



European Communities No. 3 (1993)

Europe Agreement
establishing an Association between the
European Communities and their Member States,
of the one part, and
Romania, of the other part
including Exchanges of Letters
with Declarations and Final Act

Brussels, 1 February 1993

[The Agreement is not in force]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
August 1993*

LONDON : HMSO



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INDEX

		<i>Articles</i>
PREAMBLE		1
TITLE I	POLITICAL DIALOGUE	2-5
TITLE II	GENERAL PRINCIPLES	6-7
TITLE III	FREE MOVEMENT OF GOODS	8
Chapter I	Industrial Products	9-18
Chapter II	Agriculture	19-22
Chapter III	Fisheries... ..	23-24
Chapter IV	Common Provisions	25-37
TITLE IV	MOVEMENT OF WORKERS, ESTABLISHMENT, SUPPLY OF SERVICES... ..	38
Chapter I	Movement of workers	38-44
Chapter II	Establishment	45-55
Chapter III	Supply of services	56-58
Chapter IV	General Provisions	59
TITLE V	PAYMENTS, CAPITAL, COMPETITION AND OTHER ECONOMIC PROVISIONS, APPROXIMATION OF LAWS ...	60
Chapter I	Current payments and movement of capital	60-63
Chapter II	Competition and other economic provisions... ..	64-68
Chapter III	Approximation of laws	69-71
TITLE VI	ECONOMIC CO-OPERATION	72-98
TITLE VII	CULTURAL CO-OPERATION	99
TITLE VIII	FINANCIAL CO-OPERATION	100-105
TITLE IX	INSTITUTIONAL, GENERAL AND FINAL PROVISIONS ...	106-126

**EUROPE AGREEMENT
ESTABLISHING AN ASSOCIATION BETWEEN THE
EUROPEAN COMMUNITIES AND THEIR MEMBER STATES,
OF THE ONE PART, AND ROMANIA,
OF THE OTHER PART**

The Kingdom of Belgium, The Kingdom of Denmark, The Federal Republic of Germany, The Hellenic Republic, The Kingdom of Spain, The French Republic, Ireland, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands, The Portuguese Republic, The United Kingdom of Great Britain and Northern Ireland, Contracting Parties to the Treaty establishing the European Economic Community¹, the Treaty establishing the European Coal and Steel Community², and the Treaty establishing the European Atomic Energy Community³, hereinafter referred to as "Member States", and the European Economic Community, the European Atomic Energy Community and the European Coal and Steel Community, hereinafter referred to as "the Community",

of the one part, and

Romania, of the other part,

CONSIDERING the importance of the traditional links existing between the Community, its Member States and Romania and the common values that they share;

RECOGNIZING recognizing that the Community and Romania wish to strengthen these links and to establish close and lasting relations, based on reciprocity, which would allow Romania to take part in the process of European integration, thus strengthening and widening the relations established in the past notably by the Agreement on Trade and Commercial and Economic Co-operation, signed on 22 October 1990⁴;

CONSIDERING the opportunities for a relationship of a new quality offered by the emergence of a new democracy in Romania;

CONSIDERING the commitment of the Community and its Member States and of Romania to strengthening the political and economic freedoms which constitute the very basis of the association;

RECOGNIZING the need to continue and complete, with the assistance of the Community, Romania's transition towards a new political and economic system which respects the rule of law and human rights, including the rights of persons belonging to minorities, operates a multi-party system with free and democratic elections, and provides for economic liberalization in order to establish a market economy;

CONSIDERING the firm commitment of the Community and its Member States and of Romania to the full implementation of all principles and provisions contained in the Final Act of the Conference on Security and Co-operation in Europe (CSCE)⁵, the concluding documents of Vienna⁶ and Madrid⁷, the Charter of Paris for a New Europe⁸, the CSCE Helsinki document "The Challenges of Change"⁹, and the European Energy Charter;

CONSCIOUS of the importance of this Agreement to establishing and enhancing in Europe a system of stability based on co-operation, with the Community as one of the cornerstones;

BELIEVING that a link should be made between full implementation of association on the one hand, and continuation of the actual accomplishment of Romania's political, economic and legal reforms on the other hand, as well as the introduction of the factors necessary for co-operation and the actual rapprochement between the Parties' systems, notably in the light of the conclusions of the CSCE Bonn Conference;

¹Treaty Series No. 15 (1979), Cmnd. 7460.

²Treaty Series No. 16 (1979), Cmnd. 7461.

³Treaty Series No. 17 (1979), Cmnd. 7462.

⁴European Communities No. 30 (1991), Cm 1546.

⁵Cmnd. 6198.

⁶Cm 649.

⁷Cmnd. 9066.

⁸Cm 1464.

⁹Cm 2092.

DESIROUS of establishing and developing regular political dialogue on bilateral and international issues of mutual interest;

TAKING ACCOUNT of the Community's willingness to provide decisive support for the implementation of reform and to help Romania cope with the economic and social consequences of structural readjustment;

TAKING ACCOUNT furthermore of the Community's willingness to set up instruments of co-operation and economic, technical and financial assistance on a global and multiannual basis;

CONSIDERING the commitment of the Community and Romania to free trade, and in particular to comply with the rights and obligations arising out of the General Agreement on Tariffs and Trade¹;

CONSCIOUS of the need to establish the necessary conditions for the freedom of establishment, the freedom to provide services and the free movement of capital;

BEARING in mind the economic and social disparities between the Community and Romania and thus recognizing that the objectives of this association should be reached through appropriate provisions of this Agreement;

CONVINCED that this Agreement will create a new climate for their economic relations and in particular for the development of trade and investment, instruments which are indispensable for economic restructuring and technological modernization;

DESIROUS of establishing cultural co-operation and developing exchanges of information;

RECOGNIZING the fact that Romania's ultimate objective is to become a member of the Community, and that this association, in the view of the Parties, will help Romania to achieve this objective,

Have decided to conclude this Agreement and to this end have designated as their plenipotentiaries;

The Kingdom of Belgium, The Kingdom of Denmark, The Federal Republic of Germany, The Hellenic Republic, The Kingdom of Spain, The French Republic, Ireland, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands, The Portuguese Republic, The United Kingdom of Great Britain and Northern Ireland, the European Economic Community, the European Atomic Energy Community and the European Coal and Steel Community:

Romania:

who, having exchanged their full powers, formed in good and due form;

Have agreed as follows:

ARTICLE 1

An association is hereby established between the Community and its Member States on the one part, and Romania on the other part. The objectives of this association are:

- to provide an appropriate framework for the political dialogue between the Parties allowing the development of close political relations;
- to promote the expansion of trade and the harmonious economic relations between the Parties and so to foster the economic development in Romania;
- to provide a basis for economic, social, financial and cultural co-operation;
- to support Romania's efforts to develop its economy and to complete the conversion into a market economy, and consolidate its democracy;
- to set up institutions suitable to make the association effective;
- to provide a framework for Romania's gradual integration into the Community. To this end, Romania shall work towards fulfilling the necessary conditions.

¹Basic Instruments and Selected Documents, General Agreement on Tariffs and Trade, Volume IV, Text of the General Agreement. (Sales No. GATT/1969-1, available through Agency Section, Her Majesty's Stationery Office, PO Box 276, London SW8 5DT.)

TITLE I
Political Dialogue

ARTICLE 2

A regular political dialogue shall be established between the Parties which they intend to develop and intensify. It shall accompany and consolidate the rapprochement between the Community and Romania, support the political and economic changes underway in that country and contribute to the establishment of new links of solidarity and new forms of co-operation. The political dialogue:

- will facilitate Romania's full integration into the community of democratic nations and progressive rapprochement with the Community. The economic rapprochement provided for in this Agreement will lead to greater political convergence;
- will bring about an increasing convergence of positions on international issues, and in particular on those matters likely to have substantial effects on one or the other Party;
- will contribute to the rapprochement of the Parties' positions on security issues and will enhance security and stability in the whole of Europe.

ARTICLE 3

1. Consultations as appropriate shall be held between the Parties at the highest political level.
2. At ministerial level, political dialogue shall take place within the Association Council. This shall have general responsibility for all matters which the Parties might wish to put to it.

ARTICLE 4

Other procedures and mechanisms for political dialogue shall be set up by the Parties, and in particular in the following forms:

- meetings at senior official level (political directors) between officials of Romania on the one hand, and the Presidency of the Council of the European Communities and the Commission of the European Communities, on the other;
- taking full advantage of diplomatic channels;
- including Romania in the group of countries receiving regular information on the issues dealt with by the European Political Co-operation as well as exchanging information with a view to achieving the objectives set out in Article 2;
- any other means which would contribute to consolidating, developing and stepping up this dialogue.

ARTICLE 5

Political dialogue at parliamentary level shall take place within the framework of the Parliamentary Association Committee.

TITLE II
General Principles

ARTICLE 6

Respect for the democratic principles and human rights established by the Helsinki Final Act and the Charter of Paris for a New Europe, as well as the principles of market economy, inspire the domestic and external policies of the Parties and constitute essential elements of the present association.

ARTICLE 7

1. The association includes a transitional period of a maximum duration of ten years divided into two successive stages, each in principle lasting five years. The first stage shall begin when the Agreement enters into force.
2. The Association Council, bearing in mind that the principles of the market economy and the support by the Community through this Agreement are essential to the present association, shall proceed regularly to examine the application of the Agreement and the accomplishment of Romania's economic reforms on the basis of the principles established in the preamble.
3. During the course of the twelve months preceding the expiration of the first stage, the Association Council shall meet to decide the transition to the second stage as well as on any possible changes to be brought about as concerns the dispositions governing the second stage. In doing this, it will take into account the results of the examination mentioned in paragraph 2.
4. The two stages envisaged under 1 and 3 do not apply to Title III.

TITLE III

Free Movement of Goods

ARTICLE 8

1. During the transitional period referred to in Article 7, the Community and Romania shall gradually establish a free trade area based on reciprocal and balanced obligations, in accordance with the provisions of this Agreement and in conformity with those of the General Agreement on Tariffs and Trade (GATT).
2. The Combined Nomenclature of goods shall be applied to the classification of goods in trade between the two Parties.
3. For each product the basic duty to which the successive reductions set out in this Agreement are to be applied shall be that actually applied erga omnes on the day preceding the entry into force of the Agreement.
4. If, after the entry into force of the Agreement, any tariff reduction is applied on an erga omnes basis, such reduced duties shall replace the basic duties referred to in paragraph 3 as from that date when such reductions are applied.
5. The Community and Romania shall communicate to each other their respective basic duties.

CHAPTER I

Industrial products

ARTICLE 9

1. The provisions of this Chapter shall apply to products originating in the Community and in Romania listed in Chapters 25 to 97 of the Combined Nomenclature with the exception of the products listed in Annex I.
2. The provisions of Articles 10 to 14 included do not apply to products mentioned in Articles 16 and 17.

ARTICLE 10

1. Customs duties on imports applicable in the Community to products originating in Romania other than those listed in Annexes IIa, IIb and III shall be abolished on the entry into force of the Agreement.

2. Customs duties on imports applicable in the Community to products originating in Romania which are listed in Annex IIa shall be progressively abolished in accordance with the following timetable:

- on the date of entry into force of the Agreement, each duty shall be reduced to 50% of the basic duty;
- one year after the date of entry into force of the Agreement the remaining duties shall be eliminated.

Customs duties on imports applicable in the Community to products originating in Romania listed in Annex IIb shall be progressively reduced, from the date of entry into force of the Agreement, by annual reductions of 20% of the basic duty so as to arrive at total abolition by the end of the fourth year after the date of entry into force of the Agreement.

3. The products of Romanian origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned at the end of the fifth year at the latest.

At the same time, the customs duties on imports to be applied when the quotas have been exhausted or when the levying of customs duties has been reintroduced with respect to products covered by a tariff ceiling, shall be progressively dismantled, from the entry into force of the Agreement by annual reductions of 15% of the basic duty. By the end of the fifth year, remaining duties shall be abolished.

4. Quantitative restrictions and measures having an effect equivalent to quantitative restrictions on imports to the Community shall be abolished on the date of entry into force of the Agreement with regard to the products originating in Romania.

ARTICLE 11

1. Customs duties on imports applicable in Romania to products originating in the Community which are listed in Annex IV shall be abolished on the date of entry into force of the Agreement.

2. Customs duties on imports applicable in Romania to products originating in the Community which are listed in Annex V shall be progressively reduced in accordance with the following timetable:

- on the date of entry into force of the Agreement, to be 80% of the basic duty;
- three years after the entry into force of the Agreement, to 40% of the basic duty;
- five years after the entry into force of the Agreement, to 0% of the basic duty.

3. Customs duties on imports applicable in Romania to products originating in the Community which are listed in Annex VI shall be abolished in accordance with the timetable mentioned in that Annex.

4. Customs duties on imports applicable in Romania to products originating in the Community other than those listed in Annexes IV, V and VI shall be progressively reduced according to the following timetable:

- three years after the entry into force of the Agreement, to 80% of the basic duty;
- five years after the entry into force of the Agreement, to 60% of the basic duty;
- six years after the entry into force of the Agreement, to 50% of the basic duty;
- seven years after the entry into force of the Agreement, to 35% of the basic duty;
- eight years after the entry into force of the Agreement, to 20% of the basic duty;
- nine years after the entry into force of the Agreement, to 0% of the basic duty.

5. The products originating in the Community listed in Annex VII shall benefit from a suspension of customs duties on imports in Romania within the limits of annual quotas which will be increased progressively as foreseen in that Annex. Customs duties on imports applicable to quantities in excess of the abovementioned quotas shall be progressively dismantled according to the timetable mentioned in paragraph 4.

6. Quantitative restrictions on imports into Romania of products originating in the Community shall be abolished upon entry into force of the Agreement.

7. Measures having an effect equivalent to quantitative restrictions on imports into Romania of products originating in the Community shall be abolished upon entry into force of the Agreement, except for those listed in Annex VIII which shall be abolished according to the timetable in that Annex.

ARTICLE 12

The provisions concerning the abolition of customs duties on imports shall also apply to customs duties of a fiscal nature.

ARTICLE 13

1. The Community shall abolish in its imports from Romania any charges having an equivalent effect to customs duties on imports upon entry into force of the Agreement.

2. Romania shall abolish in its imports from the Community any charges having an equivalent effect to customs duties on imports upon entry into force of the Agreement, except for the charges of 0.5% *ad valorem* for the customs formalities which will be abolished according to the following timetable:

—reduction to 0.25% *ad valorem* at the end of the third year;

—elimination at the latest by the end of the fifth year upon entry into force of the Agreement.

ARTICLE 14

1. The Community and Romania shall progressively abolish between them at the latest by the end of the fifth year after entry into force of the Agreement any customs duties on exports and charges having equivalent effect.

2. Quantitative restrictions on exports to Romania and any measures having equivalent effect shall be abolished by the Community upon entry into force of the Agreement.

3. Quantitative restrictions on exports to the Community and any measures having equivalent effect shall be abolished by Romania upon entry into force of the Agreement except for those listed in Annex IX which shall be progressively reduced and shall be eliminated at the latest by the end of the fifth year after the entry into force of the Agreement.

ARTICLE 15

Each Party declares its readiness to reduce its customs duties in trade with the other Party more rapidly than is provided for in Articles 10 and 11 if its general economic situation and the situation of the economic sector concerned so permit.

The Association Council may make recommendations to this effect.

ARTICLE 16

Protocol No. 1 lays down the arrangements applicable to the textile products referred to therein.

ARTICLE 17

Protocol No. 2 lays down the arrangements applicable to products covered by the Treaty establishing the European Coal and Steel Community.

ARTICLE 18

1. The provisions of this Chapter do not preclude the retention by the Community of an agricultural component in the duties applicable to products listed in Annex X in respect of products originating in Romania.

2. The provisions of this Chapter do not preclude the introduction of an agricultural component by Romania in the duties applicable to the products listed in Annex X in respect of products originating in the Community.

CHAPTER II

Agriculture

ARTICLE 19

1. The provisions of this Chapter shall apply to agricultural products originating in the Community and in Romania.
2. The term "agricultural products" means the products listed in Chapters I to 24 of the Combined Nomenclature and the products listed in Annex I, but excluding fishery products as defined by Regulation (EEC) No. 3687/91.

ARTICLE 20

Protocol No. 3 lays down the trade arrangements for processed agricultural products which are listed in such protocol.

ARTICLE 21

1. The Community shall abolish at the date of entry into force of the Agreement the quantitative restrictions on imports of agricultural products originating in Romania maintained by virtue of Council Regulation (EEC) No. 3420/83 in the form existing on the date of signature hereof.
2. The agricultural products originating in Romania listed in Annexes XIa and XIb shall benefit, upon the date of entry into force of this Agreement, from the reduction of levies within the limit of Community quotas or from the reduction of customs duties and upon the conditions provided in the same Annexes.
3. Romania shall abolish quantitative restrictions on imports of agricultural products originating in the Community upon entry into force of the Agreement.
4. The Community and Romania shall grant each other the concessions referred to in Annexes XIIa, XIIb and XIII, on a harmonious and reciprocal basis, in accordance with the conditions laid down therein.
5. 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, of the role of agriculture in Romania's economy, and of the consequences of the multilateral trade negotiations under the General Agreement on Tariffs and Trade, the Community and Romania shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibilities of granting each other further concessions.
6. Taking account of the need for an increased harmony between the agricultural policies in the Community and Romania, as well as Romania's objective of becoming a member of the Community, both Parties will have regular consultations in the Association Council on the strategy and practical modalities of their respective policies.

ARTICLE 22

Notwithstanding other provisions of this Agreement, and in particular Article 31, if, given the particular sensitivity of the agricultural markets, imports of products originating in one Party, which are the subject of concessions granted in Article 21, cause serious disturbance to the markets in the other Party, both Parties shall enter into consultations immediately to find an appropriate solution. Pending such a solution, the Party concerned may take the measures it deems necessary.

CHAPTER III

Fisheries

ARTICLE 23

The provisions of this Chapter shall apply to fishery products originating in the Community and in Romania, which are covered by Regulation (EEC) No. 3687/91 on the common organization of the market in fishery products.

ARTICLE 24

1. The Community and Romania shall grant each other the concessions referred to in Annexes XIV and XV on a harmonious and reciprocal basis, in accordance with the conditions laid down therein. The provisions of Article 21(5) shall apply *mutatis mutandis* to fishery products.
2. The Association Council will examine the possibility of concluding an Agreement on fishery products between the Parties when the necessary conditions so permit.

CHAPTER IV

Common provisions

ARTICLE 25

The provisions of this Chapter shall apply to trade in all products, except where otherwise provided herein or in Protocols Nos. 1, 2 or 3.

ARTICLE 26

1. No new customs duties on imports or exports or charges having equivalent effect shall be introduced, nor shall those already applied be increased, in the trade between the Community and Romania from the date of entry into force of the Agreement.
2. No new quantitative restrictions on imports or exports or measures having equivalent effect shall be introduced, nor shall those existing be made more restrictive, in the trade between the Community and Romania from the date of entry into force of the Agreement.
3. Any new customs duties on imports or exports or charges having equivalent effect or increases thereof or any new quantitative restrictions or charges having equivalent effect or increases thereof introduced by Romania after the beginning of the negotiations shall be abolished at the latest at the entry into force of the Agreement.
4. Without prejudice to the concessions granted under Article 21, the provisions of paragraphs 1 and 2 of this Article shall not restrict in any way the pursuance of the respective agricultural policies of Romania and the Community or the taking of any measures under such policies.

