



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 3 June 2003  
(OR. en)**

**9774/03**

**EEE 24  
AGRI 163  
OC 314**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject : Council Decision concerning the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area

**COMMON GUIDELINES**

**Consultation deadline: 04.06.2003**

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## COUNCIL DECISION

of

concerning the conclusion of the Agreement in the form of an exchange of letters between  
the European Community and the Kingdom of Norway concerning  
additional trade preferences in agricultural products undertaken  
on the basis of Article 19 of the Agreement on the European Economic Area

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 19 of the Agreement on the European Economic Area (EEA) foresees that the contracting parties undertake to continue their efforts with a view to achieving progressive liberalisation of agricultural trade between them.
- (2) The Kingdom of Norway and the European Community held bilateral trade negotiations in agriculture in 2002, on the basis of Article 19 of the Agreement on the European Economic Area, which were concluded satisfactorily on 18 December 2002.
- (3) The Agreement in question, in the form of an exchange of letters, should be approved,

HAS DECIDED AS FOLLOWS:

#### Article 1

The Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area, is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Community.

Done at Brussels,

For the Council  
The President

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AGREEMENT  
IN THE FORM OF AN EXCHANGE OF LETTERS BETWEEN  
THE EUROPEAN COMMUNITY  
AND THE KINGDOM OF NORWAY CONCERNING  
ADDITIONAL TRADE PREFERENCES  
IN AGRICULTURAL PRODUCTS UNDERTAKEN ON THE BASIS  
OF ARTICLE 19 OF THE AGREEMENT ON  
THE EUROPEAN ECONOMIC AREA

A. Letter from the Community

Brussels,

Sir,

I have the honour to refer to the trade negotiations between the European Community and the Kingdom of Norway on agricultural products, held from 4 March 2002 to 18 December 2002, undertaken on the basis of Article 19 of the Agreement on the European Economic Area.

With the aim of fostering a harmonious development of trade between Parties, the Kingdom of Norway and the European Community have agreed to additional bilateral trade preferences concerning agricultural products. This arrangement comprises a consolidated arrangement for reciprocal trade in cheese and mutual concessions for a variety of agricultural products, including additional tariff quotas to existing preferences.

I hereby confirm that the results of the negotiations were as follows:

1. From 1 July 2003, Norway and the Community will increase their reciprocal trade in cheese. The text and the consolidated annual tariff quotas are set out in Annex I hereto.

2. From 1 July 2003, Norway will open for the Community the annual tariff quotas, for products originating in the Community, set out in Annex II hereto. These bilateral concessions are additional to the ones already in place <sup>1</sup>.
3. From 1 July 2003, Norway will reduce or eliminate import duties on products, originating in the Community, set out in Annex III hereto. These bilateral concessions are additional to the ones already in place <sup>1</sup>.
4. From 1 July 2003, the Community will eliminate import duties on products, originating in Norway, set out in Annex IV hereto. These bilateral concessions are additional to the ones already in place <sup>1</sup>.
5. From 1 July 2003, the Community will open for Norway the annual tariff quotas, for products originating in Norway, set out in Annex V hereto. These bilateral concessions are additional to the ones already in place <sup>1</sup>.
6. The Parties will take steps to ensure that the benefits, which they grant each other, will not be jeopardised by other import measures.
7. The Parties agree to take the necessary steps in order to ensure that tariff quotas will be managed in such a way that imports may take place regularly and that the quantities agreed for import can effectively be imported. Where necessary, tariff quotas will be opened in 2003 on a pro-rata basis.
8. The Parties agree to exchange at regular interval information on tariff quota management, price quotations and any useful information concerning the respective domestic markets and the implementation of this agreement.

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<sup>1</sup> Exchange of letters of 2 May 1992, Council Decision 93/239/EC (OJ L 109, 1.5.1993, p. 1) and exchange of letters of 20 December 1995, Council Decision 95/582/EC (OJ L 327, 30.12.1995, p. 17).

9. Consultations will be held at the request of either Party on any question relating to the operation of this agreement. In case of difficulties, these consultations will be held as promptly as possible, with a view to the adoption of appropriate corrective measures.
10. The rules of origin for the purpose of implementing the concessions referred to in Annexes I to V of this agreement are set out in Annex IV of the exchange of letters of 2 May 1992. However, paragraph 2 of Annex IV shall refer to the list in Annex II of Protocol 4 to the Agreement on the European Economic Area, to be applied according to Annex I of the same Protocol, instead of the list in the Appendix referred to in paragraph 2 of Annex IV of the exchange of letters of 2 May 1992.
11. Norway and the European Community agree to resume bilateral negotiations in the framework of Article 19 of the Agreement on the European Economic Area in two years time.

