the EEC and the Republic of Iceland concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Republic of Iceland concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. Originating products within the meaning of this Annex shall, on importation into the Community or Iceland, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies."."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Republic of Iceland is in agreement with the contents of this letter."

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the Government of
the Republic of Iceland



Agreement
in the Form of an
Exchange of Letters between
the European Economic Community
and the Kingdom of Norway
on the provisional application of
certain arrangements in the field of agriculture

Letter No 1

Sir,

I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Norway, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Norway the text of which is set out below :

"Arrangement between the European Economic Community and the Kingdom of Norway
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Kingdom of Norway, the EEC and the Kingdom of Norway agree that the Agreement in the form of an Exchange of Letters between the EEC and the Kingdom of Norway concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
 2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:
- 

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Kingdom of Norway concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. (1) Originating products within the meaning of this Annex shall, on importation into the Community or Norway, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
- (2) Notwithstanding subparagraph (1), the certificates referred to in Annex I concerning cheese shall be accepted as valid proof of origin within the meaning of this Agreement without it being necessary to submit a separate proof of origin as specified in subparagraph (1).
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies."."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Kingdom of Norway is in agreement with the contents of this letter.

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

On behalf of
the Council of the European Communities



Letter No 2

Sir,

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

"I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Norway, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Norway the text of which is set out below :

"Arrangement between the European Economic Community and the Kingdom of Norway
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Kingdom of Norway, the EEC and the Kingdom of Norway agree that the Agreement in the form of an Exchange of Letters between the EEC and the Kingdom of Norway concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:

- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Kingdom of Norway concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. (1) Originating products within the meaning of this Annex shall, on importation into the Community or Norway, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
- (2) Notwithstanding subparagraph (1), the certificates referred to in Annex I concerning cheese shall be accepted as valid proof of origin within the meaning of this Agreement without it being necessary to submit a separate proof of origin as specified in subparagraph (1).
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies."."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Kingdom of Norway is in agreement with the contents of this letter."

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the Government of
the Kingdom of Norway



Agreement
in the Form of an
Exchange of Letters between
the European Economic Community
and the Kingdom of Sweden
on the provisional application of
certain arrangements in the field of agriculture

Letter No 1

Sir,

I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Sweden, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Sweden the text of which is set out below :

"Arrangement between the European Economic Community and the Kingdom of Sweden
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Kingdom of Sweden, the EEC and the Kingdom of Sweden agree that the Agreement in the form of an Exchange of Letters between the EEC and the Kingdom of Sweden concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:



- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Kingdom of Sweden concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. (1) Originating products within the meaning of this Annex shall, on importation into the Community or Sweden, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
- (2) Notwithstanding subparagraph (1), the certificates referred to in Annex V concerning vodka shall be accepted as valid proof of origin within the meaning of this Agreement without it being necessary to submit a separate proof of origin as specified in subparagraph (1).
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies." "

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Kingdom of Sweden is in agreement with the contents of this letter.

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

On behalf of
the Council of the European Communities



Letter No 2

Sir,

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

"I have the honour to refer to the discussions concerning the provisional application of the Agreement concerning certain arrangements in the field of agriculture, between the EEC and Sweden, signed in Oporto on 2 May 1992, which have taken place in the framework of the discussions on a Protocol adjusting the Agreement on the European Economic Area.

I hereby confirm that these discussions have resulted in the arrangement between the EEC and Sweden the text of which is set out below :

"Arrangement between the European Economic Community and the Kingdom of Sweden
in the field of agriculture

1. Taking into account the determination of the Contracting Parties to the EEA Agreement to bring that Agreement into force by 1 July 1993, and with reference to Article 15 of the Free Trade Agreement between the EEC and the Kingdom of Sweden, the EEC and the Kingdom of Sweden agree that the Agreement in the form of an Exchange of Letters between the EEC and the Kingdom of Sweden concerning certain arrangements in the field of agriculture, concluded in Oporto on 2 May 1992, shall be applied provisionally as from 15 April 1993. If the EEA Agreement has not entered into force on 1 January 1994, this arrangement shall be terminated then, unless the Contracting Parties decide otherwise.
2. For the purpose of the abovementioned provisional application and pending the entry into force of the EEA Agreement, the provisions of paragraphs 3(2), 4 and 5 of Annex VI on rules of origin of the Agreement signed in Oporto on 2 May 1992 shall be replaced by those which are set out below:



- "3. (2) Evidence that the conditions referred to in subparagraph (1) have been fulfilled shall be supplied to the customs authorities of the importing country in accordance with Article 12(6) of Protocol No 3 of the Free Trade Agreement between the EEC and the Kingdom of Sweden concerning the definition of the concept of "originating products" and methods of administrative co-operation.
4. (1) Originating products within the meaning of this Annex shall, on importation into the Community or Sweden, benefit from the Agreement upon submission of a proof of origin issued or made out in accordance with the provisions of Title II of Protocol No 3 of the Free Trade Agreement.
- (2) Notwithstanding subparagraph (1), the certificates referred to in Annex V concerning vodka shall be accepted as valid proof of origin within the meaning of this Agreement without it being necessary to submit a separate proof of origin as specified in subparagraph (1).
5. The provisions of Protocol No 3 of the Free Trade Agreement concerning drawback, proof of origin and arrangements for administrative co-operation shall apply. As far as the provision concerning drawback is concerned, it is understood that the prohibition of drawback shall apply only in respect of materials which are of the kind to which the Free Trade Agreement applies." "

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their own procedures.

I should be obliged if you would confirm that the Government of the Kingdom of Sweden is in agreement with the contents of this letter."

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the Government of
the Kingdom of Sweden



COM(93) 100 final

DOCUMENTS

EN**11 02**

Catalogue number : CB-CO-93-122-EN-C

ISBN 92-77-53733-7

Office for Official Publications of the European Communities
L-2985 Luxembourg