ARTICLE 27

1. The two Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Party and like products originating in the territory of the other Party.
2. Products exported to the territory of one of the two Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

ARTICLE 28

1. This Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade except insofar as they alter the trade arrangements provided for in this Agreement.
2. Consultations between the Parties shall take place within the Association Council concerning Agreements establishing such customs unions or free trade areas and, where requested, on other major issues related to their respective trade policies with third countries. In particular in the event of a third country acceding to the Community, such consultations shall take place so as to ensure that account can be taken of the mutual interests of the Community and Romania stated in this Agreement.

ARTICLE 29

Exceptional measures of limited duration which derogate from the provisions of Articles 11 and 26(1) may be taken by Romania in the form of increased customs duties.

These measures may only concern infant industries, or certain sectors undergoing restructuring or facing serious difficulties, particularly where these difficulties produce important social problems.

Customs duties on imports applicable in Romania to products originating in the Community introduced by these measures may not exceed 25% *ad valorem* and shall maintain an element of preference for products originating in the Community. The total value of imports of the products which are subject to these measures may not exceed 15% of total imports from the Community of industrial products as defined in Chapter I, during the last year for which statistics are available.

These measures shall be applied for a period not exceeding five years, unless a longer duration is authorized by the Association Council. They shall cease to apply at the latest at the expiration of the transitional period.

No such measures can be introduced in respect of a product if more than three years have elapsed since the elimination of all duties and quantitative restrictions or charges or measures having an equivalent effect concerning that product.

Romania shall inform the Association Council of any exceptional measures it intends to take and, at the request of the Community, consultations shall be held in the Association Council on such measures and the sectors to which they apply before they are applied. When taking such measures, Romania shall provide the Association Council with a schedule for the elimination of the customs duties introduced under this Article. This schedule shall provide for a phasing out of these duties starting at the latest two years after their introduction at equal annual rates. The Association Council may decide on a different schedule.

ARTICLE 30

If one of the Parties finds that dumping is taking place in trade with the other Party within the meaning of Article VI of the General Agreement on Tariffs and Trade, it may take appropriate measures against this practice in accordance with the Agreement relating to the application of Article VI of the General Agreement on Tariffs and Trade, with related internal legislation and with the conditions and procedures laid down in Article 34.

ARTICLE 31

Where any product is being imported in such increased quantities and under such conditions as to cause, or threaten to cause:

- serious injury to domestic producers of like or directly competitive products in the territory of one of the Parties, or
- serious disturbances in any sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region,

the Community or Romania, whichever is concerned, may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 34.

ARTICLE 32

Where compliance with the provisions of Articles 14 and 26 leads to:

- (i) re-export towards a third country against which the exporting Party maintains, for the product concerned, quantitative export restrictions, export duties or measures having equivalent effect;

or

- (ii) a serious shortage, or threat thereof, of a product essential to the exporting Party,

and where the situations above referred to give rise, or are likely to give rise to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 34. The measures shall be non-discriminatory and be eliminated when conditions no longer justify their maintenance.

ARTICLE 33

The Member States and Romania shall progressively adjust any State monopolies of a commercial character so as to ensure that, by the end of the fifth year following the entry into force of this Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States and of Romania. The Association Council will be informed about the measures adopted to implement this objective.

ARTICLE 34

1. In the event of the Community or Romania subjecting imports of products liable to give rise to the difficulties referred to in Article 31 to an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows, it shall inform the other Party.

2. In the cases specified in Articles 30, 31 and 32, before taking the measures provided for therein or, in cases to which paragraph 3(d) applies, as soon as possible, the Community or Romania as the case may be shall supply the Association Council with all relevant information, with a view to seeking a solution acceptable to the two Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of this Agreement.

The safeguard measures shall be notified immediately to the Association Council and shall be the subject of periodic consultations within that body, particularly with a view to establishing a timetable for their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

(a) As regards Article 31, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Association Council, which may take any decision needed to put an end to such difficulties.

If the Association Council or the exporting Party has not taken a decision putting an end to the difficulties or no other satisfactory solution has been reached within thirty days of the matter being referred, the importing Party may adopt the appropriate measures to remedy the problem. These measures must not exceed the scope of what is necessary to remedy the difficulties which have arisen.

(b) As regards Article 30, the Association Council shall be informed of the dumping case as soon as the authorities of the importing Party have initiated an investigation. When no end has been put to the dumping or no other satisfactory solution has been reached within thirty days of the matter being referred to the Association Council, the importing Party may adopt the appropriate measures.

(c) As regards Article 32, the difficulties arising from the situations referred to in that Article shall be referred for examination to the Association Council.

The Association Council may take any decision needed to put an end to the difficulties. If it has not taken such a decision within thirty days of the matter being referred to it, the exporting Party may apply appropriate measures on the exportation of the product concerned.

(d) Where exceptional circumstances requiring immediate action make prior information or examination, as the case may be, impossible, the Community or Romania whichever is concerned may, in the situations specified in Articles 30, 31 and 32, apply forthwith the precautionary and provisional measures strictly necessary to deal with the situation, and the Association Council will be informed immediately.

ARTICLE 35

Protocol No. 4 lays down rules of origin for the application of tariff preferences foreseen in this Agreement.

ARTICLE 36

This Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals and plants; the protection of natural resources; the protection of national treasures of artistic, historic or archaeological value or the protection of intellectual, industrial and commercial property or rules relating to gold and silver. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

ARTICLE 37

Protocol No. 5 lays down the specific provisions to apply to trade between Romania of the one part and Spain and Portugal of the other part.

TITLE IV

Movement of Workers, Establishment, Supply of Services

CHAPTER I

Movement of workers

ARTICLE 38

1. Subject to the conditions and modalities applicable in each Member State:
 - the treatment accorded to workers of Romanian nationality, legally employed in the territory of a Member State shall be free from any discrimination based on nationality, as regards working conditions, remuneration or dismissal, as compared to its own nationals;
 - the legally resident spouse and children of a worker legally employed in the territory of a Member State, with the exception of seasonal workers and of workers coming under bilateral Agreements in the sense of Article 42, unless otherwise provided by such Agreements, shall have access to the labour market of that Member State, during the period of that worker's authorized stay of employment.
2. Romania shall, subject to the conditions and modalities applicable in that country, accord the treatment referred to in paragraph 1 to workers who are nationals of a Member State and are legally employed in its territory as well as to their spouse and children who are legally resident in the said territory.

ARTICLE 39

1. With a view to co-ordinating social security systems for workers of Romanian nationality, legally employed in the territory of a Member State and for the members of their family, legally resident there, and subject to the conditions and modalities applicable in each Member State,
 - all periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, invalidity and death and for the purpose of medical care for such workers and such family members;
 - any pensions or annuities in respect of old age, death, industrial accident or occupational disease, or of invalidity resulting therefrom, with the exception of non-contributory benefits, shall be freely transferable at the rate applied by virtue of the law of the debtor Member State or States;
 - the workers in question shall receive family allowances for the members of their family as defined above.
2. Romania shall accord to workers who are nationals of a Member State and legally employed in its territory, and to members of their families legally resident there, treatment similar to that specified in the second and third indents of paragraph 1.

ARTICLE 40

1. The Association Council shall by decision adopt the appropriate provisions to implement the objective set out in Article 39.
2. The Association Council shall by decision adopt detailed rules for administrative co-operation providing the necessary management and control guarantees for the application of the provisions referred to in paragraph 1.

ARTICLE 41

The provisions adopted by the Association Council in accordance with Article 40 shall not affect any rights or obligations arising from bilateral Agreements linking Romania and the Member States where those Agreements provide for more favourable treatment of nationals of Romania or of the Member States.

ARTICLE 42

1. Taking into account the labour market situation in the Member State, subject to its legislation and to the respect of rules in force in that Member State in the area of mobility of workers,
 - the existing facilities for access to employment for Romanian workers accorded by Member States under bilateral Agreements ought to be preserved and if possible improved,
 - the other Member States shall consider favourably the possibility of concluding similar Agreements.
2. The Association Council shall examine granting other improvements including facilities of access for professional training, in conformity with rules and procedures in force in the Member States, and taking account of the labour market situation in the Member States and in the Community.

ARTICLE 43

During the second stage referred to in Article 7, or earlier if so decided, the Association Council shall examine further ways of improving the movement of workers, taking into account *inter alia* the social and economic situation and requirements in Romania and the employment situation in the Community. The Association Council shall make recommendations to such end.

ARTICLE 44

In the interest of facilitating the restructuring of labour resources resulting from the economic restructuring in Romania the Community shall provide technical assistance for the establishment of a suitable social security system in Romania as set out in Article 89.

CHAPTER II

Establishment

ARTICLE 45

1. Each Member State shall grant, from entry into force of the Agreement, for the establishment of Romanian companies and nationals and for the operation of Romanian companies and nationals established in its territory, a treatment no less favourable than that accorded to its own companies and nationals, save for the areas described in Annex XVI.
2. Without prejudice to paragraph 3, Romania shall grant, from entry into force of the Agreement, for the establishment of Community companies and nationals and for the operation of community companies and nationals established in its territory, a treatment no less favourable than that accorded to its own companies and nationals save for the areas

described in Annex XVII. Should the existing laws and regulations not grant such treatment of Community companies and nationals for certain economic activities in Romania upon entry into force of this Agreement, Romania shall amend such laws and regulations as to ensure such treatment at the latest at the end of the fifth year following the date of entry into force of this Agreement.

3. For the areas and matters described in Annex XVIII, except for banking activities as referred to in Law No. 33 of 1991, Romania shall grant gradually and at the latest by the end of the transitional period referred to in Article 7, a treatment no less favourable than that accorded to its own nationals and companies for the establishment of Community companies and nationals. As regards the abovementioned banking activities, national treatment shall be granted at the latest by the end of the fifth year following the entry into force of this Agreement.

4. Romania shall, during the transitional periods referred to in paragraphs 2 and 3 not adopt any new regulations or measures which introduce discrimination as regards to establishment and operations of Community companies and nationals in its territory in comparison to its own companies and nationals.

5. For the purposes of this Agreement

(a) "Establishment" shall mean

(i) as regards nationals, the right to take up and pursue economic activities as self-employed persons and to set up and manage undertakings, in particular companies, which they effectively control. Self-employment and business undertakings by nationals shall not extend to seeking or taking employment in the labour market or confer a right of access to the labour market of another Party. The provisions of this Chapter do not apply to those who are not exclusively self-employed;

(ii) as regards companies, the right to take up and pursue economic activities by means of the setting up and management of subsidiaries, branches and agencies;

(b) "Subsidiary" of a company shall mean a company which is effectively controlled by the first company;

(c) "Economic activities" shall in particular include activities of an industrial character, activities of a commercial character, activities of craftsmen and activities of the professions.

6. The Association Council shall examine regularly the possibility of accelerating the granting of national treatment in the sectors referred to in Annex XVIII and the inclusion of areas and matters listed in Annexes XVI and XVII within the scope of application of the provisions of paragraphs 1, 2, 3 and 4 of this Article. Amendments may be made to these Annexes by decision of the Association Council.

Following the expiration of the transitional periods referred to in paragraphs 2 and 3, the Association Council may exceptionally, upon request by Romania, and if the necessity arises, decide to prolong the duration of those transitional periods for certain areas or matters for a limited period of time.

7. Notwithstanding the provisions of this Article, Community companies established in the territory of Romania shall have, from entry into force of the Agreement, the right to acquire, use, rent and sell real property, and as regards public property, land and forestry, the right to lease, where these are directly necessary for the conduct of the economic activities for which they are established. This right does not include establishment for the purpose of dealing and agency in the area of real estate and natural resources.

Romania shall grant these rights to branches and agencies established in Romania of Community companies at the latest by the end of the first five years following the date of entry into force of the Agreement.

Romania shall grant these rights to Community nationals established as self-employed persons in Romania at the latest by the end of the transitional period referred to in Article 7.

ARTICLE 46

1. Subject to the provisions of Article 45 with the exception of financial services described in Annex XVIII, each Party may regulate the establishment and operation of companies and nationals on its territory, insofar as these regulations do not discriminate against companies and nationals of the other Party in comparison to its own companies and nationals.

2. In respect of financial services, described in Annex XVIII, this Agreement does not prejudice the right of the Parties to adopt measures necessary for the conduct of the Party's monetary policy, or for prudential grounds in order to ensure the protection of investors, depositors, policy holders, or persons to whom a fiduciary duty is owed, or to ensure the integrity and stability of the financial system. These measures shall not discriminate on grounds of nationality against companies and nationals of the other Party in comparison to its own companies and nationals.

ARTICLE 47

In order to make it easier for Community nationals and Romanian nationals to take up and pursue regulated professional activities in Romania and the Community respectively, the Association Council shall examine which steps are necessary to be taken to provide for the mutual recognition of qualifications. It may take all necessary measures to that end.

ARTICLE 48

The provisions of Article 46 do not preclude the application by a Party of particular rules concerning the establishment and operation in its territory of branches and agencies of companies of another Party not incorporated in the territory of the first Party, which are justified by legal or technical differences between such branches and agencies as compared to branches and agencies of companies incorporated in its territory, or, as regards financial services, for prudential reasons. The difference in treatment shall not go beyond what is strictly necessary as a result of such legal or technical differences, or, as regards financial services, described in Annex XVIII, for prudential reasons.

ARTICLE 49

1. A "Community company" and a "Romanian company" respectively shall, for the purpose of this Agreement, mean a company or a firm set up in accordance with the laws of a Member State or of Romania respectively and having its registered office, central administration, or principal place of business in the territory of the Community or Romania respectively. However, should the company or firm, set up in accordance with the laws of a Member State or of Romania respectively, have only its registered office in the territory of the Community or Romania respectively, its operations must possess a real and continuous link with the economy of one of the Member States or Romania respectively.

2. With regard to international maritime transport, shall also be beneficiaries of the provisions of this Chapter and Chapter III of this Title, a national or a shipping company of the Member States or of Romania, respectively established outside the Community or Romania respectively and controlled by nationals of a Member State, or Romanian nationals respectively, if their vessels are registered in that Member State or in Romania respectively in accordance with their respective legislations.

3. A Community and a Romanian national respectively shall, for the purpose of this Agreement, mean a natural person who is a national of one of the Member States or of Romania respectively.

4. The provisions of this Agreement shall not prejudice the application by each Party of any measure necessary to prevent the circumvention of its measures concerning third country access to its market, through the provisions of this Agreement.

ARTICLE 50

For the purpose of this Agreement “financial services” shall mean those activities described in Annex XVIII. The Association Council may extend or modify the scope of Annex XVIII.

ARTICLE 51

During the first five years following the date of entry into force of the Agreement, Romania may introduce measures which derogate from the provisions of this Chapter as regards the establishment of Community companies and nationals of certain industries:

- are undergoing restructuring, or
- are facing serious difficulties, particularly where these entail serious social problems in Romania, or
- face the elimination or a drastic reduction of the total market share held by Romanian companies or nationals in a given sector or industry in Romania, or
- are newly emerging industries in Romania.

Such measures:

- (i) shall cease to apply at the latest two years after the expiration of the fifth year following the date of entry into force of this Agreement, and
- (ii) shall be reasonable and necessary in order to remedy the situation and
- (iii) shall only relate to establishments in Romania to be created after the entry into force of such measures and shall not introduce discrimination concerning the operations of Community companies or nationals already established in Romania at the time of introduction of a given measure compared to Romanian companies or nationals.

The Association Council may exceptionally, upon request by Romania, and if the necessity arises, decide to prolong the period referred to in indent (i) above for a given sector for a limited period of time not exceeding the duration of the transition period referred to in Article 7.

While devising and applying such measures, Romania shall grant whenever possible to Community companies and nationals a preferential treatment, and in no case a treatment less favourable than that accorded to companies or nationals from any third country.

Prior to the introduction of these measures, Romania shall consult the Association Council and shall not put them into effect before a one month period following the notification to the Association Council of the concrete measures to be introduced by Romania, except where the threat of irreparable damage requires the taking of urgent measures in which case Romania shall consult the Association Council immediately after their introduction.

Upon the expiration of the fifth year following the entry into force of the Agreement, Romania may introduce such measures only with the authorization of the Association Council and under conditions determined by the latter.

ARTICLE 52

1. The provisions of this Chapter shall not apply to air transport services, inland-waterways transport services and maritime cabotage transport services.
2. The Association Council may make recommendations for improving establishment and operations in the areas covered by paragraph 1.

ARTICLE 53

1. Notwithstanding the provisions of Chapter I of this Title, the beneficiaries of the rights of establishment granted by Romania and the Community respectively shall be entitled to employ, or have employed by one of their subsidiaries, in accordance with the legislation in force in the host country of establishment, in the territory of Romania and the Community respectively, employees who are nationals of Community Member States and Romania respectively, provided that such employees are key personnel as defined in paragraph 2, and that they are employed exclusively by such beneficiaries or their subsidiaries. The residence and work permits of such employees shall only cover the period of such employment.

2. Key personnel of the beneficiaries of the rights of establishment herein referred to as "organization" are:

- (a) Senior employees of an organization who primarily direct the management of the organization, receiving general supervision or direction principally from the board of directors or shareholders of the business, including:
- directing the organization or a department or sub-division of the organization;
 - supervising and controlling the work of other supervisory, professional or managerial employees;
 - having the authority personally to engage and dismiss or recommend engaging, dismissing or other personnel actions.
- (b) Persons employed by an organization who possess high or uncommon:
- qualifications referring to a type of work or trade requiring specific technical knowledge;
 - knowledge essential to the organization's service, research equipment, techniques or management.

These may include, but are not limited to, members of accredited professions.

Each such employee must have been employed by the organization concerned for at least one year preceding the detachment by the organization.

ARTICLE 54

1. The provisions of this Chapter shall be applied subject to limitations justified on grounds of public policy, public security or public health.

2. They shall not apply to activities which in the territory of each Party are connected, even occasionally, with the exercise of official authority.

ARTICLE 55

Companies which are controlled and exclusively owned jointly by Romanian companies or nationals and Community companies or nationals shall also be beneficiaries of the provisions of this Chapter and Chapter III of this Title.

CHAPTER III

Supply of services between the Community and Romania

ARTICLE 56

1. The Parties undertake in accordance with the provisions of this Chapter to take the necessary steps to allow progressively the supply of services by Community or Romanian companies or nationals who are established in a Party other than that of the person for whom the services are intended taking into account the development of the services sectors in the Parties.

2. In step with the liberalization process mentioned in paragraph 1, and subject to the provisions of Article 59(1), the Parties shall permit the temporary movement of natural persons providing the service or who are employed by the service provider as key personnel as defined in Article 53(2), including natural persons who are representatives of a Community or Romanian company or national and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into Agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.
3. The Association Council shall take the measures necessary to progressively implement the provisions of paragraph 1 of this Article.