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

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

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

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

On behalf of the Council  
of the European Union



## Trade in cheese

1. The European Community shall abolish import duties on the existing cheese quota and shall increase these quotas. The consolidated annual tariff quotas are as follows:

CN Code	Description of products <sup>(1)</sup>	Annual quantity (in tons)	Rate of duty
ex 0406 90 23	Norwegian Edam	3 467	free
0406 90 39	Jarlsberg		
ex 0406 90 78	Norwegian Gouda		
0406 90 86	Other cheeses		
0406 90 87			
0406 90 88			
0406 10	Fresh cheeses	533	free

- (1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the applicability of the preferential scheme determined, for the purpose of this Annex, by the coverage of the CN codes.

2. Norway shall abolish import duties on the existing cheese quota and shall increase these quotas. The consolidated annual tariff quota is as follows:

CN Code	Description of products	Annual quantity (in tons)	Rate of duty
0406	Cheese and curd	4 000	free

3. Norway will improve its current import management system based on import licences attributed on the basis of historical rights, in particular by improving the access to licences to newcomers. Norway will continue to administer a quantity of 2 360 tons of cheeses of the consolidated annual cheese tariff quota on the basis of a cheese list, according to the exchange of letters of 11 April 1983. Additional quantities within the consolidated cheese tariff quotas will not be subject to this cheese list and will be imported with no condition relating to the type of cheese. However, imports of cheese for processing should be minimised, with the exception to cheeses used in the preparation of ready-made food (e.g. pizzas or cheese-snacks).

4. The Community will manage the annual cheese tariff quota under the general licensing system applied in the dairy sector. The IMA1 certificate system will be abandoned.
  5. These provisions shall replace previous arrangements between the European Community and the Kingdom of Norway concerning reciprocal trade in cheese.
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## Additional tariff quotas granted by Norway

1. Norway will open the following annual tariff quotas for the following products originating in the Community\*:

Norwegian Customs Tariff heading	Description of products	Annual quantity (in tons)	Rate of duty
0206 41 00	Livers of swine, frozen	250	5 NOK/kg
0210 11 00	Hams, shoulders and cuts thereof, with bone in, of swine	200	free
0705 11 11 0705 11 21	Iceberg lettuce	600	free
0712 90 11	Potatoes, whether or not cut or sliced, but not further prepared	300	free
ex 0808 10 11	Apples from 1 May to 1 August	2000	free
0810 10 23 0810 10 24	Strawberries, fresh, from 9 June to 9 September	300	free
0811 10 01	Strawberries, frozen, containing added sugar or sweetening matter	500	free
0811 10 09	Other strawberries		
0812 10 00	Cherries, provisionally preserved	100	4,3 NOK/kg
ex 1209 23 00	Fescue seed, for lawn	55 (1)	free
ex 1209 24 00	Kentucky blue grass ( <i>Poa pratensis</i> ) seed, for lawn	100 (1)	free
1209 25 00	Rye grass ( <i>Lolium multiflorum Lam.</i> , <i>Lolium perenne L.</i> ) seed	600	free
1214 90 91	Hay	10 000 (1)	free
1601 00 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	200	free
1602 49 10	"Bacon crisp"	200 (1) (2)	free
ex 1602 50 00	Meatballs	150	free
2009 71 00	Apple juice of a Brix value not exceeding 20	1000	free
2009 79 00	Other apple juice		

\* The quotas shall apply annually unless otherwise specified.

- (1) Increase of existing quota.  
(2) The existing in-quota tariff shall be eliminated.

2. Norway will open the following annual zero-duty tariff quotas for the following products originating in the Community\*:

Norwegian Customs Tariff heading	Description of products	Annual value in million NOK
0602 90 61	( <i>Condiaeum</i> , Croton, Dieffenbacchia, <i>Epipremnum</i> , <i>Scindapsus aureum</i> , Hedera, <i>Nephrolepis</i> , <i>Peperomia obtusifolia</i> , <i>Peperomia rotundifolia</i> , Schefflera, <i>Soleirolia</i> and Helxine, also when imported as part of mixed groups of plants) from 1 May to 14 December	4
0602 90 71	Grass in rolls or plates (lawn)	4

\* The quotas shall apply annually unless otherwise specified.