ARTICLE 57

With regard to supply of transport services between the Community and Romania, the following replaces the provisions of Article 56:

1. With regard to international maritime transport, the Parties undertake to apply effectively the principle of unrestricted access to the market and traffic on a commercial basis.
 - (a) The above provision does not prejudice the rights and obligations under the United Nations Code of Conduct for Liner Conferences, as applied by one or the other Contracting Party to this Agreement. Non-conference liners will be free to operate in competition with a conference as long as they adhere to the principle of fair competition on a commercial basis.
 - (b) The Parties affirm their commitment to a freely competitive environment as being an essential feature of the dry and liquid bulk trade.
2. In applying the principles of point 1, the Parties shall:
 - (a) not introduce cargo sharing clauses in future bilateral Agreements with third countries, other than in those exceptional circumstances where liner shipping companies from one or other Party to this Agreement would not otherwise have an effective opportunity to ply for trade to and from the third country concerned;
 - (b) prohibit cargo sharing arrangements in future bilateral Agreements concerning dry and liquid bulk trade;
 - (c) abolish, upon entry into force of the Agreement, all unilateral measures, administrative, technical and other obstacles which could have restrictive or discriminatory effects on the free supply of services in international maritime transport.
3. With a view to assuring a co-ordinated development and progressive liberalization of transport between the Parties adapted to their reciprocal commercial needs, the conditions of mutual market access in air transport and in inland transport shall be dealt with by special transport Agreements to be negotiated between the Parties after the entry into force of the Agreement.
4. Prior to the conclusion of the Agreements referred to in paragraph 3, the Parties shall not take any measures or actions which are more restrictive or discriminatory as compared to the situation existing on the day preceding the day of entry into force of the Agreement.
5. During the transitional period, Romania shall progressively adapt its legislation including administrative, technical and other rules to that of the Community legislation existing at any time in the field of air and inland transport insofar as it serves liberalization purposes and mutual access to markets of the Parties and facilitates the movement of passengers and of goods.
6. In step with the common progress in the achievement of the objectives of this Chapter, the Association Council shall examine ways of creating the conditions necessary for improving freedom to provide air and inland transport services.

ARTICLE 58

The provisions of Article 54 shall apply to the matters covered by this Chapter.

CHAPTER IV

General provisions

ARTICLE 59

1. For the purpose of Title IV of this Agreement, nothing in the Agreement shall prevent the Parties from applying their laws and regulations regarding entry and stay, work, labour conditions and establishment of natural persons and supply of services, provided that, in so doing, they do not apply them in a manner as to nullify or impair the benefits accruing to any Party under the terms of a specific provision of the Agreement. The above provision does not prejudice the application of Article 54.

2. The provisions of Chapters II, III and IV of Title IV shall be adjusted by decision of the Association Council in the light of the result of the negotiations on services taking place in the Uruguay Round and in particular to ensure that under any provision of this Agreement a Party grants to the other Party a treatment no less favourable than that accorded under the provisions of a future General Agreement on Trade and Services (GATS).

3. The exclusion of Community companies and nationals established in Romania in accordance with the provisions of Chapter II of Title IV from public aid granted by Romania in the areas of public education services, health-related and social services and cultural services shall, for the duration of the transitional period referred to in Article 7, be deemed compatible with the provisions of Title IV and with the competition rules referred to in Title V.

TITLE V

Payments, Capital, Competition and Other Economic Provisions, Approximation of Laws

CHAPTER I

Current payments and movement of capital

ARTICLE 60

The Parties undertake to authorize in freely convertible currency, any payments on the current account of balance of payments to the extent that the transactions underlying the payments concern movements of goods, services, or persons between the Parties which have been liberalized pursuant to this Agreement.

ARTICLE 61

1. With regard to transactions on the capital account of balance of payments, from entry into force of the Agreement, the Member States and Romania respectively shall ensure the free movement of capital relating to direct investments made in companies formed in accordance with the laws of the host country and investments made in accordance to the provisions of Chapter II of Title IV, and the liquidation or repatriation of these investments and of any profit stemming therefrom.

2. Notwithstanding the above provision, such free movement, liquidation and repatriation shall be ensured by the end of the first stage referred to in Article 7 for all investments linked to establishment of Community nationals establishing in Romania as self-employed persons pursuant to Chapter II of Title IV.

3. Without prejudice to paragraph 1, the Member States, as from the entry into force of the Agreement, and Romania as from the end of the fifth year following the entry into force of the Agreement, shall not introduce any new foreign exchange restrictions on the movement of capital and current payments connected therewith between residents of the Community and Romania and shall not make the existing arrangements more restrictive.

4. The Parties shall consult each other with a view to facilitating the movement of capital between the Community and Romania in order to promote the objectives of this Agreement.

ARTICLE 62

1. During the five years following the date of entry into force of the Agreement, the Parties shall take measures permitting the creation of the necessary conditions for the further gradual application of Community rules on the free movement of capital.
2. By the end of the fifth year from the entry into force of the Agreement, the Association Council shall examine ways of enabling Community rules on the movement of capital to be applied in full.

ARTICLE 63

With reference to the provisions of this Chapter, and notwithstanding the provisions of Article 65, until a full convertibility of Romanian currency in the meaning of Article VIII of the International Monetary Fund (IMF) is introduced, Romania may in exceptional circumstances apply exchange restrictions connected with the granting or taking up of short- and medium-term credits to the extent that such restrictions are imposed on Romania for the granting of such credits and are permitted according to Romania's status under the IMF.

Romania shall apply these restrictions in a non-discriminatory manner. They shall be applied in such a manner as to cause the least possible disruption to this Agreement. Romania shall inform the Association Council promptly of the introduction of such measures and of any changes therein.

CHAPTER II

Competition and other economic provisions

ARTICLE 64

1. The following are incompatible with the proper functioning of the Agreement, insofar as they may affect trade between the Community and Romania:
 - (i) all Agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
 - (ii) abuse by one or more undertakings of a dominant position in the territories of the Community or of Romania as a whole or in a substantial part thereof;
 - (iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.
2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the rules of Articles 85, 86 and 92 of the Treaty establishing the European Economic Community.
3. The Association Council shall, within three years of the entry into force of the Agreement, adopt the necessary rules for the implementation of paragraphs 1 and 2.
4. (a) For the purposes of applying the provision of paragraph 1, point (iii), the Parties recognize that during the first five years after the entry into force of the Agreement, any public aid granted by Romania shall be assessed taking into account the fact that Romania shall be regarded as an area identical to those areas of the Community described in Article 92(3)(a) of the Treaty establishing the European Economic Community. The Association Council shall, taking into account the economic situation of Romania, decide whether that period should be extended by further periods of five years.
(b) Each Party shall ensure transparency in the area of public aid, *inter alia* by reporting annually to the other Party on the total amount and the distribution of the aid given and by providing, upon request, information on aid schemes. Upon request by one Party, the other Party shall provide information on particular individual cases of public aid.

5. With regard to products referred to in Chapters II and III of Title III:
 - the provisions of paragraph 1(iii) does not apply;
 - any practices contrary to paragraph 1(i) should be assessed according to the criteria established by the Community on the basis of Articles 42 and 43 of the Treaty establishing the European Economic Community and in particular of those established in Council Regulation No. 26/1962.
6. If the Community or Romania considers that a particular practice is incompatible with the terms of paragraph 1, and:
 - is not adequately dealt with under the implementing rules referred to in paragraph 3, or
 - in the absence of such rules, and if such practice causes or threatens to cause serious prejudice to the interest of the other Party or material injury to its domestic industry, including its services industryit may take appropriate measures after consultation within the Association Council or after thirty working days following referral for such consultation.

In the case of practices incompatible with paragraph 1(iii) of this Article, such appropriate measures may, where the General Agreement on Tariffs and Trade applies thereto, only be adopted in conformity with the procedures and under the conditions laid down by the General Agreement on Tariffs and Trade and any other relevant instrument negotiated under its auspices which are applicable between the Parties.
7. Notwithstanding any provisions to the contrary adopted in conformity with paragraph 3, the Parties shall exchange information taking into account the limitations imposed by the requirements of professional and business secrecy.
8. This Article shall not apply to the products covered by the Treaty establishing the European Coal and Steel Community which are the subject of Protocol No. 2.

ARTICLE 65

1. The Parties shall endeavour to avoid the imposition of restrictive measures including measures relating to imports for balance of payments purposes. In the event of their introduction, the Party having introduced the same shall present to the other Party a time schedule for their removal.
2. Where one or more Member States or Romania is in serious balance of payments difficulties, or under imminent threat thereof, the Community or Romania, as the case may be, may, in accordance with the conditions established under the General Agreement on Tariffs and Trade, adopt restrictive measures, including measures relating to imports, which shall be of limited duration and may not go beyond what is necessary to remedy the balance of payments situation. The Community or Romania, as the case may be, shall inform the other Party forthwith.
3. Any restrictive measures shall not apply to transfers related to investments and in particular to the repatriation of amounts invested or reinvested and of any kind of revenues stemming therefrom.

ARTICLE 66

With regard to public undertakings and undertakings to which special or exclusive rights have been granted, the Association Council shall ensure that, as from the third year from the date of entry into force of the Agreement, the principles of the Treaty establishing the European Economic Community, notably Article 90, and the principles of the concluding document of the April 1990 Bonn meeting of the Conference on Security and Co-operation in Europe (notably entrepreneurs' freedom of decision) are applied in the operation of this Agreement.

ARTICLE 67

1. Romania shall continue to improve the protection of intellectual, industrial and commercial property rights in order to provide, by the end of the fifth year after the entry into force of the Agreement, for a level of protection similar to that existing in the Community, including comparable means of enforcing such rights.
2. Within the same time, Romania shall apply to accede to the Munich Convention on the Grant of European Patents of 5 October 1973¹. Romania shall also accede to the other multilateral conventions on intellectual, industrial and commercial property rights (referred to in paragraph 1 of Annex XIX) to which Member States are Parties, or which are *de facto* applied by Member States.
3. Upon entry into force of the Agreement treatment no less favourable than that granted to any third country under any bilateral Agreement shall be granted by Romania.

ARTICLE 68

1. The Parties consider the opening up of the award of public contracts on the basis of the principles of non-discrimination and reciprocity, in particular in the GATT context, to be a desirable objective.
2. The Romanian companies as defined in Article 49 shall be granted access to contract award procedures in the Community pursuant to Community procurement rules under a treatment no less favourable than that accorded to Community companies as of the entry into force of this Agreement.

Community companies as defined in Article 49 shall be granted access to contract award procedures in Romania under a treatment no less favourable than that accorded to Romanian companies at the latest at the end of the transitional period referred to in Article 7.

Community companies established in Romania under the provisions of Chapter II of Title IV in the form of subsidiaries as described in Article 45 and in the forms described in Article 55 shall have upon entry into force of the Agreement access to contract award procedures under a treatment no less favourable than that accorded to Romanian companies. Community companies established in Romania in the form of branches and agencies as described in Article 45 shall be granted such treatment at the latest by the end of the transitional period referred to in Article 7.

The Association Council shall periodically examine the possibility for Romania to introduce access to award procedures in Romania for all Community companies prior to the end of the transitional period.

3. As regards establishment, operations, supply of services between the Community and Romania, as well as employment and movement of labour linked to the fulfilment of public contracts, the provisions of Articles 38 to 59 are applicable.

CHAPTER III

Approximation of laws

ARTICLE 69

The Parties recognize that an important condition for Romania's economic integration into the Community is the approximation of Romania's existing and future legislation to that of the Community. Romania shall endeavour to ensure that its legislation will be gradually made compatible with that of the Community.

ARTICLE 70

The approximation of laws shall extend to the following areas in particular: customs law, company law, banking law, company accounts and taxes, intellectual property, protection of workers at the workplace, social security, financial services, rules on competition, protection of health and life of humans, animals and plants, consumer protection, indirect taxation, technical rules and standards, nuclear law and regulation, transport and the environment.

¹ Treaty Series No. 16 (1982) Cmnd. 8510.

ARTICLE 71

The Community shall provide Romania with technical assistance for the implementation of these measures, which may include i.a.:

- the exchange of experts;
- the provision of early information especially on relevant legislation;
- organization of seminars;
- training activities;
- aid for the translation of Community legislation in the relevant sectors.

TITLE VI

Economic Co-operation

ARTICLE 72

1. The Community and Romania shall establish economic co-operation aimed at contributing to Romania's development and growth potential. Such co-operation shall strengthen existing economic links on the widest possible foundation, to the benefit of both Parties.
2. Policies and other measures will be designed to bring about economic and social development of Romania and will be guided by the principle of sustainable development. These policies should ensure that environmental considerations are also fully incorporated from the outset and that they are linked to the requirements of harmonious social development.
3. To this end the co-operation should focus in particular on policies and measures related to industry including the mining sector, investment, agriculture, energy, transport, regional development and tourism.
4. Special attention shall be devoted to measures capable of fostering co-operation between the countries of Central and Eastern Europe with a view to a harmonious development of the region.

ARTICLE 73

Industrial co-operation

1. Co-operation shall aim at promoting the following in particular:
 - industrial co-operation between economic operators of both sides, with the particular objective of strengthening the private sector;
 - Community participation in Romania's efforts in both public and private sectors to modernize and restructure its industry, which will effect the transition from a centrally planned system to a market economy under conditions which ensure that the environment is protected;
 - the restructuring of individual sectors;
 - the establishment of new undertakings in areas offering potential for growth;
 - transfer of technology and know-how.
2. Industrial co-operation initiatives shall take into account priorities determined by Romania. The initiatives should seek in particular to establish a suitable framework for undertakings, to improve management know-how and to promote transparency as regards markets and conditions for undertakings, and will include technical assistance where appropriate.

ARTICLE 77

Education and training

1. The Parties shall co-operate with the aim of raising the level of general education and professional qualifications in Romania, both in public and private sectors, taking into consideration the priorities of Romania. Institutional frameworks and plans of co-operation will be established (starting on the European Training Foundation, when established, and the TEMPUS programme). Participation of Romania in other Community programmes could also be considered in this context.

2. The co-operation shall focus in particular on the following areas.

- reform of the education and training system in Romania;
- initial training, in-service training and retraining, including the training of public and private sector executives and senior civil servants, particularly in priority areas to be determined;
- co-operation between universities, co-operation between universities and firms, and mobility for teachers, students, administrators and young people;
- promoting teaching in the field of European Studies within the appropriate institutions;
- mutual recognition of periods of studies and diplomas;
- teaching Community languages;
- training translators and interpreters and promoting the use of Community linguistic norms and terminology and developing an appropriate infrastructure for translation between Romanian and the Community languages;
- development of distant education and new training technologies;
- granting of scholarships and fellowships;
- provision of training materials and equipment.

In order to promote integration of Romania with the Community level of education, establishments and the research institutions as stated in Article 76, the Community shall take appropriate measures to facilitate Romania's co-operation with relevant European institutions. This may include Romania's participation in the activities of these institutions as well as establishment of their filials in Romania. The objectives of the above-mentioned establishments should concentrate on educating, scholars, professionals and public servants to be involved in the process of European integration and co-operation with the Community institutions.

ARTICLE 78

Agriculture and the agro-industrial sector

1. Co-operation in this area shall have as its aim the modernization, restructuring and privatization of agriculture and the agro-industrial sector in Romania. It shall endeavour notably to:

- develop private farms and distribution channels, methods of storage, marketing, management etc.
- modernize the rural infrastructure (transport, water supply, telecommunications);
- improve agricultural land-use planning, including construction and urban planning;
- improve productivity, quality and efficiency by using appropriate methods and products; provide training and monitoring in the use of anti-pollution methods connected with inputs;
- promote complementarity in agriculture;
- promote the exchange of know-how, particularly between the private sectors in the Community and Romania;
- develop and modernize processing firms and their marketing techniques;
- develop co-operation on animal health, agrifood health (including ionization) and plant health with the aim of bringing about gradual harmonization with Community standards through assistance for training and the organization of checks;

- establish and promote effective co-operation on agriculture information systems;
 - develop and promote effective co-operation on quality assurance systems compatible with the Community models;
 - exchange of information in respect of agricultural and legislation policy;
 - provide technical assistance and transfer of know-how to Romania concerning the system of milk supply to schools.
2. To these ends, technical assistance shall be provided by the Community as appropriate.

ARTICLE 79

Energy

1. Within the framework of the principles of the market economy and the European Energy Charter, the Parties shall co-operate to develop the progressive integration of the energy markets in Europe.
2. Co-operation shall include *inter alia* technical assistance when appropriate in the following areas:
- formulation and planning of energy policy;
 - management and training for the energy sector;
 - the promotion of energy saving and energy efficiency;
 - the development of energy resources;
 - improvement of distribution as well as improvement and diversification of supply;
 - the environmental impact of energy production and consumption;
 - the nuclear energy sector;
 - opening up the energy market to a greater degree, including facilitating transit of gas and electricity;
 - the electricity and gas sectors, including the consideration of the possibility of the interconnection of the supply networks;
 - modernization of energy infrastructures;
 - the formulation of framework conditions for co-operation between undertakings in this sector, which could include the encouragement of joint-ventures;
 - the transfer of technology and know-how, which may include if appropriate the promotion and commercialization of efficient energy technologies.

ARTICLE 80

Co-operation in the nuclear sector

1. The aim of co-operation is to provide for a safer use of nuclear energy.
2. Co-operation shall mainly cover the following topics:
- industrial measures for the operational safety of Romanian nuclear power plants;
 - upgrading training of management and other personnel of nuclear installations;
 - upgrading Romania's laws and regulations on nuclear safety and strengthening the supervisory authorities and their resources;
 - nuclear safety, nuclear emergency preparedness and management;
 - radiation protection, including environmental radiation monitoring;
 - fuel cycle problems and safeguarding of nuclear materials;
 - radioactive waste management;
 - decommissioning and dismantling of nuclear installations;
 - decontamination.
3. Co-operation will include exchange of information and experience and R and D activities in accordance with Article 76.

- establish and promote effective co-operation on agriculture information systems;
- develop and promote effective co-operation on quality assurance systems compatible with the Community models;
- exchange of information in respect of agricultural and legislation policy;
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- the environmental impact of energy production and consumption;
- the nuclear energy sector;
- opening up the energy market to a greater degree, including facilitating transit of gas and electricity;
- the electricity and gas sectors, including the consideration of the possibility of the interconnection of the supply networks;
- modernization of energy infrastructures;
- the formulation of framework conditions for co-operation between undertakings in this sector, which could include the encouragement of joint-ventures;
- the transfer of technology and know-how, which may include if appropriate the promotion and commercialization of efficient energy technologies.

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2. Co-operation shall mainly cover the following topics:

- industrial measures for the operational safety of Romanian nuclear power plants;
- upgrading training of management and other personnel of nuclear installations;
- upgrading Romania's laws and regulations on nuclear safety and strengthening the supervisory authorities and their resources;
- nuclear safety, nuclear emergency preparedness and management;
- radiation protection, including environmental radiation monitoring;
- fuel cycle problems and safeguarding of nuclear materials;
- radioactive waste management;
- decommissioning and dismantling of nuclear installations;
- decontamination.

3. Co-operation will include exchange of information and experience and R and D activities in accordance with Article 76.

ARTICLE 81

Environment

1. The Parties shall develop and strengthen their co-operation on environment and human health, which they have judged to be a priority.
2. Co-operation shall aim at combating the deterioration of the environment and in particular:
 - effective monitoring of pollution levels; system of information on the state of the environment;
 - combating local, regional and transboundary air and water pollution;
 - ecological restoration;
 - sustainable, efficient and environmentally effective production and use of energy; safety of industrial plants;
 - classification and safe handling of chemicals;
 - water quality, particularly of cross-border waterways (the Danube, Black Sea);
 - waste reduction, recycling and safe disposal, implementation of the Basle Convention;
 - the environmental impact of agriculture, soil erosion, and chemical pollution;
 - the protection of forests;
 - the conservation of biodiversity;
 - land-use planning, including construction and urban planning;
 - use of economic and fiscal instruments;
 - global climate change;
 - environmental education and awareness.
3. Co-operation shall take place particularly through:
 - exchange of information and experts, including information and experts dealing with the transfer of clean technologies and the safe and environmentally sound use of biotechnologies;
 - training programmes;
 - joint research activities;
 - approximation of laws (Community standards);
 - co-operation at regional level (including co-operation within the framework of the European Environment Agency when established by the Community) and at international level;
 - development of strategies, particularly with regard to global and climatic issues;
 - environmental impact studies.

ARTICLE 82

Water management

The Parties shall develop co-operation in various fields of water management with special regard to:

- environment-friendly utilization of the water of trans-boundary watershed and cross-boundary rivers and lakes;
- harmonization of regulations concerning water management, and means of technical water regulation (directives, limits, standards, normatives, logistics);
- modernization of research and development (R and D) and scientific basis of water management.

ARTICLE 83

Transport

1. The Parties shall develop and strengthen their co-operation so as to enable Romania to
 - restructure and modernize transport;
 - improve the movement of passengers and goods and the access to the transport market by removing administrative, technical and other obstacles;
 - facilitate Community transit through Romania by road, rail, inland waterway and combined transport;
 - achieve operating standards comparable to those in the Community.
2. Co-operation shall include the following in particular:
 - economic, legal and technical training programmes;
 - the provision of technical assistance and advice, and the exchange of information;
 - the provision of means to develop transport infrastructure in Romania.
3. Co-operation shall include the following priority areas:
 - the construction and modernization of road transport, including the gradual easing of transit conditions;
 - the management of railways and airports, including co-operation between the appropriate national authorities;
 - the modernization, on major routes of common interest and trans-European links, of road, inland waterway, railway, port and airport infrastructure;
 - land use planning including construction and urban planning connected to transport;
 - the upgrading of technical equipment to meet Community standards, particularly in the fields of road and rail transport, multimodal transport and transshipment;
 - the setting up of consistent transport policies compatible with those applicable in the Community;
 - the promotion of joint technological and research programmes in accordance with Article 76.

ARTICLE 84

Telecommunications, postal services and broadcasting

1. The Parties shall expand and strengthen co-operation in this area, and shall to this end initiate notably the following actions:
 - exchange information on telecommunications, postal services and broadcasting policies;
 - exchange technical and other information and organize seminars, workshops and conferences for experts of both sides;
 - conduct training and advisory operations;
 - carry out transfers of technology;
 - have the appropriate bodies from both sides carry out joint projects;
 - promote European standards, systems of certification and regulatory approaches;
 - promote new communications facilities, services and installations, particularly those with commercial applications.
2. These activities shall focus on the following priority areas:
 - the modernization of Romania's telecommunications network and its integration into European and world networks;
 - co-operation within the structures of European standardisation;
 - the integration of trans-European systems; the legal and regulatory aspects of telecommunications;
 - the management of telecommunications, postal and broadcasting services in the new economic environment: organizational structures, strategy and planning, purchasing principles;
 - land-use planning, including construction and urban planning;
 - the modernization of Romania's postal and broadcasting services, including the legal and regulatory aspects.

ARTICLE 85

Banking, insurance, other financial services and audit co-operation

1. The Parties shall co-operate with the aim of establishing and developing a suitable framework for the encouragement of a banking, insurance and financial services sector in Romania.

(a) Co-operation shall focus on:

- the adoption of an accounting system compatible with European standards;
- the strengthening and restructuring of the banking and financial systems;
- the improvement of the monitoring and regulation of banking and financial services;
- the preparation of glossaries of terminology;
- the exchange of information on the laws in force or being drafted.

(b) To this end, the co-operation shall include the provision of technical assistance and training.

2. The Parties shall co-operate with the aim of developing efficient auditing systems in Romania based on standard Community methods and procedures.

ARTICLE 86

Monetary policy

At the request of Romanian authorities, the Community shall provide technical assistance designed to support the efforts of Romania towards the introduction of full convertibility of the leu and the gradual approximation of its policies to those of the European Monetary System. This will include informal exchange concerning the principles and the functioning of the European Monetary System.

ARTICLE 87

Money laundering

1. The Parties will establish a framework for co-operation aimed at preventing the use of their financial systems for laundering of proceeds from criminal activities in general and drug offences in particular.

2. Co-operation in this area shall include administrative and technical assistance with the purpose of establishing suitable standards against money laundering equivalent to those adopted by the Community and international fora in this field, including the Financial Action Task Force (FATF).

ARTICLE 88

Regional development

1. The Parties shall strengthen co-operation between them on regional development and land-use planning.

2. To this end, any of the following measures may be undertaken:

- the exchange of information by national, regional or local authorities on regional and land-use planning policy, and, where appropriate, the provision of assistance to Romania for the formulation of such policy;
- joint action by regional and local authorities in the area of economic development;
- exchange visits to explore the opportunities for co-operation and assistance;
- the exchange of civil servants or experts;
- the provision of technical assistance, with special emphasis on the development of disadvantaged areas;
- the establishment of programmes for the exchange of information and experience, by methods including seminars.

ARTICLE 89

Social co-operation

1. With regard to health and safety, the Parties shall develop co-operation between them with the aim of improving the level of protection of the health and safety of workers, taking as a reference the level of protection existing in the Community. Co-operation shall comprise the following in particular:

- the provision of technical assistance;
- the exchange of experts;
- co-operation between firms;
- information and training operations;
- co-operation in public health.

2. With regard to employment, co-operation between the Parties shall focus notably on:

- the organisation on the labour market;
- the modernization of job-finding and careers advice services;
- the planning and the implementation of regional restructuring programmes;
- the encouragement of local employment development.

Co-operation in this field will take the form of studies, provision of the services of experts and information and training.

3. With regard to social security, co-operation between the Parties shall seek to adapt the Romanian social security system to the new economic and social situation, primarily by providing the services of experts and information and training.

ARTICLE 90

Tourism

The Parties shall increase and develop co-operation between them, which shall include:

- facilitating the tourist trade and encouraging tourist exchanges among young people;
- increasing the flow of information through international networks, data bases, etc.;
- transferring know-how through training, exchanges, seminars;
- studying the opportunities for joint operations (cross-border projects, town-twinning, etc.);
- Romania's participation in relevant European tourism organizations;
- harmonization of the statistical systems and the rules regarding tourism;
- exchanging news and providing for appropriate exchanges of information on major issues of mutual interest affecting the tourism sector;
- technical assistance for the commercial development of infrastructure conducive to the tourism sector.

ARTICLE 91

Small and medium-sized enterprises

1. The Parties shall aim to develop and strengthen small and medium-sized enterprises (SMEs) and co-operation between SMEs in the Community and Romania.

2. They shall encourage the exchange of information and know-how in the following areas:

- bringing about the legal, administrative, technical, tax and financial conditions necessary to the setting-up and expansion of SMEs and for cross-border co-operation;
- the provision of the specialized services required by SMEs (management training, accounting, marketing, quality control, etc.) and the strengthening of agencies providing such services;
- the establishment of appropriate links with Community operators in order to improve the flow of information to SMEs and promoting cross-border co-operation (e.g. the Business Co-operation Network (BC-NET), Euro-Info Centres, conferences, etc.).

3. Co-operation will include the supply of technical assistance in particular for the establishment of appropriate institutional support for SMEs, at both national and regional level, regarding financial, training, advisory, technological and marketing services.

ARTICLE 92

Information and communication

1. The Community and Romania shall take appropriate steps to stimulate the effective mutual exchange of information. Priority shall be given to programmes aimed at providing the general public with basic information about the Community and professional circles in Romania with more specialized information, including, where possible, access to Community databases.

ARTICLE 93

Consumer protection

1. The Parties shall co-operate with the aim of achieving full compatibility between the systems of consumer protection in Romania and the Community.

2. To this end, co-operation shall comprise, within existing possibilities:

- the exchange of information and experts;
- access to Community data bases;
- training operations and technical assistance.

ARTICLE 94

Customs

1. The aim of co-operation shall be to guarantee compliance with all the provisions scheduled for adoption in connection with trade and fair trade and to achieve the approximation of Romania's customs system to that of the Community, thus helping to ease the steps towards liberalization planned under this Agreement.

2. Co-operation shall include the following in particular:

- the exchange of information;
- the introduction of the single administrative document and the Combined Nomenclature;
- the interconnection between the transit systems of the Community and Romania;
- the simplification of inspections and formalities in respect of the carriage of goods;
- the organization of seminars and placements of trainees.

Technical assistance shall be provided where appropriate.

3. Without prejudice to further co-operation foreseen in this Agreement, and in particular Article 97, the mutual assistance between administrative authorities in customs matters of the Parties shall take place in accordance with the provisions of Protocol No. 6.

ARTICLE 95

Statistical co-operation

1. Co-operation in this area shall have as its aim the development of an efficient statistical system to provide, in a rapid and timely fashion, the reliable statistics needed to support and monitor the process of economic reform and contribute to the development of private enterprise in Romania.

2. The Parties shall co-operate in particular:
 - to strengthen Romania's statistical apparatus;
 - to bring about harmonization with international (and particularly Community) methods, standards and classifications;
 - to provide the data needed to maintain and monitor economic and social reform;
 - to provide private-sector economic operators with the appropriate macro-economic and micro-economic data;
 - to guarantee the confidentiality of data;
 - to exchange statistical information;
 - to build up databases.
3. Technical assistance shall be provided by the Community as appropriate.

ARTICLE 96

Economics

1. The Community and Romania will facilitate the process of economic reforms and integration by co-operating to improve understanding of the fundamentals of their respective economies and the devising and implementing of economic policy in market economies.
2. To these ends the Community and Romania will:
 - exchange information on macro-economic performance and prospects and on strategies for development;
 - analyse jointly economic issues of mutual interest, including the framing of economic policy and the instruments for implementing it;
 - through the programme of Action for Co-operation in Economics (ACE) in particular, encourage extensive co-operation among economists and managers in the Community and Romania, in order to expedite the transfer of know-how for the drafting of economic policies, and to provide for wide dissemination of the results of policy-relevant research.

ARTICLE 97

Drugs

1. The co-operation is in particular aimed at increasing the efficiency of policies and measures to counter the supply and illicit traffic of narcotics and psychotropic substances and the reduction of abuse of these products.
2. The Parties shall agree on the necessary methods of co-operation to attain these objectives, including the modalities of the implementation of common actions. Their actions will be based on consultation and close co-ordination over the objectives and the policy measures in the fields targeted in paragraph 1.
3. Co-operation between the Parties will comprise technical and administrative assistance which could deal in particular with the following areas:
 - the drafting and implementation of national legislation;
 - the creation of institutions and information centres and of social and health centres;
 - the training of personnel and research;
 - the prevention of diversion of precursors and other chemical substances used for the purpose of illicit manufacture of narcotic drugs or psychotropic substances.

Co-operation in this area shall include administrative and technical assistance with the purpose of establishing suitable standards against the misuse of the products in question equivalent to those adopted by the Community and relevant international bodies, in particular the Chemical Action Task Force (CATF).

The Parties may agree to include other areas.

ARTICLE 98

Public administration

The Parties shall promote co-operation between their public administration authorities, including the setting up of exchange programmes, in order to improve mutual knowledge of the structure and functioning of their respective systems.

TITLE VII

Cultural Co-operation

ARTICLE 99

1. Taking into account the Solemn Declaration on European Union, the Parties undertake to promote, encourage and facilitate cultural co-operation. Where appropriate, the Community's cultural co-operation programmes or those of one or more Member States may be extended to Romania and further activities of interest to both sides developed.

This co-operation may notably cover:

- non commercial exchange of works of art and artists;
- literary translations;
- conservation and restoration of monuments and sites (architectural and cultural heritage);
- training for those dealing with cultural affairs;
- the organization of European-oriented cultural events;
- dissemination of outstanding cultural achievements including the training of Romanian specialists in this field.

2. The Parties shall co-operate in the promotion of the audiovisual industry in Europe. The audiovisual sector in Romania could most notably take part in activities set up by the Community in the framework of the MEDIA programme under procedures laid down by the bodies responsible for managing each activity and in accordance with the provisions of the Decision of the Council of the European Communities of 21 December 1990, which established the programme. The Community will encourage the Romanian audiovisual sector to participate in the appropriate EUREKA programmes.

The Parties shall co-ordinate, and where appropriate, harmonize their policies regarding the regulation of cross-border broadcasting, technical norms in the audiovisual field and the promotion of European audiovisual technology.

Co-operation could include *inter alia* the exchange of programmes, bursaries and facilities for the training of journalists and other media professionals.

TITLE VIII

Financial Co-operation

ARTICLE 100

In order to achieve the objectives of this Agreement and in accordance with Articles 101, 102, 104 and 105, without prejudice to Article 103, Romania shall benefit from temporary financial assistance from the Community in the form of grants and loans, including loans from the European Investment Bank according to the provisions of Article 18 of the Statute of the Bank, to accelerate the economic transformation of Romania and to help Romania to cope with the economic and social consequence of structural readjustment.

ARTICLE 101

This financial assistance shall be covered:

- Either within the framework of the Operation PHARE foreseen in Council Regulation (EEC) No 3906/89, as amended, on a multiannual basis, or within a new financial multiannual framework established by the Community following consultations with Romania and taking into account the consideration set out in Article 104 and 105 of this Agreement;
- by the loans provided by the European Investment Bank until the expiry date of the availability thereof; following consultations with Romania the Community shall fix the maximum amount and period of availability of loans from the European Investment Bank for Romania for subsequent years.

ARTICLE 102

The objectives and the areas of the Community's financial assistance shall be laid down in an indicative programme to be agreed between the two Parties. The Parties shall inform the Association Council.

ARTICLE 103

1. The Community shall, in case of special need, taking into account the G-24's guidelines for action and the availability of all financial resources, on request of Romania and in co-ordination with international financial institutions, in the context of the G-24, examine the possibility of granting temporary financial assistance

- to support measures with the aim to introduce and maintain the convertibility of the Romanian currency;
- to support medium-term stabilization and structural adjustment efforts, including balance of payments assistance;

2. This financial assistance is subject to Romania's presentation of IMF supported programmes in the context of the G-24, as appropriate, for convertibility and/or for restructuring its economy, to the Community's acceptance thereof, to Romania's continued adherence to these programmes and, as an ultimate objective, to rapid transition to reliance on finance from private sources.

3. The Association Council will be informed of the conditions under which this assistance will be provided and of the respect of the obligations undertaken by Romania concerning such assistance.

ARTICLE 104

The Community financial assistance shall be evaluated in the light of the needs which arise and of Romania's development level, and taking into account established priorities and the absorption capacity of Romania's economy, the ability to repay loans and progress towards a market economy system and restructuring in Romania.

ARTICLE 105

In order to permit optimum use of the resources available, the Parties shall ensure that Community contributions are made in close co-ordination with those from other sources such as the Member States, other countries, including the G-24, and international financial institutions, such as the International Monetary Fund, the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development.

TITLE IX

Institutional, General and Final Provisions

ARTICLE 106

An Association Council is hereby established which shall supervise the implementation of this Agreement. It shall meet at ministerial level once a year and when circumstances require. It shall examine any major issues arising within the framework of the Agreement and any other bilateral or international issues of mutual interest.

ARTICLE 107

1. The Association Council shall consist of the members of the Council of the European Communities and members of the Commission of the European Communities, on the one hand, and of members appointed by the Government of Romania, on the other.
2. Members of the Association Council may arrange to be represented, in accordance with the conditions to be laid down in its rules of procedure.
3. The Association Council shall establish its rules of procedure.
4. The Association Council shall be presided in turn by a member of the Council of the European Communities and a member of the Government of Romania, in accordance with the provisions to be laid down in its rules of procedure.
5. Where appropriate, the European Investment Bank will take part, as an observer, in the work of the Association Council.

ARTICLE 108

The Association Council shall, for the purpose of attaining the objectives of the Agreement, have the power to take decisions in the cases provided for therein. The decisions taken shall be binding on the Parties which shall take the measures necessary to implement the decisions taken. The Association Council may also make appropriate recommendations.

It shall draw up its decisions and recommendations by Agreement between the two Parties.

ARTICLE 109

1. Each of the two Parties may refer to the Association Council any dispute relating to the application or interpretation of this Agreement.
2. The Association Council may settle the dispute by means of a decision.
3. Each Party shall be bound to take the measures involved in carrying out the decision referred to in paragraph 2.
4. In the event of it not being possible to settle the dispute in accordance with paragraph 2, either Party may notify the other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The arbitrators' decisions shall be taken by majority vote.

Each Party to the dispute must take the steps required to implement the decision of the arbitrators.

ARTICLE 110

1. The Association Council shall be assisted in the performance of its duties by an Association Committee composed of representatives of the members of the Council of the European Communities and of members of the Commission of the European Communities on the one hand and of representatives of the Government of Romania on the other, normally at senior civil servant level.

In its rules of procedure the Association Council shall determine the duties of the Association Committee, which shall include the preparation of meetings of the Association Council and how the Committee shall function.

2. The Association Council may delegate to the Association Committee any of its powers. In this event the Association Committee shall take its decisions in accordance with the conditions laid down in Article 108.

ARTICLE 111

The Association Council may decide to set up any other special committee or body that can assist it in carrying out its duties.

In its rules of procedure, the Association Council shall determine the composition and duties of such committees or bodies and how they shall function.

ARTICLE 112

An Association Parliamentary Committee is hereby established. It shall be a forum for Members of the Romanian Parliament and the European Parliament to meet and exchange views. It shall meet at intervals which it shall itself determine.

ARTICLE 113

1. The Association Parliamentary Committee shall consist of members of the European Parliament, on the one hand, and of members of the Romanian Parliament, on the other.

2. The Association Parliamentary Committee shall establish its rules of procedure.

3. The Association Parliamentary Committee shall be presided in turn by each the European Parliament and the Romanian Parliament, in accordance with the provisions to be laid down in its rules of procedure.

ARTICLE 114

The Association Parliamentary Committee may request relevant information regarding the implementation of this Agreement from the Association Council, which shall then supply the Committee with the requested information.

The Association Parliamentary Committee shall be informed of the decisions of the Association Council.

The Association Parliamentary Committee may make recommendations to the Association Council.

ARTICLE 115

Within the scope of this Agreement, each Party undertakes to ensure that natural and legal persons of the other Party have access free of discrimination in relation to its own nationals to the competent courts and administrative organs of the Parties to defend their individuals rights and their property rights, including those concerning intellectual, industrial and commercial property.

ARTICLE 116

Nothing in this Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to the production of, or trade in arms, ammunition or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in the event of serious internal disturbances affecting the maintenance of law and order, in time of war or serious international tension constituting threat of war or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security.

ARTICLE 117

1. In the fields covered by this Agreement and without prejudice to any special provisions contained therein:

- the arrangements applied by Romania in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,
- the arrangements applied by the Community in respect of Romania shall not give rise to any discrimination between Romanian nationals or its companies or firms.

2. The provisions of paragraph 1 are without prejudice to the right of the Parties to apply the relevant provisions of their fiscal legislation to tax payers who are not in identical situations as regards their place of residence.

ARTICLE 118

Products originating in Romania shall not enjoy more favourable treatment when imported into the Community than that applied by Member States among themselves.

The treatment granted to Romania under Title IV and Chapter I of Title V shall not be more favourable than that accorded by Member States among themselves.