## Additional tariff concessions granted by Norway

Norway will reduce or eliminate import duties on the following products originating in the Community\*:

Norwegian Customs Tariff heading	Description of products	Rate of duty
0602	Other live plants (including their roots), cuttings and slips; mushroom spawn	
	-- Cuttings, unrooted or <i>in vitro</i> , for horticultural purposes:	
	--- Other:	
0602 10 21	---- Begonia, all sorts, <i>Campanula isophylla</i> , <i>Euphorbia pulcherrima</i> , <i>Poinsettia pulcherrima</i> , <i>Fuchsia</i> , <i>Hibiscus</i> , <i>Kalanchoe</i> and <i>Petunia</i> -hanging	25%
0602 10 22	---- Saintpaulia, <i>Scaevola</i> and <i>Streptocarpus</i>	15%
0602 10 23	---- <i>Dendranthema x grandiflora</i> and <i>Chrysanthemum x morafloerum</i> , from 1 April to 15 October	15%
0602 10 24	---- Pelargonium	35%
0602 10 29	---- Other (1)	free
0602 30 13	- Rhododendrons and azaleas, grafted or not: -- <i>Azalea indica</i> (Indoor azalea): --- Other (other than in flower): ---- from 24 December to 14 November	free
	- Roses, grafted or not:	
0602 40 02	-- Stock	free
0602 40 03	-- Rooted cuttings, not wrapped for retail sale	free
0602 40 04	-- Bare-root roses, without any kind of media, not wrapped for retail sale	free
	----- Green pot plants from 1 May to 14 December:	
0602 90 62	----- <i>Asplenium</i> , <i>Begonia x rex-cultorum</i> , <i>Chlorophytum</i> , <i>Euonymus japonicus</i> , <i>Fatsia japonica</i> , <i>Aralia sieboldii</i> , <i>Ficus elastica</i> , <i>Monstera</i> , <i>Philodendron scandens</i> , <i>Radermachera</i> , <i>Stereospermum</i> , <i>Syngonium</i> and <i>X-Fatshedera</i> , also when imported as part of mixed groups of plants	25%
0602 90 63	----- Other, also when imported as part of mixed groups of plants (other than <i>Condiaeum</i> , <i>Croton</i> , <i>Dieffenbacchia</i> , <i>Epipremnum</i> , <i>Scindapsus aureum</i> , <i>Hedera</i> , <i>Nephrolepis</i> , <i>Peperomia obtusifolia</i> , <i>Peperomia rotundifolia</i> , <i>Schefflera</i> , <i>Soleirolia</i> and <i>Helxine</i> )	free
	----- Pot plants in flower:	
0602 90 65	----- <i>Achimenes</i> , <i>Aster novi-belgii</i> , <i>Calceolaria herbeohybrida</i> , <i>Capsicum annum</i> , <i>Catharanthus roseus</i> , <i>Vinca rosea</i> , <i>Dipladenia</i> , <i>Nematanthus</i> , <i>Hypocyrtia</i> , <i>Osteospermum</i> , <i>Schlumbergera</i> , <i>Senecio x hybridus</i> , <i>Cineraria</i> , <i>Sinningia speciosa</i> , <i>Gloxinia</i> , <i>Solanum</i> and <i>Streptocarpus</i> , also when imported as part of mixed groups of plants	30%

0602 90 66	----- Other, also when imported as part of mixed groups of plants (other than <i>Achimenes</i> , <i>Aster novi-belgii</i> , <i>Calceolaria herbeohybrida</i> , <i>Capsicum annum</i> , <i>Catharanthus roseus</i> , <i>Vinca rosea</i> , <i>Dipladenia</i> , <i>Nematanthus</i> , <i>Hypocyrtia</i> , <i>Osteospermum</i> , <i>Schlumbergera</i> , <i>Senecio x hybridus</i> , <i>Cineraria</i> , <i>Sinningia speciosa</i> , <i>Gloxinia</i> , <i>Solanum</i> and <i>Streptocarpus</i> )	free
	----- Rooted cuttings and young plants:	
0602 90 67	----- Begonia (all sorts), <i>Campanula isophylla</i> , <i>Dendranthema x grandiflora</i> , <i>Chrysanthemum x morifolium</i> , <i>Cyclamen</i> , <i>Euphorbia pulcherrima</i> , <i>Fuchsia</i> , <i>Hibiscus</i> , <i>Kalanchoe</i> , <i>Pelargonium</i> , <i>Petunia-heng</i> , <i>Saintpaulia</i> , <i>Scaevola</i> , and <i>Sinningia syn. Gloxinia</i>	38%
0602 90 68	----- Other	free
0602 90 69	----- Other	free
0602 90 79	----- Other (other than grass in rolls or plates (lawn))	free
ex. 0603	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared.	
	- Fresh:	
0603 10 12	--- <i>Argyranthemum frutescens</i> and <i>Chrysanthemum frutescens</i> 1 November to 30 April, <i>Dendranthema x grandiflora</i> and <i>Chrysanthemum x morifolium</i> 15 December to 15 March, <i>Dianthus caryophyllus</i> 1 November to 15 May, <i>Freesia</i> 1 December to 31 March, <i>Rosa</i> 1 November to 31 March and <i>Tulipa</i> 1 May to 31 May, also when imported as parts of mixed bouquets and similar	free
0603 10 98	---- <i>Freesia</i> from 1 April to 30 November, <i>Iris</i> , <i>Limonium</i> , <i>Statice</i> , <i>Matthiola</i> , and <i>Narcissus</i> , also when imported as parts of mixed bouquets and similar	free
0603 10 99	---- Other, also when imported as parts of mixed bouquets and similar (other than covered by specific code numbers)	free
0603 90 00	- Other	free
ex 0604	Foliage, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared.	
	-- Fresh:	
0604 91 10	--- Maidenhair fern ( <i>Adiantum</i> ) and <i>Asparagus</i> from 1 June to 31 October	free
0702 00 22	Tomatoes, fresh or chilled, from 10 to 31 May	10,21 NOK/kg
0702 00 23	Tomatoes, fresh or chilled, from 1 June to 10 July	10,21 NOK/kg
0702 00 30	Tomatoes, fresh or chilled, from 11 July to 14 October	6,86 NOK/kg
0702 00 40	Tomatoes, fresh or chilled, from 15 to 31 October	free
ex 0704 90 91	Savoy cabbage, fresh or chilled, from 1 December to 30 June	free
ex 0704 90 92	Curly kale, fresh or chilled, from 1 December to 31 July	free