ARTICLE 119

1. The Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. If either Party considers that the other Party has failed to fulfil an obligation under this Agreement, it may take appropriate measures. Before so doing, except in cases of special urgency, it shall supply the Association Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Association Council and shall be the subject of consultations within the Association Council if the other Party so requests.

ARTICLE 120

This Agreement shall not, until equivalent rights for individuals and economic operators have been achieved under the present Agreement, affect rights assured to them through Agreements binding one or more Member States, on the one hand, and Romania, on the other, except for areas of Community competence and without prejudice of Member States' obligations resulting from this Agreement in sectors of their competence.

ARTICLE 121

Protocols 1, 2 3, 4, 5, 6 and 7, and Annexes I to XIX shall form an integral part of this Agreement.

ARTICLE 122

This Agreement is concluded for an unlimited period.

Either Party may denounce this Agreement by notifying the other Party. This Agreement shall cease to apply six months after the date of such notification.

ARTICLE 123

This Agreement shall apply, on the one hand, to the territories in which the Treaties establishing the European Economic Community, the European Atomic Energy Community and the European Coal and Steel Community are applied and under the conditions laid down in those Treaties and, on the other hand, to the territory of Romania.

ARTICLE 124

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian, Spanish, Greek, Portuguese and Romanian languages, each of these texts being equally authentic.

ARTICLE 125

This Agreement will be approved by the Parties in accordance with their own procedures.

This Agreement shall enter into force on the first day of the second month following the date on which the Parties notify each other that the procedures referred to in the first paragraph have been completed.

Upon its entry into force, the Agreement shall replace the Agreement between the European Economic Community, the European Atomic Energy Community and Romania on trade and economic and commercial co-operation signed in Luxembourg on 22 October 1990.

ARTICLE 126

1. In the event that, pending the completion of the procedures necessary for the entry into force of the Agreement, the provisions of certain parts of this Agreement, in particular those relating to the movement of goods, are put into effect in 1993 by means of an Interim Agreement between the Community and Romania, the Contracting Parties agree that, in such circumstances for the purposes of Title III, Articles 64 and 67 of this Agreement and Protocol Nos 1, 2, 3, 4, 5, 6 and 7 hereto, the terms "date of entry into force of the Agreement" shall mean

- the date of entry into force of the Interim Agreement in relation to obligations taking effect on that date, and
- 1 January 1993 in relation to obligations taking effect after the date of entry into force by reference to the date of entry into force.

2. In the case of entry into force after 1 January the provisions of Protocol 7 shall apply.

Done at Brussels on the first day of February one thousand nine hundred and ninety-three.

[Here follow the signatures]

LIST OF ANNEXES

I	Articles 9 & 19	Definition of Industrial and Agricultural Products
II	Article 10(2)	Community Tariff Concessions
III	Article 10(3)	Community Tariff Concessions
IV	Article 11(1)	Romania Tariff Concessions
V	Article 11(2)	Romania Tariff Concessions
VI	Article 11(3)	Romania Tariff Concessions: Cars
VII	Article 11(5)	Romania Tariff Quotas Concessions
VIII	Article 11(7)	Romania Concessions: Effect Equivalent to QR on Imports
IX	Article 14(3)	Romania Concessions: QR on Exports
X	Article 18	Processed Agricultural Products
XI	Article 21(2)	Community Agricultural Concessions
XII	Article 21(4)	Community Extra Agricultural Concessions
XIII	Article 21(4)	Romania Extra Agricultural Concessions
XIV	Article 24	Community Fishery Concessions
XV	Article 24	Romania Fishery Concessions
XVI	Article 45(1)	Establishment
XVII	Article 45(2)	Establishment: “ Excluded Sectors ”
XVIII	Articles 45, 46, 48 & 50	Establishment: “ Financial Services ”
XIX	Article 67	Intellectual Property

List of products referred to in Articles 9 and 19

CN code	Description
ex 3502	Albumins, albuminates and other albumin derivates:
ex 3502 10	Egg albumin:
	Other:
3502 10 91	Dried (for example, in sheets, scales, flakes, powder)
3502 10 99	Other
ex 3502 90	Other:
	Albumins, other than egg albumin:
	Milk albumin (lactalbumin):
3502 90 51	Dried (for example, in sheets, scales, flakes, powder)
3502 90 59	Other
4501	Natural cork, raw or simply prepared; waste cork; crushed, granulated or ground cork
5201 00	Cotton, not carded or combed
5301	Flax, raw or processed but not spun; flax tow and waste (including yarn waste and garnetted stock)
5302	True hemp (<i>Cannabis sativa</i> L.), raw or processed but not spun; tow and waste of true hemp (including yarn waste and garnetted stock)

ANNEX IIa

List of products referred to in the first subparagraph of Article 10(2)

CN code		CN code
2501 00 31		7202 19 00
2501 00 51		7202 21 10
2501 00 91		7202 21 90
2501 00 99		7202 29 00
2503 90 00		7202 30 00
2511 20 00		7202 41 10
2513 19 00		7202 41 90
2513 29 00		7202 49 10
2516 12 10		7202 49 50
2516 22 10		7202 49 90
2516 90 10		7202 50 00
2518 20 00		7202 70 00
2518 30 00		7202 80 00
2526 20 00		7202 91 00
2530 40 00		7202 92 00
		7202 93 00
2804 61 00		7202 99 30
2804 69 00		7202 99 80
2805 11 00		
2805 19 00		7602 00 19
2805 21 00		
2805 22 00		7801
2805 30 10		7901
2805 30 90		7903
2805 40 10		
ex 2844 30 11	Raw cermets, waste or scrap	8101 10 00
2844 30 19		8101 91 10
ex 2844 30 51	Raw cermets, waste or scrap	8101 91 90
		8102 10 00
3201 20 00		8102 91 10
3201 30 00		8102 91 90
3201 90 10		8103 10 10
ex 3201 90 90	Other extracts of vegetable origin	8103 10 90
		8104 11 00
4104 10 91		8104 19 00
4105 11 91		8107 10 00
4105 11 99		8108 10 10
4105 12 10		8108 10 90
4105 12 90		8109 10 10
4105 19 10		8109 10 90
4105 19 90		8110 00 11
4106 11 90		8110 00 19
4106 12 00		8111 00 11
4106 19 00		8111 00 19
4107 10 10		8112 20 31
4107 29 10		8112 20 39
4107 90 10		8112 30 10
4403 10 10		8112 40 11
		8112 40 19
		8112 91 10
		8112 91 31
		8112 91 39
		8112 91 90
		8113 00 10

ANNEX IIb

List of products referred to in the second subparagraph of Article 10(2)

CN code
2818 20 00
2818 30 00
7601

List of products referred to in Article 4(3)

CN code	Basic tariff quota ⁽¹⁾ ⁽³⁾	Basic tariff ceiling ⁽²⁾ ⁽³⁾
	(ECU 1 000)	(ECU 1 000)
2523 10 00	15 674	
21 00		
29 00		
30 00		
90 10		
90 30		
90 90		
2815 20		232
2836 20 00	3 059	
2836 30 00		
2836 60 00		1 036
2841 30 00	440	
2902 50 00		9 840
2903 51		394
2905 11 00	9 261	
2905 14 90	811	
2914 11 00		1 540
2915 31 00		532
2917 12 10		291
2918 21 00		218
2918 22 00		197
2921 19 30		268
2923 10 10		301
2926 10 00		3 144
2933 61 00	1 500 ⁽⁴⁾	
2941 30 00		5 191
3102 10 10	419	
3102 30 10	1 125	
3102 30 90		
3102 40 10	2 541	
3102 40 90		
3102 80 00	1 420	
3102 10 91		290
10 99		
21 00		
29 10		
29 90		
50 90		
60 00		
70 00		
90 00		
3105		
3923 21 00		4 829
4011 10 00		6 615
4011 20 00		
4011 30 90		
4011 91 00		
4011 99 00		
4012 10 90		
4012 20 90		

CN code	Basic tariff quota ⁽¹⁾ ⁽²⁾	Basic tariff ceiling ⁽²⁾ ⁽³⁾
	(ECU 1 000)	(ECU 1 000)
4012 90 10		
4012 90 90		
4013 10 10		
4013 10 90		
4013 90 90		
4202 11 10		6 615
4202 11 90		
4202 12 91		
4202 12 99		
4202 19 91		
4202 19 99		
4202 21 00		
4202 22 90		
4202 29 00		
4202 31 00		
4202 32 90		
4202 39 00		
4202 91 10		
4202 91 50		
4202 91 90		
4202 92 91		
4202 92 95		
4202 92 99		
4202 99 10		
4202 99 90		
4203 10 00		6 946
4203 21 00		
4203 29 91		
4203 29 99		
4203 30 00		
4203 40 00		
4302 30 10		2 536
4303		
4411	6 300 ⁽⁴⁾	
4418 10 00		10 766
4418 20 10		
4418 20 90		
4418 30 10		
4418 30 90		
4418 40 00		
4418 90 00		
6403	4 000 ⁽⁴⁾	
6908		4 025
6911	850 ⁽⁴⁾	
7004	2 200 ⁽⁴⁾	
7013	4 800 ⁽⁴⁾	
7207 19 39	476	
7207 20 79		
7216 60 11		
7216 60 19		
7216 60 90		
7216 90 50		
7216 90 60		
7216 90 91		
7216 90 93		
7216 90 95		
7216 90 97		
7216 90 90		
7217 11 10	2 009	
7217 11 91		
7217 11 99		

CN code	Basic tariff quota ⁽¹⁾ ⁽³⁾	Basic tariff ceiling ⁽²⁾ ⁽³⁾
	(ECU 1 000)	(ECU 1 000)
7217 12 10		
7217 12 90		
7217 13 11		
7217 13 19		
7217 13 91		
7217 13 99		
7217 19 10		
7217 19 90		
7217 21 00		
7217 22 00		
7217 23 00		
7217 29 00		
7304 10 10	8 682	
7304 10 30		
7304 10 90		
7304 20 91		
7304 20 99		
7304 31 91		
7304 31 99		
7304 39 10		
7304 39 51		
7304 39 59		
7304 39 91		
7304 39 93		
7304 39 99		
7304 41 90		
7304 49 10		
7304 49 91		
7304 49 99		
7304 51 11		
7304 51 19		
7304 51 91		
7304 51 99		
7304 59 10		
7304 59 31		
7304 59 39		
7304 59 91		
7304 59 93		
7304 59 99		
7304 90 90		
7305 11 00		
7305 12 00		
7305 19 00		
7305 20 10		
7305 20 90		
7305 31 00		
7305 39 00		
7305 90 00		
7306 10 11		
7306 10 19		
7306 10 90		
7306 20 00		
7306 30 21		
7306 30 29		
7306 30 51		
7306 30 59		
7306 30 71		
7306 30 78		
7306 30 90		
7306 40 91		
7306 40 99		
7306 50 91		
7306 50 99		
7306 60 31		
7306 60 39		
7306 60 90		
7306 90 00		

CN code	Basic tariff quota ⁽¹⁾ ⁽³⁾	Basic tariff ceiling ⁽²⁾ ⁽³⁾
	(ECU 1 000)	(ECU 1 000)
7318 15 81		1 300 ⁽⁴⁾
8203 20 10		3 087
8203 20 90		
8482 10 10		3 500 ⁽⁴⁾
8527 11 10		4 631
8527 11 90		
8527 21 10		
8527 21 90		
8527 29 00		
8527 31 10		
8527 31 91		
8527 31 99		
8527 32 90		
8527 39 10		
8527 39 91		
8527 39 99		
8527 90 91		
8527 90 99		
8528 10 61		
8528 10 69		
8528 10 80		
8528 10 91		
8528 10 98		
8528 20 20		
8528 20 71		
8528 20 73		
8528 20 79		
8528 20 91		
8528 20 99		
8529 10 20		
8529 10 31		
8529 10 39		
8529 10 40		
8529 10 50		
8529 10 70		
8529 10 90		
8529 90 70		
8529 90 98		
8539 10 90		1 968
8539 21 30		
8539 21 91		
8539 21 99		
8539 22 10		
8539 22 90		
8539 29 31		
8539 29 39		
8539 29 91		
8539 29 99		
8703 21 10		84 507
8703 22 11		
8703 22 19		
8703 23 11		
8703 23 19		
8703 31 10		
8703 32 11		
8703 32 19		
8703 33 11*10 ⁽⁵⁾		
8703 33 19*10 ⁽⁶⁾		
8703 90 90*11 ⁽⁷⁾		
9401 20 00	23 000 ⁽⁴⁾	
9401 30 10		
9401 30 90		
9401 40 00		
9401 50 00		
9401 61 00		

CN code	Basic tariff quota ⁽¹⁾ ⁽³⁾	Basic tariff ceiling ⁽²⁾ ⁽³⁾
	(ECU 1 000)	(ECU 1 000)
9401 69 00		
9401 71 00		
9401 79 00		
9401 80 00		
9401 90 90		
9403 10 10	65 000 ⁽⁴⁾	
9403 10 51		
9403 10 59		
9403 10 91		
9403 10 93		
9403 10 99		
9403 20 91		
9403 20 99		
9403 30 11		
9403 30 19		
9403 30 91		
9403 30 99		
9403 40 00		
9403 50 00		
9403 60 10		
9403 60 30		
9403 60 90		
9403 70 90		
9403 90 10		
9403 90 30		
9403 90 90		
9405 91 19	1 103	

⁽¹⁾ Imports in excess of these quotas shall attract customs duties in the manner set out in the Agreement.

⁽²⁾ For imports in excess of these ceilings, the Community may reintroduce customs duties in the manner set out in the Agreement.

⁽³⁾ These amounts will be increased by 20% per year from the date of entry into force of the Agreement.

⁽⁴⁾ Contrary to what is provided for in footnote 3, this amount will be increased annually by 20% as from 1 January 1994.

⁽⁵⁾ Motor caravans, new, of a cylinder capacity exceeding 2 500 cm³ but not exceeding 3 000 cm³.

⁽⁶⁾ Other vehicles, new, with compression-ignition internal combustion piston engine (diesel or semi-diesel) of a cylinder capacity exceeding 2 500 cm³ but not exceeding 3 000 cm³.

⁽⁷⁾ Vehicles other than with electric motors, new, of a cylinder capacity not exceeding 3 000 cm³.

List of products referred to in Article 11(1)

2502 00 00	2802 00 00	2844 40 00	3702 39 00	3823 90 91
2503 10 00	2805 11 00	2844 50 00	3702 41 00	3823 90 93
2503 90 00	2805 19 00	2846 10 00	3702 42 00	3823 90 95
2504 10 00	2805 21 00	2846 90 00	3702 43 00	3823 90 96
2504 90 00	2805 22 00		3702 44 00	3823 90 97
2508 50 00	2805 30 10	2926 90 90	3702 51 10	3823 90 98
2508 60 00	2805 30 90	2936 28 00	3702 51 90	
2511 10 00	2805 40 10		3702 52 10	3907 30 00
2512 00 00	2805 40 90	3001 10 10	3702 52 90	3913 10 00
2513 11 00	2825 10 00	3001 10 90	3702 53 00	3913 90 10
2513 19 00	2825 20 00	3001 20 10	3702 54 00	3913 90 90
2513 21 00	2825 30 00	3001 20 90	3702 55 00	3914 00 00
2513 29 00	2825 40 00	3001 90 10	3702 56 10	3916 90 11
2517 20 00	2825 60 10	3001 90 91	3702 56 90	3916 90 13
2517 30 00	2825 60 90	3001 90 99	3702 91 10	3916 90 15
2528 10 00	2825 70 00	3002 10 10	3702 91 90	3916 90 19
2528 90 00	2825 80 00	3002 10 91	3702 92 10	3916 90 51
2530 10 00	2827 34 00	3002 10 95	3702 92 90	3916 90 59
2530 20 00	2827 35 00	3002 10 99	3702 93 10	3916 90 90
	2827 37 00	3002 20 00	3702 93 90	3917 21 91
2604 00 00	2831 10 00	3002 31 00	3702 94 10	3917 22 91
2605 00 00	2831 90 00	3002 39 00	3702 94 90	3917 23 91
2610 00 00	2834 22 00	3002 90 10	3702 95 00	3917 29 91
2612 20 10	2835 10 00	3002 90 30		3917 31 10
2612 20 90	2835 21 00	3002 90 50	3801 10 00	3917 33 10
2614 00 10	2835 24 00	3002 90 90	3801 20 10	3917 39 91
2614 00 90	2835 25 10	3006 10 10	3801 20 90	3917 40 10
2615 10 00	2835 25 90	3006 10 90	3801 30 00	3918 10 10
2615 90 10	2835 26 10	3006 20 00	3801 90 00	3918 10 90
2615 90 90	2835 26 90	3006 30 00	3802 10 00	3918 90 00
2617 10 00	2835 29 00	3006 40 00	3802 90 00	3920 41 11
2617 90 00	2835 31 00	3006 50 00	3803 00 10	3920 41 19
2619 00 91	2835 39 10	3006 60 11	3803 00 90	3920 41 91
2619 00 93	2835 39 30	3006 60 19	3805 10 10	3920 41 99
2619 00 95	2835 39 50	3006 60 90	3805 10 30	3926 90 10
2619 00 99	2835 39 80		3805 10 90	
	2836 91 00	3101 00 00	3805 20 00	4001 10 00
2704 00 11	2836 92 00		3805 90 00	4001 21 00
2704 00 90	2836 93 00	3201 10 00	3806 10 10	4001 22 00
2705 00 00	2837 11 00	3201 20 00	3806 10 90	4001 29 10
2706 00 00	2837 19 00	3201 90 10	3806 20 00	4001 29 90
2707 91 00	2837 20 00	3201 90 90	3806 30 00	4001 30 00
2709 00 10	2838 00 00	3203 00 11	3806 90 00	4002 41 00
2709 00 90	2841 10 00	3203 00 19	3815 11 00	4008 29 10
2710 00 71	2841 50 00	3203 00 90	3815 12 00	4009 50 10
2710 00 75	2841 60 00		3815 19 00	4011 30 10
2710 00 79	2841 70 00	3301 11 10	3815 90 00	4012 10 10
2711 11 00	2841 80 00	3301 11 90	3818 00 10	4012 20 10
2711 12 11	2841 90 10	3301 12 10	3818 00 90	4014 10 00
2711 12 19	2841 90 30	3301 12 90	3821 00 00	4014 90 10
2711 12 91	2841 90 90	3301 13 10	3822 00 00	4014 90 90
2711 12 93	2843 10 10	3301 13 90	3823 10 00	4015 11 00
2711 12 99	2843 10 90	3301 14 10	3823 30 00	4015 19 10
2711 13 10	2843 21 00	3301 14 90	3823 60 11	4015 19 90
2711 13 30	2843 29 00	3301 19 10	3823 60 19	4015 90 00
2711 13 90	2843 30 00	3301 19 90	3823 60 91	4016 10 10
2711 14 00	2843 90 10	3303 00 90	3823 60 99	4016 93 10
2711 19 00	2843 90 90	3307 41 00	3823 90 10	4016 99 10
2711 21 00	2844 10 00	3307 49 00	3823 90 20	4017 00 91
2711 29 00	2844 20 11	3307 90 00	3823 90 30	
2714 10 00	2844 20 19		3823 90 40	4101 10 10
2714 90 00	2844 20 91	3406 00 11	3823 90 50	4101 10 90
2715 00 00	2844 20 99	3406 00 19	3823 90 60	4101 21 00
2716 00 00	2844 30 11	3406 00 90	3823 90 70	4101 22 00
	2844 30 19	3407 00 00	3823 90 81	4101 29 00
2801 20 00	2844 30 51		3823 90 83	4101 30 10
2801 30 10	2844 30 59	3701 91 00	3823 90 85	4101 30 90
2801 30 90	2844 30 90	3701 99 00	3823 90 87	4101 40 00

4102 10 10	4043 99 10	4707 30 90	5305 11 00	6506 92 00
4102 10 90	4403 99 90	4707 90 10	5305 19 00	6506 99 00
4102 21 00	4404 10 00	4707 90 90	5305 21 00	
4103 10 10	4404 20 00		5305 29 00	6602 00 00
4103 10 90	4405 00 00	4811 21 00	5305 91 00	
4103 20 00	4407 10 10	4818 90 10	5305 99 00	6804 10 10
4103 90 00	4407 10 30	4818 90 90	5306 20 11	6804 21 00
4104 10 10	4407 10 50	4823 90 10	5306 20 19	6804 22 12
4104 10 30	4407 10 71	4823 90 20	5306 20 90	6804 22 18
4104 10 91	4407 10 79	4823 90 30	5307 10 10	6804 22 30
4104 10 95	4407 10 91	4823 90 51	5307 10 90	6804 22 50
4104 10 99	4407 10 93	4823 90 71	5307 20 00	6804 22 90
4104 21 00	4407 10 99	4823 90 79	5308 10 00	6804 23 00
4104 22 10	4407 21 10	4823 90 90	5308 90 11	6804 30 00
4104 22 90	4407 21 31		5308 90 13	6805 10 00
4104 29 00	4407 21 39	4901 10 00	5308 90 19	6805 20 00
4104 31 11	4407 21 50	4901 91 00		6805 30 10
4104 31 19	4407 21 90	4901 99 00	5602 10 11	6805 30 90
4104 31 30	4407 22 10	4902 10 00	5602 10 19	6806 20 10
4104 31 90	4407 22 31	4902 90 00	5602 10 31	6806 20 90
4104 39 10	4407 22 39	4903 00 00	5602 10 35	6806 90 00
4104 39 90	4407 22 50	4904 00 00	5602 10 39	6812 90 10
4105 11 10	4407 22 90		5602 10 90	6813 10 10
4105 11 91	4407 23 10	5102 10 10	5602 21 00	6813 10 90
4105 11 99	4407 23 30	5102 10 30	5602 29 10	6813 90 10
4105 12 10	4407 23 50	5102 10 50	5602 29 90	6813 90 90
4105 12 90	4407 23 90	5102 10 90	5602 90 00	6814 10 00
4105 19 10	4407 99 11	5102 20 00	5603 00 10	6814 90 10
4105 19 90	4407 99 19	5108 10 10	5603 00 91	6814 90 90
4105 20 00	4407 99 31	5108 10 90	5603 00 93	6815 20 00
4106 11 10	4407 99 39	5108 20 10	5603 00 95	
4106 11 90	4407 99 51	5108 20 90	5603 00 99	6903 10 00
4106 12 00	4407 99 59	5109 10 10	5608 11 11	6903 20 10
4106 19 00	4407 99 91	5109 10 90	5608 11 19	6903 20 90
4106 20 00	4407 99 93	5110 00 00	5608 11 91	6903 90 10
4107 21 00	4407 99 99	5113 00 00	5608 11 99	6903 90 90
4107 29 10	4408 20 10		5608 19 11	6906 00 00
4107 29 90	4408 20 30	5202 10 00	5608 19 19	
4107 90 10	4408 20 50	5202 91 00	5608 19 31	7001 00 10
4107 90 90	4408 20 91	5202 99 00	5608 19 39	7001 00 91
4108 00 10	4408 20 99	5203 00 00	5608 19 91	7001 00 99
4108 00 90	4412 11 00	5206 11 00	5608 19 99	7002 10 00
4109 00 00		5206 12 00	5608 90 00	7002 20 10
4110 00 00	4501 10 00	5206 13 00		7002 20 90
4111 00 00	4501 90 00	5206 14 00	5905 00 31	7002 31 00
	4502 00 00	5206 15 10	5905 00 39	7002 32 00
4301 70 10	4503 10 00	5206 15 90	5906 10 10	7002 39 00
4301 70 90	4503 90 00	5206 21 00	5906 10 90	7007 21 10
4304 00 00	4504 10 00	5206 22 00	5906 91 00	7017 10 00
	4504 90 10	5206 23 00	5906 99 10	7017 20 00
4401 10 00	4504 90 90	5206 24 00	5906 99 90	7017 90 00
4401 21 00		5206 25 10	5907 00 00	7020 00 10
4401 22 00	4701 00 10	5206 25 90	5908 00 00	7020 00 30
4401 30 10	4701 00 90	5206 31 00	5909 00 10	7020 00 90
4401 30 90	4702 00 00	5206 32 00	5909 00 90	
4402 00 00	4703 11 00	5206 33 00	5911 10 00	7101 10 00
4403 10 10	4703 19 00	5206 34 00	5911 20 00	7101 21 00
4403 10 91	4703 21 00	5206 35 10	5911 31 11	7101 22 00
4403 10 99	4703 29 00	5206 35 90	5911 31 19	7102 10 00
4403 20 00	4704 11 00	5206 41 00	5911 31 90	7102 21 00
4403 31 00	4704 19 00	5206 42 00	5911 32 10	7102 29 00
4403 32 00	4704 21 00	5206 43 00	5911 32 90	7102 31 00
4403 33 00	4704 29 00	5206 44 00	5911 40 00	7102 39 00
4403 34 10	4705 00 00	5206 45 10	5911 90 10	7103 10 00
4403 34 30	4706 10 00	5206 45 90	5911 90 90	7103 91 00
4403 34 50	4706 91 00	5207 10 00		7103 99 00
4403 34 70	4706 92 10	5207 90 00	6301 10 00	7104 10 00
4403 34 90	4706 92 90			7104 20 00
4403 35 10	4706 93 00	5303 10 00	6402 30 10	7104 90 00
4403 35 90	4707 10 00	5303 90 00	6402 30 90	7105 10 00
4403 91 00	4707 20 00	5304 10 00	6403 11 00	7105 90 00
4403 92 00	4707 30 10	5304 90 00	6403 40 00	7106 10 00

7106 91 10	7320 20 20	8101 99 00	8302 20 10	8418 69 91
7106 91 90	7320 20 81	8102 10 00	8302 42 10	8418 69 99
7106 92 10	7320 20 89	8102 91 10	8302 49 10	8418 99 10
7106 92 91	7320 90 10	8102 91 90	8302 60 10	8418 99 90
7106 92 99	7320 90 30	8102 92 00	8302 60 90	8419 31 00
7107 00 00	7320 90 90	8102 93 00	8307 10 10	8419 32 00
7108 11 00	7324 10 10	8102 99 00	8307 10 90	8419 39 00
7108 12 00	7324 90 10	8103 10 10	8307 90 10	8419 50 10
7108 13 10	7326 20 10	8103 10 90	8307 90 90	8419 50 90
7108 13 30		8103 90 10	8401 10 00	8419 60 00
7108 13 50	7401 10 00	8103 90 90	8401 20 00	8419 81 10
7108 13 90	7401 20 00	8104 11 00	8401 30 00	8419 81 91
7108 20 00	7402 00 00	8104 19 00	8401 40 10	8419 81 99
7109 00 00	7403 11 00	8104 20 00	8401 40 90	8419 89 10
7110 11 00	7403 12 00	8104 30 00	8404 20 00	8419 89 30
7110 19 10	7403 13 00	8104 90 10	8404 90 00	8419 89 80
7110 19 30	7403 19 00	8104 90 90	8407 10 10	8419 90 10
7110 19 50	7403 21 00	8105 10 10	8408 10 70	8419 90 90
7110 19 90	7403 22 00	8105 10 90	8408 10 80	8421 19 10
7110 21 00	7403 23 00	8105 90 00	8408 10 90	8421 21 10
7110 29 00	7403 29 00	8106 00 10	8408 90 10	8421 23 10
7110 31 00	7404 00 10	8106 00 90	8409 10 10	8421 29 10
7110 39 00	7404 00 91	8107 10 00	8409 10 90	8421 31 10
7110 41 00	7404 00 99	8107 90 00	8409 91 00	8421 39 10
7110 49 00	7405 00 00	8108 10 10	8411 11 10	8421 99 00
7111 00 00	7413 00 10	8108 10 90	8411 11 90	8424 10 10
7112 10 00	7416 00 00	8108 90 10	8411 12 11	8424 90 00
7112 20 00	7419 10 00	8108 90 30	8411 12 13	8425 11 10
7112 90 00	7419 91 00	8108 90 50	8411 12 19	8425 19 10
	7419 99 00	8108 90 70	8411 21 10	8425 31 10
7202 19 00		8108 90 90	8411 22 11	8425 39 10
7202 60 00	7501 10 00	8109 10 10	8411 22 19	8425 42 10
7202 70 00	7501 20 00	8109 10 90	8411 81 10	8425 49 10
7202 80 00	7502 10 00	8109 90 00	8411 82 10	8426 99 10
7202 91 00	7502 20 00	8110 00 11	8411 91 10	8428 10 10
7202 92 00	7503 00 10	8110 00 19	8411 99 10	8428 20 10
7202 99 19	7503 00 90	8110 00 90	8412 10 10	8428 33 10
7202 99 30	7504 00 00	8111 00 11	8412 21 10	8428 39 10
7202 99 80	7508 00 10	8111 00 19	8412 29 10	8428 90 10
7205 10 00	7508 00 90	8111 00 90	8412 31 10	8431 10 00
7205 21 00		8112 11 00	8412 39 10	8431 31 00
7205 29 00	7608 10 10	8112 19 00	8412 80 91	8431 39 90
7207 12 90	7608 20 10	8112 20 10	8412 90 10	8431 49 20
7207 19 19		8112 20 31	8413 19 10	8431 49 80
7207 19 39	7801 10 00	8112 20 39	8413 20 10	8445 11 00
7207 19 90	7801 91 00	8112 20 90	8413 30 10	8445 12 00
7207 20 19	7801 99 10	8112 30 10	8413 50 10	8445 13 00
7207 20 39	7801 99 91	8112 30 90	8413 60 10	8445 19 00
7207 20 59	7801 99 99	8112 40 11	8413 70 10	8445 20 00
7207 20 79	7802 00 10	8112 40 19	8413 81 10	8445 30 10
7207 20 90	7802 00 90	8112 40 90	8413 91 10	8445 30 90
7209 90 90	7806 00 10	8112 91 10	8414 10 10	8445 40 00
	7806 00 90	8112 91 31	8414 10 30	8445 90 00
7304 31 10		8112 91 39	8414 20 10	8446 10 00
7304 39 20	7901 11 00	8112 91 90	8414 30 10	8446 21 00
7304 41 10	7901 12 10	8112 99 10	8414 51 10	8446 29 00
7304 49 30	7901 12 30	8112 99 30	8414 51 90	8446 30 00
7304 51 30	7901 12 90	8112 99 90	8414 59 10	8447 11 00
7304 59 50	7901 20 00	8113 00 10	8414 80 10	8447 12 00
7304 90 10	7902 00 00	8113 00 90	8414 80 21	8447 20 91
7306 30 10	7903 10 00		8414 90 10	8447 20 93
7306 40 10	7903 90 00	8208 30 10	8415 81 10	8447 20 99
7306 50 10		8208 30 90	8415 81 90	8447 90 00
7306 60 10	8001 10 00	8208 40 00	8415 82 10	8448 11 00
7312 10 10	8001 20 00	8208 90 00	8415 83 10	8448 19 00
7312 90 10	8002 00 00	8210 00 10	8415 90 10	8448 31 00
7319 20 00		8210 00 90	8418 10 10	8448 32 00
7319 30 00	8101 10 00	8212 10 10	8418 30 10	8448 33 10
7319 90 00	8101 91 10	8212 10 90	8418 40 10	8448 33 90
7320 10 11	8101 91 90	8212 20 00	8418 61 10	8448 39 00
7320 10 19	8101 92 00	8212 90 00	8418 61 90	8448 41 00
7320 10 90	8101 93 00	8302 10 10	8418 69 10	8448 42 00

8448 49 00	8479 89 60	8514 40 00	8540 20 30	9008 10 00
8448 51 10	8479 89 80	8514 90 10	8540 20 90	9008 20 00
8448 51 90	8479 90 10	8514 90 90	8540 41 00	9008 30 00
8448 59 00	8479 90 92	8515 31 00	8540 42 00	9008 90 00
8449 00 00	8479 90 98	8515 39 11	8540 91 00	9009 90 10
8452 10 11	8481 90 00	8515 39 13	8540 99 00	9009 90 90
8452 10 19	8483 10 10	8515 39 19	8543 80 10	
8452 10 90	8483 30 10	8515 39 90	8543 90 10	9014 10 10
8452 21 00	8483 40 10	8515 80 10	8544 30 10	9014 20 11
8452 29 00	8483 50 10	8515 80 90		9014 20 13
8452 30 00	8483 60 10	8515 90 00	8609 00 10	9014 20 15
8452 40 00	8483 90 10	8518 10 10	8609 00 90	9014 20 19
8452 90 00	8484 10 10	8518 21 10		9014 20 90
8453 10 00	8484 90 10	8518 22 10	8702 10 91	9014 90 10
8453 20 00	8485 90 10	8518 29 10	8703 10 10	9014 90 90
8453 80 00	8485 90 30	8518 30 10	8703 10 90	9018 11 00
8453 90 00	8485 90 51	8518 40 10	8703 24 10	9018 19 00
8456 10 00	8485 90 53	8518 50 10	8703 33 11	9018 20 00
8456 20 00	8485 90 55	8518 90 00	8704 21 10	9018 31 10
8456 30 00	8485 90 59	8519 10 00	8704 22 10	9018 31 90
8456 90 00	8485 90 70	8519 21 00	8704 23 10	9018 32 10
8460 11 00	8485 90 90	8519 29 00	8704 31 10	9018 32 90
8464 10 00		8519 40 00	8704 32 10	9018 39 00
8464 20 11	8501 20 10	8520 10 00	8709 11 10	9018 41 00
8464 20 19	8501 31 10	8520 90 10	8709 19 10	9018 49 00
8464 20 90	8501 32 10	8521 10 10	8709 90 10	9018 50 10
8464 90 00	8501 33 10	8521 90 00	8709 90 90	9018 50 90
8467 81 00	8501 34 10	8522 10 00		9018 90 10
8467 89 00	8501 34 50	8522 90 10	8801 10 10	9018 90 20
8467 91 00	8501 40 10	8522 90 30	8801 90 10	9018 90 30
8467 92 00	8501 40 90	8522 90 91	8801 90 91	9018 90 41
8467 99 00	8501 51 10	8522 90 99	8801 90 99	9018 90 49
8469 10 00	8501 51 90	8525 10 10	8802 11 10	9018 90 50
8469 21 00	8501 52 10	8525 10 90	8802 12 10	9018 90 60
8469 29 00	8501 53 10	8525 20 10	8802 20 10	9018 90 90
8469 31 00	8501 61 10	8525 20 90	8802 30 10	9019 10 10
8469 39 00	8501 62 10	8525 30 10	8802 40 10	9019 10 90
8471 10 10	8501 63 10	8525 30 91	8802 50 00	9019 20 00
8471 10 90	8502 11 10	8525 30 99	8803 10 10	9020 00 10
8471 20 10	8502 12 10	8526 10 11	8803 20 10	9020 00 90
8471 20 40	8502 13 10	8526 10 13	8803 30 10	9021 11 00
8471 20 50	8502 20 10	8526 10 19	8803 90 91	9021 19 10
8471 20 60	8502 30 10	8526 10 90	8805 10 10	9021 19 90
8471 20 90	8502 40 10	8526 91 11	8805 10 90	9021 29 10
8471 91 10	8503 00 10	8526 91 19	8805 20 10	9021 29 90
8471 91 40	8503 00 91	8526 91 90	8805 20 90	9021 30 10
8471 91 50	8503 00 99	8526 92 10		9021 30 90
8471 91 60	8504 10 10	8526 92 90	9001 10 10	9021 40 00
8471 91 90	8504 31 10	8527 11 10	9001 10 90	9021 50 00
8471 92 10	8504 32 10	8527 90 10	9001 30 00	9021 90 10
8471 92 90	8504 33 10	8527 90 91	9001 90 10	9021 90 90
8471 93 10	8504 40 10	8527 90 99	9001 90 90	9022 11 00
8471 93 40	8504 50 10	8529 10 10	9002 90 10	9022 19 00
8471 93 50	8507 10 10	8529 90 10	9002 90 91	9022 21 00
8471 93 60	8507 20 10	8530 10 00	9002 90 99	9022 29 00
8471 93 90	8507 30 10	8530 80 00	9006 10 00	9022 30 00
8471 99 10	8507 40 10	8530 90 00	9006 20 00	9022 90 10
8471 99 30	8507 80 10	8531 10 10	9006 30 00	9022 90 90
8471 99 90	8507 90 10	8531 10 90	9006 40 00	9024 90 00
8473 30 10	8511 10 10	8531 20 10	9006 51 00	9025 11 10
8473 30 90	8511 20 10	8531 20 90	9006 52 00	9025 19 10
8475 10 00	8511 30 10	8531 80 10	9006 53 00	9025 20 10
8475 20 00	8511 40 10	8531 80 90	9006 59 00	9025 80 10
8475 90 00	8511 50 10	8531 90 00	9006 61 00	9025 90 10
8477 10 00	8511 80 10	8532 90 00	9006 62 10	9025 90 90
8477 20 00	8514 10 10	8533 90 00	9006 62 90	9026 10 10
8478 10 00	8514 10 91	8539 10 10	9006 69 00	9026 20 10
8478 90 00	8514 10 99	8540 11 10	9006 91 10	9026 80 10
8479 10 00	8514 20 10	8540 11 30	9006 91 90	9026 90 10
8479 89 10	8514 20 90	8540 11 50	9006 99 00	9026 90 90
8479 89 30	8514 30 10	8540 11 80	9007 11 00	9027 10 10
8479 89 50	8514 30 90	8540 20 10	9007 19 00	9027 10 90

9027 20 10	9030 10 10	9032 90 10	9402 90 00	9601 10 00
9027 20 90	9030 20 10	9033 00 00	9403 20 10	9612 10 10
9027 30 00	9030 31 10	9104 00 10	9403 70 10	9612 10 90
9027 40 00	9030 39 10	9109 19 10	9405 10 10	9612 20 00
9027 50 00	9030 40 10	9109 90 10	9405 60 10	9701 10 00
9027 80 11	9030 81 10	9208 10 00	9405 92 10	9701 90 00
9027 80 19	9030 89 10	9208 90 00	9405 99 10	9702 00 00
9027 80 91	9030 90 10	9209 92 00	9506 31 00	9703 00 00
9027 80 99	9031 80 10	9209 93 00	9506 32 00	9704 00 00
9027 90 10	9031 90 10	9209 94 00	9506 39 10	9705 00 00
9027 90 90	9032 10 10	9209 99 10	9506 39 90	9706 00 00
9029 10 10	9032 20 10	9209 99 90	9506 91 00	
9029 20 10	9032 81 10	9401 10 10	9506 99 10	
9029 90 10	9032 89 10	9402 10 00	9506 99 90	

List of products referred to in Article 11(2)