0706 10 30	Turnips	free
0707 00 20	Snake cucumbers, fresh or chilled, from 1 to 30 November	free
0709 10 10	Artichokes, fresh or chilled, from 1 June to 30 November	free
0709 52 00	Truffles, fresh or chilled	free
0709 90 10	Olives , fresh or chilled	free
0709 90 20	Capers, fresh or chilled	free
0709 90 99	Other vegetables, than covered by specific code numbers	free
0711 20 10	Olives for uses other than production of oil	free
0711 20 90	Olives others	free
0711 30 10	Capers in brine	free
0711 30 90	Capers other	free
0712 90 91	Tomatoes, dried	free
0804 40 00	Avocados, fresh or dried	free
0806 10 19	Grapes, not for human consumption from 1 August to end February	free
0806 10 99	Grapes not for human consumption, from 1 March to 31 July	free
0808 10 22	Apples, fresh, from 1 December to 30 April	free
0808 20 12	Pears, fresh, from 1 December to 10 August	free
0813 30 00	Apples, dried	free
0813 40 01	Bilberries, dried	free
0813 40 02	Others, dried (other than apricots and prunes)	free
0813 50 99	Other mixtures, dried (other than specified)	free
1507 10 90	Soya-bean oil, crude whether or not degummed, not for feed purpose	free
1514 11 90	Low erucic acid rape or colza oil and its fractions, crude, not for feed purpose	free
1514 91 90	Other rape or colza oil, not for feed purpose, or mustard oil, not for feed purpose	free
2001 90 20	Olives, prepared or preserved by vinegar or acetic acid	free
2001 90 61	Sweet peppers, prepared or preserved by vinegar or acetic acid	free
2001 90 10	Capers, prepared or preserved by vinegar or acetic acid	free
2002 10 01	Tomatoes, whole or in pieces, in airtight containers, prepared or preserved	free
2002 10 09	Other tomatoes, whole or in pieces, prepared or preserved	free
2003 10 08	Mushrooms of the genus <i>Agaricus</i> , other than cultivated, prepared or preserved otherwise than by vinegar or acetic acid	free
2005 51 00	Beans, shelled ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.), prepared or preserved otherwise than by vinegar or acetic acid	free
2005 59 09	Beans, prepared, other (except runner beans, string beans, wax beans and French beans)	free
2005 90 03	Sweet peppers ( <i>Capsicum annuum</i> var. <i>annuum</i> ), prepared or preserved	free

2008 30 99	Citrus fruit, other than mandarins, not for feed purpose, prepared or preserved	free
2008 40 00	Pears, otherwise prepared or preserved	free
2008 92 01	Mixtures, entirely containing fruits of headings Nos 08.03 - 08.10, otherwise prepared or preserved	free
2009 50 00	Tomato juice	free
2009 90 00	Mixtures of fruit or vegetable juices	26,86 NOK/kg

\* The concessions shall apply annually unless otherwise specified.

(1) 06.02.1029: green plants from 1 May to 14 December, other plants all year.