2529 21 00	2915 31 00	2933 39 10	3301 21 90	4907 00 91
2529 22 00	2915 33 00	2933 39 90	3301 22 10	4907 00 99
2529 30 00	2915 35 00	2933 40 10	3301 22 90	4908 10 00
	2915 39 10	2933 40 90	3301 23 10	4908 90 00
2712 90 39	2915 39 30	2933 51 10	3301 23 90	4909 00 10
2712 90 90	2915 39 50	2933 51 30	3301 24 10	4909 00 90
2713 20 00	2915 39 90	2933 51 90	3301 24 90	4910 00 00
2713 90 10	2915 60 10	2933 59 10	3301 25 10	4911 10 00
2713 90 90	2915 60 90	2933 59 90	3301 25 90	4911 91 10
	2915 70 15	2933 69 10	3301 26 10	4911 91 80
2801 10 00	2915 70 20	2933 69 90	3301 26 90	4911 99 00
2804 61 00	2915 70 25	2933 79 00	3301 29 11	
2804 69 00	2915 70 30	2933 90 10	3301 29 31	6802 22 00
2804 70 00	2915 70 80	2933 90 30	3301 29 51	6802 29 00
2804 80 00	2915 90 10	2933 90 50	3301 29 53	6802 92 00
2804 90 00	2915 90 90	2933 90 60	3301 29 55	6802 99 10
2818 10 00	2918 12 00	2933 90 70	3301 29 57	6802 99 90
2833 23 00	2918 19 30	2933 90 90	3301 29 59	6803 00 10
2833 24 00	2918 19 90	2934 10 00	3301 29 91	6803 00 90
2833 25 00	2921 42 10	2934 20 10	3301 30 00	6806 10 00
2833 27 00	2921 42 90	2934 20 30	3301 90 10	6815 10 00
2833 29 10	2921 43 10	2934 20 50	3301 90 90	
2833 29 30	2921 43 90	2934 20 90		7309 00 10
2833 29 50	2921 44 00	2934 30 10	3903 30 00	7309 00 30
2833 29 70	2921 49 10	2934 30 90	3905 11 00	7309 00 51
2833 29 90	2921 49 90	2934 90 10	3905 90 00	7309 00 59
2839 11 00	2922 11 00	2934 90 30	3906 10 00	7309 00 90
2839 19 00	2922 12 00	2934 90 40	3906 90 00	7312 10 30
2839 20 00	2922 13 00	2934 90 50	3907 20 11	7312 10 50
2839 90 10	2922 19 00	2934 90 60	3009 20 00	7312 10 71
2839 90 90	2922 21 00	2934 90 70	3909 30 00	7312 10 75
2850 00 10	2922 22 00	2934 90 80	3910 00 00	7312 10 79
2850 00 30	2922 29 00	2934 90 90	3911 10 00	7312 10 91
2850 00 50	2922 30 00	2935 00 00	3911 90 10	7312 10 95
2850 00 70	2922 41 00	2936 10 00	3911 90 90	7312 10 99
2850 00 90	2922 42 00	2936 21 00		7312 90 90
	2922 49 10	2936 22 00	4007 00 00	7320 20 85
2903 12 00	2922 49 30	2936 23 00		
2903 13 00	2922 49 90	2936 24 00	4301 80 10	7407 10 00
2903 30 10	2922 50 00	2936 25 00	4301 80 30	7407 21 10
2903 40 69	2929 10 00		4301 80 50	7407 21 90
2903 40 98	2929 90 00	3003 10 00	4301 80 90	7407 22 10
2905 17 00	2930 10 00	3003 20 00	4302 19 10	7407 22 90
2905 19 90	2930 40 00	3003 31 00	4302 19 20	7407 29 00
2905 39 90	2930 90 80	3003 39 00	4302 19 41	7409 11 00
2906 11 00	2931 00 10	3003 40 00	4302 19 49	7409 19 00
2906 13 00	2931 00 20	3003 90 10	4302 19 70	7409 21 00
2906 14 00	2931 00 30	3003 90 90	4302 19 90	7409 29 00
2906 19 00	2931 00 90	3004 90 11	4302 30 51	7409 31 00
2906 21 00	2932 11 00	3004 90 19	4302 30 55	7409 39 00
2906 29 10	2932 13 00	3004 90 91	4302 30 71	7409 40 11
2906 29 90	2932 19 00	3004 90 99	4302 30 75	7409 40 19
2908 10 10	2932 21 00			7409 40 91
2908 10 90	2932 29 10	3207 10 10	4406 10 00	7409 40 99
2908 20 00	2932 29 90	3207 10 90	4406 90 00	7409 90 10
2908 90 90	2932 90 10	3207 20 10		7409 90 90
2914 21 00	2932 90 30	3207 20 90	4802 10 00	7415 10 00
2914 23 00	2932 90 50	3207 30 00	4802 20 00	7415 21 00
2914 30 00	2932 90 70	3207 40 10	4811 29 00	7415 29 00
2914 41 00	2932 90 90	3207 40 90	4811 31 00	7415 31 00
2914 49 00	2933 11 10	3212 10 10	4811 39 00	7415 32 10
2914 50 00	2933 11 90	3212 10 90		7415 32 90
2915 11 00	2933 19 10	3212 90 10	4905 10 00	7415 39 00
2915 12 00	2933 19 90	3212 90 31	4905 91 00	7418 10 00
2915 13 00	2933 21 00	3212 90 39	4905 99 00	7418 20 00
2915 23 00	2933 29 10	3212 90 90	4906 00 00	
2915 24 00	2933 29 90		4907 00 10	7505 11 00
2915 29 00	2933 31 00	3301 21 10	4907 00 30	7505 12 00

7505 21 00	8451 21 10	8524 23 90	9001 50 49	9506 29 90
7505 22 00	8451 21 90	8524 90 10	9001 50 80	9506 40 10
7507 11 00	8451 29 00	8524 90 91	9002 11 00	9506 40 90
7507 12 00	8451 30 10	8524 90 99	9002 19 00	9506 51 00
	8451 30 90	8538 90 10	9002 20 10	9506 59 10
7608 20 30	8451 40 00	8538 90 90	9002 20 90	9506 59 90
7608 20 91	8451 50 00	8539 40 10	9005 10 10	9506 61 00
7608 20 99	8451 80 10	8539 40 30	9005 10 90	9506 62 10
7616 10 00	8451 80 90	8539 40 90	9005 80 00	9506 62 90
7616 90 91	8451 90 00	8540 12 10	9005 90 00	9506 69 10
7616 90 99	8468 10 00	8540 12 30	9007 21 00	9506 69 90
	8468 20 00	8540 12 90	9007 29 00	9506 70 10
8005 10 00	8468 80 00	8540 30 10	9007 91 10	9506 70 30
8005 20 00	8468 90 00	8540 30 90	9007 91 90	9506 70 90
8006 00 00	8476 11 10	8540 49 00	9007 92 00	
8007 00 00	8476 11 90	8540 81 00	9009 11 00	9608 10 10
	8476 19 10	8540 89 11	9009 12 00	9608 10 30
8211 10 00	8476 19 90	8540 89 19	9009 21 00	9608 10 91
8211 91 10	8476 90 00	8540 89 90	9009 22 10	9608 10 99
8211 91 90	8480 71 00	8542 11 10	9009 22 90	9608 20 00
8211 92 10	8481 10 11	8542 11 30	9009 30 00	9608 31 00
8211 92 90	8481 10 19	8542 11 41	9010 10 00	9608 39 10
8211 93 10	8481 20 10	8542 11 43	9010 20 00	9608 39 90
8211 93 90	8481 20 90	8542 11 45	9010 30 00	9608 40 00
8211 94 00	8481 30 10	8542 11 51	9010 90 00	9608 50 00
8214 10 00	8481 30 91	8542 11 52	9017 10 10	9608 60 10
8214 20 00	8481 30 99	8542 11 53	9017 10 90	9608 60 90
8214 90 00	8481 40 10	8542 11 55	9017 20 11	9608 91 00
	8481 40 90	8542 11 61	9017 20 19	9608 99 10
8303 00 10	8481 80 11	8542 11 63	9017 20 30	9608 99 30
8303 00 30	8481 80 19	8542 11 65	9017 20 90	9608 99 91
8303 00 90	8481 80 31	8542 11 66	9017 30 10	9608 99 99
8311 10 10	8481 80 39	8542 11 72	9017 30 90	9609 10 10
8311 10 90	8481 80 51	8542 11 76	9017 80 10	9609 10 90
8311 20 00	8481 80 59	8542 11 81	9017 80 90	9609 20 00
8311 30 00	8481 80 61	8542 11 83	9017 90 00	9609 90 10
8311 90 00	8481 80 63	8542 11 85		9609 90 90
	8481 80 69	8542 11 87	9110 12 00	9613 10 00
8407 21 11	8481 80 71	8542 11 92	9110 19 00	9613 20 10
8407 21 19	8481 80 73	8542 11 93	9110 90 00	9613 20 90
8407 21 91	8481 80 79	8542 11 94	9111 10 00	9613 30 00
8407 21 99	8481 80 81	8542 11 99	9111 20 10	9613 80 00
8407 29 30	8481 80 85	8542 19 10	9111 80 00	9613 90 00
8407 29 50	8481 80 87	8542 19 20	9111 90 00	9614 10 00
8407 29 70	8481 80 99	8542 19 30	9112 10 00	9614 20 10
8407 29 90		8542 19 50	9112 80 00	9614 20 90
8408 20 31	8501 52 91	8542 19 70	9112 90 00	9614 90 00
8408 20 35	8501 53 99	8542 19 90	9113 10 10	
8408 20 37	8504 90 11	8542 20 10	9113 10 90	
8408 20 51	8504 90 19	8542 20 50	9113 20 00	
8408 20 55	8504 90 90	8542 20 90	9114 10 00	
8408 20 57	8516 31 90		9114 20 00	
8408 90 21	8516 50 00	8608 00 30	9114 30 00	
8408 90 31	8516 60 70	8608 00 91	9114 40 00	
8408 90 33	8516 71 00	8608 00 99	9114 90 00	
8408 90 36	8516 72 00			
8408 90 37	8517 10 00	8708 10 10	9504 10 00	
8408 90 51	8517 20 00	8708 21 10	9504 20 10	
8408 90 55	8517 30 00		9504 20 90	
8408 90 57	8517 40 00	8903 91 10	9504 30 10	
8408 90 71	8517 81 10	8903 91 91	9504 30 30	
8408 90 75	8517 81 90	8903 91 93	9504 30 50	
8414 59 30	8517 82 00	8903 91 99	9504 30 90	
8423 81 50	8517 90 10	8903 92 10	9504 90 10	
8423 81 90	8517 90 91	8903 92 91	9504 90 90	
8423 82 10	8517 90 99	8903 92 99	9506 11 10	
8423 82 91	8524 10 00	8903 99 10	9506 11 90	
8423 82 99	8524 21 10	8903 99 91	9506 12 00	
8423 89 10	8524 21 90	8903 99 99	9506 19 10	
8423 89 90	8524 22 10		9506 19 90	
8423 90 00	8524 22 90	9001 50 20	9506 21 00	
8451 10 00	8524 23 10	9001 50 41	9506 29 10	

1. Customs duties on imports applicable in Romania to products originating in the Community listed below shall be eliminated according to the following timetable:

- on entry into force of the Agreement they will be reduced to 80% of the basic duty;
- three years after the entry into force of the Agreement they will be reduced to 70% of the basic duty;
- five years after the entry into force of the Agreement they will be reduced to 60% of the basic duty;
- seven years after the entry into force of the Agreement they will be reduced to 40% of the basic duty;
- eight years after the entry into force of the Agreement they will be reduced to 20% of the basic duty;
- nine years after the entry into force of the Agreement they will be reduced to 0% of the basic duty;

87 03 21 10
 87 03 22 11
 87 03 23 11
 87 03 23 19
 87 03 31 10
 87 03 32 11
 87 03 33 19
 87 03 90 10

2. Customs duties on imports applicable in Romania to products originating in the Community listed below shall be eliminated according to the following timetable:

- three years after the entry into force of the Agreement, to 80% of the basic duty;
- five years after the entry into force of the Agreement, to 60% of the basic duty;
- seven years after the entry into force of the Agreement, to 40% of the basic duty;
- eight years after the entry into force of the Agreement, to 20% of the basic duty;
- nine years after the entry into force of the Agreement, to 0% of the basic duty.

87 03 21 90
 87 03 22 19
 87 03 22 90
 87 03 23 90
 87 03 24 90
 87 03 31 90
 87 03 32 19
 87 03 32 90
 87 03 33 90
 87 03 90 90

List of products referred to in Article 11(5)

CN code 8407 34 10
8407 34 91
8408 20 10

For the abovementioned products the annual tariff quota referred to in Article 11(5) is of 20,000 pieces for 1993. The tariff quota shall be increased annually by 10% of the initial amount.

Romania shall abolish by the end of the eighth year from the entry into force of the Agreement the measures prohibiting the registration of the imported used vehicles of at least eight years or older calculated from the first of January of the year following the year of production.

The products subject to these measures are:

87 02 10 19
87 02 10 99
87 02 90 19
87 02 90 39

87 03 21 90
87 03 22 90
87 03 23 90
87 03 24 90
87 03 31 90
87 03 32 90
87 03 33 90

87 04 21 39
87 04 21 99
87 04 22 99
87 04 23 99
87 04 31 39
87 04 31 99
87 04 32 99

List of products referred to in Article 14(3)*A. List of goods temporarily non-admitted for export in 1992*

Electric power
 Energetic and coke coals
 Coal briquettes
 Non-ferrous, gold and silver concentrates
 Natural and liquefied gases
 Crude oil
 Fuel oil, kerosene and liquid fuel for heating
 Aromatic hydrocarbons (paraxilene, mixtures of xilene isomers, cyclohexanone and cyclohexanol)
 Intermediates for man-made fibres and yarns (phenol, propylene)
 Scraps and renewable materials containing precious and rare metals
 Non-ferrous and paper scraps (excluding lead-copper crusts)
 Non-ferrous metals in blocks (lead, zinc, tin and their alloys) excluding blocks of secondary bronze and brass alloys and soldering alloy in the form of rods and wires
 Rolled and threaded wire, extruded bars of copper
 Technical sulphur
 Natural unworked diamonds
 Mineralogy collections (flowers of mine)
 Medicines of human and animal use and raw material used in the Romanian pharmaceutical industry except those listed in Annex C
 Prostheses, orthopedical products and medicinal cotton wool
 Logs, rafters, lumber, railway sleepers, Christmas fir-trees, etc.)
 Firewood, wood for cellulose, chopboard and fiberboard
 Timber, either of soft or hardwood and wooden pallets (including parquet and oak-tree skirting band)
 Veneers (of all kinds of wood)
 Cellulose and semi-cellulose
 Silk cocoons, "Bombix Mori" kind
 Bovine raw hides
 Sheep and goat raw hides

B. List of goods under export quotas in 1992

Insulated and enamelled copper, cables and wires
 Ferro-alloys (ferro-chrom, ferro-silicon-manganese, ferro-silicon and metallic silicon)
 Collected scrap iron, used rails
 Primary and secondary aluminium in blocks
 Bronze and brass secondary alloys in blocks, including soldering alloys in the form of rods and wires
 Lead-copper crusts
 Electrolyzable copper obtained from imported copper concentrates
 Benzines (if no shortages are caused in the domestic market)
 Diesel oils
 Naphthenic mineral oils
 Chemical fertilisers obtained from nitrogen and urea
 Beech-tree plywood
 Panel
 Beech-tree parquet
 Chipboard
 Wooden cases for citrus fruit
 Timber and semifabs of resinous wood, beech and various softwood trees (poplars etc.)
 Door and window-frames
 Note-books
 Benzene
 Tholuene
 Dimethyl-terephthalate
 Achryl-nitril
 Ethylene-glycol
 Not processed marble

C. List of raw materials and medicines under export quotas in 1992

Chloramphenicol dragees
Calcium pantotenate (Bulk)
Esther diethylmalonic (Bulk)
Vitamin K3 fodder use (Bulk)
Injectable gluconic calcium
Injectable glucose (Dextrose)
Pharyngosept tablets
Aspirin (Bulk)
Natrium Benzoate
Benzonic acid 99%
Salicylic acid
Romazulan phials
Insulin ampoules
Hydrocortisone acetate 25mg 5/1
Heligal pills × 20
Silimarine pills × 80
Lanatozid pills × 60
Apilarnil potent × 40
Apilarnil potent y pills × 40
Adenostop 100ml
Penicillin G sterile
Penicillin G natrium
Tetracycline (Bulk)
Oxitetracline (Bulk)
Oxitetracline feed grade 10%
Streptomisine phials
Streptomisine (Bulk)
Nistatin (Bulk)
Cloxacillin (Bulk)
Efitard phials
Chloramphenicol hemisuccinate phials
Moldamine phials
Pell-amar ointment, cream, gel and bulk
Vitamin B-12 veterinary use
Oxacillin phials × 500mg
Meticyllin phials × 1g
Eritromicin laktobionat phials
Phoshobion ampoules
Gerovital H-3 ampoules
Gerovital H-3 dragees
Aslavital ampoules
Aslavital dragees
Pell-amar pills
Sulphatiasol (Bulk)
Phthalisulphatiasol pills
Chlorochin phosphate pills
Sulphanylmyde (Bulk)
Calcium gluconic ampoules
DL-methionine
Quinine sulphate
Tolbutamide (Bulk)
Paracetamol (Bulk)
Methyl salicylate (Bulk)
Sulphochinoxaline (Bulk)
Phenolphtaleine (Bulk)
Chloramine B
Sodium saccharine
Salicylamide
Saprosan
Nicotine-amide
Nipagine

Phenacetine
Nipasol
Isooctyl salicylate
Natrium cyclamate
Chlorsoxazone
Piracetam
Meclophenoxat
Scobutil
Piperazine adipate
Coline ditartrate
Methyl nicotinate
Semen colchici

Goods referred to in Article 18

CN code	Description
2905 43	Mannitol
2905 44	D-glucitol (sorbitol)
ex 3505 10	Dextrins and other modified starches, excluding starches, esterified or etherified of subheading 3505 10 50
3505 20	Glues with a basis of starches, dextrins or other modified starches
3809 10	Dressings and finishing agents with a basis of amylaceous substances
3823 60	Sorbitol, other than that of subheading 2905 44

List of products referred to in Article 21(2)⁽¹⁾

The products listed in this Annex shall be subject to a 50% levy reduction

CN code	Description	Year 1	Year 2	Year 3	Year 4	Year 5
		Quantity (in tonnes)				
0207 10 79 0207 23 51 0207 23 59 0207 39 53 0207 43 11 0207 39 61 0207 43 23	Geese	100	110	120	130	140
ex 0207 39 65 ex 0207 43 31	Whole wings, with or without tips, of geese, fresh, chilled or frozen					
ex 0207 39 67 ex 0207 43 41	Backs, necks, backs with necks attached, rumps and wing tips, of geese, fresh, chilled or frozen					
0207 39 71 0207 43 51 0207 39 75 0207 43 61						
ex 0207 39 81 ex 0207 43 71	Goose paletots, fresh, chilled or frozen					
ex 0207 39 85 ex 0207 43 90	Goose offal, other than livers, fresh, chilled or frozen					
1601 00 91 1601 00 99	Sausages, dried other	600	660	710	760	820
1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50	Preserved meat, domestic swine	1 000	1 090	1 180	1 270	1 360