## Additional tariff concessions granted by the Community

The Community will eliminate import duties on the following products originating in Norway:

CN Code	Description of products	Rate of duty
0602 10 90	Other unrooted cuttings and slips	free
0602 20 90	Other trees, shrubs and bushes, grafted or not, of kinds which bear edible fruit or nuts	free
ex 0602 30 00	Rhododendrons	free
0602 90 30	Vegetables and strawberry plants	free
0602 90 45	Outdoor plants, rooted cuttings and young plants, other than forest trees	free
0602 90 49	Outdoor plants, other	free
ex 0604 91 90	Holly	free

## Additional tariff quotas granted by the Community

1. The Community will open the following annual tariff quota for the following products originating in Norway\*:

CN Code	Description of products	Annual quantity (in tons)	Rate of duty (3)
0204	Meat of sheep or goats, fresh, chilled or frozen.	300	free
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal.	200	free
0705 11 00	Cabbage lettuce	300	free
0705 19 00	Other lettuce	300	free
ex 0809 20	Cherries, fresh from 16 July to 31 August	300 (1)	free (2)
0810 10 00	Strawberries, fresh, from 9 June to 9 September	300 (1)	free
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products.	300	free

\* The quotas shall apply annually unless otherwise indicated.

(1) Increase of existing quota.

(2) The additional specific duty is applicable.

(3) 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.

2. The Community will open the following annual zero-duty tariff quotas for the following products originating in Norway\*:

CN Code	Description of products	Annual value in million NOK
0602 90 51	Perennial plants	1
0602 90 70	Indoor plants, rooted cuttings and young plants, excluding cacti	4

\* The quotas shall apply annually unless otherwise indicated.

B. Letter from Norway

Brussels,

Sir,

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

"I have the honour to refer to the trade negotiations between the European Community and the Kingdom of Norway on agricultural products, held from 4 March 2002 to 18 December 2002, undertaken on the basis of Article 19 of the Agreement on the European Economic Area.

With the aim of fostering a harmonious development of trade between Parties, the Kingdom of Norway and the European Community have agreed to additional bilateral trade preferences concerning agricultural products. This arrangement comprises a consolidated arrangement for reciprocal trade in cheese and mutual concessions for a variety of agricultural products, including additional tariff quotas to existing preferences.

I hereby confirm that the results of the negotiations were as follows:

1. From 1 July 2003, Norway and the Community will increase their reciprocal trade in cheese. The text and the consolidated annual tariff quotas are set out in Annex I hereto.
2. From 1 July 2003, Norway will open for the Community the annual tariff quotas, for products originating in the Community, set out in Annex II hereto. These bilateral concessions are additional to the ones already in place <sup>1</sup>.
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5. From 1 July 2003, the Community will open for Norway the annual tariff quotas, for products originating in Norway, set out in Annex V hereto. These bilateral concessions are additional to the ones already in place <sup>1</sup>.

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<sup>1</sup> Exchange of letters of 2 May 1992, Council Decision 93/239/EC (OJ L 109, 1.5.1993, p. 1) and exchange of letters of 20 December 1995, Council Decision 95/582/EC (OJ L 327, 30.12.1995, p. 17).

6. The Parties will take steps to ensure that the benefits, which they grant each other, will not be jeopardised by other import measures.
7. The Parties agree to take the necessary steps in order to ensure that tariff quotas will be managed in such a way that imports may take place regularly and that the quantities agreed for import can effectively be imported. Where necessary, tariff quotas will be opened in 2003 on a pro-rata basis.
8. The Parties agree to exchange at regular interval information on tariff quota management, price quotations and any useful information concerning the respective domestic markets and the implementation of this agreement.
9. Consultations will be held at the request of either Party on any question relating to the operation of this agreement. In case of difficulties, these consultations will be held as promptly as possible, with a view to the adoption of appropriate corrective measures.
10. The rules of origin for the purpose of implementing the concessions referred to in Annexes I to V of this agreement are set out in Annex IV of the exchange of letters of 2 May 1992. However, paragraph 2 of Annex IV shall refer to the list in Annex II of Protocol 4 to the Agreement on the European Economic Area, to be applied according to Annex I of the same Protocol, instead of the list in the Appendix referred to in paragraph 2 of Annex IV of the exchange of letters of 2 May 1992.
11. Norway and the European Community agree to resume bilateral negotiations in the framework of Article 19 of the Agreement on the European Economic Area in two years time.

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

I have the honour to confirm that the European Community is in agreement with the contents of your letter.

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

I have the honour to confirm that the Government of the Kingdom of Norway is in agreement with the contents of your letter.

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

For the Government  
of the Kingdom of Norway