⁽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 preferential scheme being determined within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

List of products referred to in Article 21(2)⁽¹⁾

CN code	Description	Duty %
0101 19 10	Live horses, for slaughter ⁽²⁾	Free
0101 19 90	Other	12
0203 11 90 0203 12 90 0203 19 90 0203 21 90 0203 22 90 0203 29 90	Meat of swine fresh, chilled, frozen, other than domestic	Free
0206 10 99 0206 21 00 0206 29 99	Edible offal fresh, chilled or frozen, of bovine animals	2
0207 31 00 0207 50 10	Fatty liver of geese or ducks	Free ⁽³⁾
0208 10 10	Other meat and edible meat offal of domestic rabbits	7
0208 10 90 0208 20 00	Other than domestic rabbits Of frogs' legs	Free
0208 90 30	Of game, other than rabbits or hares	Free
0409 00 00	Natural honey	25
0602 99 59	Other outdoor plants, other than perennial	12
0603 90 00	Cut flowers and flower buds of a kind suitable for bouquets	7
0604 91 10	Foliage, branches and other parts of plants, without flowers Fresh	7
0604 99 10	Not further prep, than dried	2
0604 99 90	Other	14
0707 00 19	Cucumbers, fresh or chilled (from 16 May to 31 October)	16
ex 0709 30 00	Aubergines, from 1 January to 31 March	9
0709 60 99	Pimento	5
ex 0709 90 90	Pumpkins and courgettes, from 1 January to 31 March	9
ex 0709 90 90	Other, excluding parsley from 1 January to 31 March	
0712 20 00	Onions, dried	8
ex 0712 30 00	Mushrooms, excluding cultivated mushrooms	6
ex 0712 90 90	Horse-radish (<i>Cochlearia armoracia</i>)	Free
0713 10 90	Dried leguminous vegetables, shelled, whether or not skinned Other	2
0713 33 90	Kidney beans, other than for sowing	Free
0713 39 90	Other, other than for sowing	Free
ex 0807 10 10	Watermelons, from 1 November to 30 April	6.5
ex 0809 20 10	Sour cherries (<i>prunus cerasus</i>) fresh, from 1 May to 15 July	11 ⁽⁴⁾
ex 0809 20 90	Sour cherries (<i>prunus cerasus</i>) fresh, from 16 July to 30 April	11
0809 40 90	Sloes	7
0810 20 10	Raspberries ⁽⁵⁾	9
0810 20 90	Other berries ⁽⁵⁾	5
0810 30 10	Blackcurrants, fresh ⁽⁵⁾	9
0810 30 30	Redcurrants, fresh ⁽⁵⁾	9
0810 40 30	Bilberries of the species <i>Vaccinium myrtillus</i> ⁽⁵⁾	Free

CN code	Description	Duty %
0811 10 90	Strawberries not cont added sugar or other sweet matter ⁽⁵⁾	13
0811 20 31	Raspberries ⁽²⁾	14
0811 20 39	Blackcurrants ⁽⁵⁾	10
0811 20 59	Blackberries	8
0811 20 90	Other berries	6
0811 90 50	Bilberries	7
ex 0811 90 90	Quinces	10
ex 0811 90 90	Fruits falling within heading Nos. 0801, 0803, 0804 (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 40 10, 0810 40 50, 0810 90 30, 0810 90 80	6
ex 0811 90 90	Rose-hips	Free
0813 40 30	Pears	4
0904 20 90	Fruit of genus Capsicum or Pimenta, crushed or ground	4
ex 1106 30 90	Flour, meal and powder of chestnuts	7.5
ex 1106 30 90	Other than chestnuts	2
1506 00 00	Other animal fats and oils and their fractions	Free
1522 00 99	Degras, other	Free
1602 20 10	Goose or duck liver	11
1602 41 90	Of swine, other than domestic swine	8
1602 42 90		
1602 49 90		
ex 1602 50 90	Prepared or preserved bovine tongue	17
ex 1602 90 31	Game	8
ex 2007 91 90	Other, excluding orange jam and marmalade	19
2007 99 10	Plum purée and plum paste ⁽⁶⁾	24
2007 99 31	Jams, jellies, marmalades, purées and pastes of cherries with a sugar content exceeding 30% by weight	25
ex 2007 99 39	With sugar content exceeding 30% by weight. Fruit falling within heading Nos 0801, 0803, 0804 (except figs and pineapples) 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	8
2008 60 61	Sour cherries, containing added sugar, packing < 1Kg	18

(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 preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN codes and corresponding description taken together.

(2) Entry within this CN code is subject to conditions laid down in the relevant Community provisions.

(3) No AGR is levied.

(4) Minimum duty applicable: MIN 2.2 ECU/100 kg net.

(5) Subject to minimum import price arrangements contained in the Annex hereto.

(6) Entry this sub-heading is subject to conditions laid down in the relevant Community provisions.

Annex to Annexes XIb and XIIb

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed for each marketing year for the following products:

CN code	
0810 10 10	Strawberries, from 1 May to 31 July
0810 10 90	Strawberries, from 1 August to 30 April
0810 20 10	Raspberries
0810 20 90	Other

CN code	
0810 30 10	Blackcurrants
0810 30 30	Red currants
0810 40 30	Bilberries (fruit of the species (<i>Vaccinium myrtillus</i>))
0810 20 31	Raspberries
0811 20 39	Blackcurrants

The minimum import prices are fixed by the Community in consultation with Romania, taking into consideration the price evolution, imported quantities and market development in the Community.

2. The minimum import prices shall be respected in accordance with the following criteria:

- during each three month period of the marketing year the average unit value for each product listed in paragraph 1, imported into the Community, shall not be lower than the minimum import price for that product.
- during any two week period the average unit value for each product listed in paragraph 1, imported into the Community, shall not be lower than 90% of the minimum import price for that product, in so far as the quantities imported during this period are not less than 4% of normal annual imports.

3. In the event of failure to observe one of these criteria, the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from Romania.

List of products referred to in Article 21(4)(1)

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

CN code	Description	Year 1		Year 2		Year 3		Year 4		Year 5	
		Quantity tons	Duty %	Quantity tons	Duty %	Quantity tons	Duty %	Quantity tons	Duty %	Quantity tons	Duty %
0702 00 10	Tomatoes ⁽²⁾	3 400	9.9	3 560	8.8	3 720	7.7	3 890	7.7	4 050	7.7
0702 00 90	Tomatoes ⁽¹⁾		16.2		14.4		12.6		12.6		12.6
0703 10 19	Onions	130	9.6	140	7.2	150	4.8	160	4.8	170	4.8
0704 10 10	Cabbages ⁽²⁾	1 500	13.6	1 650	10.2	1 800	6.8	1 950	6.8	2 100	6.8
0704 90 10	White and red cabbages ⁽²⁾		12		9		6		6		6
0704 90 90	Other		12		9		6		6		6
0707 00 11	Cucumbers	1 480	13.6	1 620	10.2	1 750	6.8	1 880	6.8	2 020	6.8
0708 20 10	Beans, fresh ⁽²⁾	130	10.4	140	7.8	150	5.2	160	5.2	170	5.2
0708 20 90	Beans, fresh ⁽²⁾		13.6		10.2		6.8		6.8		6.8
0709 60 10	Sweet peppers	1 710	7.2	1 870	5.4	2 020	3.6	2 180	3.6	2 330	3.6
0710 21 00	Peas, frozen	110	14.4	120	10.8	130	7.2	140	7.2	150	7.2
0710 22 00	Beans, frozen		14.4		10.8		7.2		7.2		7.2
0710 29 00	Other, frozen		14.4		10.8		7.2		7.2		7.2
ex 0711 90 40	Mushrooms ⁽⁹⁾	320	10.8	340	9.6	350	8.4	370	8.4	380	8.4
2003 10 20											
2003 10 30											
0802 31 00	Walnuts in shell	200	6.4	220	4.8	240	3.2	260	3.2	280	3.2
0802 32 00	—shelled		6.4		4.8		3.2		3.2		3.2
0808 10 91	Apples, other than ⁽³⁾	100	11.2	110	8.4	120	5.6	130	5.6	140	5.6
0808 10 93	Cider apples ⁽⁴⁾		6.4		4.8		3.2		3.2		3.2
0809 10 00	Apricots	820	20	900	15	970	10	1 040	10	1 120	10
0809 40 11	Plums ⁽⁶⁾	1 800	12	1 960	9	2 130	6	2 290	6	2 460	6
0809 40 19			6.4		4.8		3.2		3.2		3.2
0810 10 10	Strawberries ⁽⁹⁾⁽⁶⁾	1 720	12.8	1 880	9.6	2 030	6.4	2 190	6.4	2 350	6.4
0810 10 90	Strawberries ⁽⁶⁾	345	11.2	380	8.4	415	4.8	450	4.8	485	4.8
0812 10 00	Cherries	75	8.8	82	6.6	89	4.4	95	4.4	102	4.4

0813 10 00	Apricots, dried	570	5-6	620	4-2	670	2-8	730	2-8	780	2-8
0813 20 00	Prunes, dried		9-6		7-2		4-8		4-8		4-8
0813 30 00	Apples, dried		6-4		4-8		3-2		3-2		3-2
0813 40 80	Other, dried		4-8		3-6		2-4		2-4		2-4
1209 25 90	Seeds, fruit and spores	300	3-2	330	2-4	360	1-6	390	1-6	420	1-6
1209 29 90			4		3		2		2		2
1209 91 90			5-6		4-2		2-8		2-8		2-8
1209 99 91			4-8		3-6		2-4		2-4		2-4
1209 99 99			5-6		4-2		2-8		2-8		2-8
1212 99 10	Chicory roots	340	1-6	370	1-2	400	0-8	430	0-8	460	0-8
1512 11 91	Sun-flower seed oil, crude	2700	8	2950	6	3190	4	3440	4	3680	4
1512 19 91	Sun-flower seed oil, autres		12		9		6		6		6
1602 31 11	Preserved meat of turkey	300	13-6	330	10-2	360	6-8	390	6-8	420	6-8
2001 10 00	Cucumbers, preserved	100	17-6	110	13-2	120	8-8	130	8-8	140	8-8
2001 90 90	Other		16		12		8		8		8
2002 90 30	Tomatoes prepared	560	16-2	590	14-4	610	12-6	640	12-6	670	12-6
2002 90 90			16-2		14-4		12-6		12-6		12-6
2005 40 00	Peas	120	19-2	130	14-4	140	9-6	150	9-6	160	9-6
2009 70 19	Apple juice	1040	33-6	1140	25-2	1230	16-8	1320	16-8	1420	16-8
2401 10 60	Tobacco ⁽¹⁰⁾	2500	11-5	2750	9	3000	5-5	3250	5-5	3500	5-5
2401 10 70	⁽¹⁰⁾		11-5		9		5-5		5-5		5-5
2401 20 60	⁽¹⁰⁾		11-5		9		5-5		5-5		5-5
2401 20 70	⁽¹⁰⁾		11-5		9		5-5		5-5		5-5

(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 preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN codes and corresponding description taken together.

(2) Minimum duty applicable: MIN 2 Ecu/100 Kg/net.

(3) Minimum duty applicable: MIN 2-4 Ecu/100 Kg/net.

(4) Minimum duty applicable: MIN 2-3 Ecu/100 Kg/net.

(5) Minimum duty applicable: MIN 0-5 Ecu/100 Kg/net.

(6) Minimum duty applicable: MIN 3 Ecu/100 Kg/net.

(7) Minimum duty applicable: MIN 3-5 Ecu/100 Kg/net.

(8) Subject to minimum price arrangement contained in the Annex to Annexes XIb and XIIb for products for processing.

(9) These CN codes are subject to the import regime laid down in Council Regulation (EEC) No. 1796/81.

(10) Minimum duty applicable ECU/100 Kg Year 1 = 22.5. Year 2 = 17. Year 3 and subsequent = 11.

List of products referred to in Article 21(4)

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

Code NC	Quantity	Year 1	Year 2	Year 3	Year 4	Year 5	
		duty	duty	duty	duty	duty	
0101 11 00	Unlimited	2-7	2-6	2-4	2-3	2-3	
0102 10 00	Unlimited	2-7	2-6	2-4	2-3	2-3	
0102 90 31	Unlimited	22-5	21-3	20-0	18-8	18-8	
0103 10 00	Unlimited	2-7	2-6	2-4	2-3	2-3	
0104 10 10	Unlimited	22-5	21-3	20-0	18-8	18-8	
0104 20 10	Unlimited	22-5	21-3	20-0	18-8	18-8	
0210 90 90	Unlimited	22-5	21-3	20-0	18-8	18-8	
0402 10 19	1500	18-0	17-0	16-0	15-0	15-0	
0402 21 11		22-5	21-3	20-0	18-8	18-8	
0402 21 19		22-5	21-3	20-0	18-8	18-8	
0402 21 91		22-5	21-3	20-0	18-8	18-8	
0403 10 02	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 04	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 06	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 12	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 14	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 16	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 22	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 24	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 26	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 32	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 34	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 10 36	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 11	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 13	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 19	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 31	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 33	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 39	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 51	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 53	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 59	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 61	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 63	Unlimited	22-5	21-3	20-0	18-8	18-8	
0403 90 69	Unlimited	22-5	21-3	20-0	18-8	18-8	
0404 10 11	Unlimited	22-5	21-3	20-0	18-8	18-8	
0405 00 10	1500	22-5	21-3	20-0	18-8	18-8	
0405 00 90		22-5	21-3	20-0	18-8	18-8	
0406 10 10	1000	18-0	17-0	16-0	15-0	15-0	
0406 10 90		18-0	17-0	16-0	15-0	15-0	
0406 20 10		18-0	17-0	16-0	15-0	15-0	
0406 20 90		18-0	17-0	16-0	15-0	15-0	
0406 30 39		18-0	17-0	16-0	15-0	15-0	
0406 30 90		18-0	17-0	16-0	15-0	15-0	
0406 90 13		18-0	17-0	16-0	15-0	15-0	
0406 90 15		18-0	17-0	16-0	15-0	15-0	
0406 90 17		18-0	17-0	16-0	15-0	15-0	
0406 90 19		18-0	17-0	16-0	15-0	15-0	
0406 90 23		18-0	17-0	16-0	15-0	15-0	
0406 90 27		18-0	17-0	16-0	15-0	15-0	
0406 90 29		18-0	17-0	16-0	15-0	15-0	
0406 90 31		from 1 September to 30 April	18-0	17-0	16-0	15-0	15-0
0406 90 33		from 1 September to 30 April	18-0	17-0	16-0	15-0	15-0
0406 90 35			18-0	17-0	16-0	15-0	15-0
0406 90 37			18-0	17-0	16-0	15-0	15-0
0406 90 39			18-0	17-0	16-0	15-0	15-0

Code NC	Quantity	Year 1	Year 2	Year 3	Year 4	Year 5
		duty	duty	duty	duty	duty
0406 90 50		18-0	17-0	16-0	15-0	15-0
0406 90 61		18-0	17-0	16-0	15-0	15-0
0406 90 63		18-0	17-0	16-0	15-0	15-0
0406 90 69		18-0	17-0	16-0	15-0	15-0
0406 90 71		18-0	17-0	16-0	15-0	15-0
0406 90 73		18-0	17-0	16-0	15-0	15-0
0406 90 75		18-0	17-0	16-0	15-0	15-0
0406 90 77		18-0	17-0	16-0	15-0	15-0
0406 90 79		18-0	17-0	16-0	15-0	15-0
0406 90 81		18-0	17-0	16-0	15-0	15-0
0406 90 83		18-0	17-0	16-0	15-0	15-0
0406 90 85		18-0	17-0	16-0	15-0	15-0
0406 90 89		18-0	17-0	16-0	15-0	15-0
0406 90 91		18-0	17-0	16-0	15-0	15-0
0406 90 93		18-0	17-0	16-0	15-0	15-0
0406 90 97		18-0	17-0	16-0	15-0	15-0
0406 90 99		18-0	17-0	16-0	15-0	15-0
0601 10 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0601 10 20	Unlimited	22-5	21-3	20-0	18-8	18-8
0601 10 30	Unlimited	22-5	21-3	20-0	18-8	18-8
0601 10 40	Unlimited	22-5	21-3	20-0	18-8	18-8
0601 10 90	Unlimited	22-5	21-3	20-0	18-8	18-8
0602 10 10	Unlimited	18-0	17-0	16-0	15-0	15-0
0602 10 90	Unlimited	18-0	17-0	16-0	15-0	15-0
0602 30 10	Unlimited	18-0	17-0	16-0	15-0	15-0
0602 30 90	Unlimited	18-0	17-0	16-0	15-0	15-0
0602 91 00	Unlimited	18-0	17-0	16-0	15-0	15-0
0701 90 51	2000	22-5	21-3	20-0	18-8	18-8
0701 90 59		22-5	21-3	20-0	18-8	18-8
0701 90 90		22-5	21-3	20-0	18-8	18-8
0709 10 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0709 20 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0709 90 39	Unlimited	22-5	21-3	20-0	18-8	18-8
0710 80 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0801 10 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0801 10 90	Unlimited	22-5	21-3	20-0	18-8	18-8
0801 20 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0801 30 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 11 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 11 90	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 12 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 12 90	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 21 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 22 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 50 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 90 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 90 30	Unlimited	22-5	21-3	20-0	18-8	18-8
0802 90 90	Unlimited	22-5	21-3	20-0	18-8	18-8
0803 00 10	Unlimited	18-0	17-0	16-0	15-0	15-0
0803 00 90	Unlimited	18-0	17-0	16-0	15-0	15-0
0804 10 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0804 20 10	Unlimited	18-0	17-0	16-0	15-0	15-0
0804 20 90	Unlimited	18-0	17-0	16-0	15-0	15-0
0804 30 00	Unlimited	18-0	17-0	16-0	15-0	15-0
0804 40 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0804 50 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0805 10 41	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 10 45	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 10 49	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 20 10	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 20 30	Unlimited	18-0	17-0	16-0	15-0	15-0

Code NC	Quantity	Year 1	Year 2	Year 3	Year 4	Year 5
		duty	duty	duty	duty	duty
0805 20 50 from 1 November to 30 April	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 20 70 from 1 November to 30 April	Unlimited	18-0	17-0	16-0	15-0	15-0
8005 20 90 from 1 November to 30 April	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 30 10	Unlimited	22-5	21-3	20-0	18-8	18-8
0805 30 90	Unlimited	22-5	21-3	20-0	18-8	18-8
0805 40 00 from 1 November to 30 April	Unlimited	18-0	17-0	16-0	15-0	15-0
0805 90 00 from 1 November to 30 April	Unlimited	22-5	21-3	20-0	18-8	18-8
0806 20 11	Unlimited	22-5	21-3	20-0	18-8	18-8
0806 20 12	Unlimited	22-5	21-3	20-0	18-8	18-8
0806 20 18	Unlimited	22-5	21-3	20-0	18-8	18-8
0806 20 91	Unlimited	22-5	21-3	20-0	18-8	18-8
0806 20 92	Unlimited	22-5	21-3	20-0	18-8	18-8
0806 20 98	Unlimited	22-5	21-3	20-0	18-8	18-8
0807 20 00	Unlimited	22-5	21-3	20-0	18-8	18-8
0810 90 10 from 1 November to 30 April	Unlimited	22-5	21-3	20-0	18-8	18-8
0810 90 30 from 1 November to 30 April	Unlimited	22-5	21-3	20-0	18-8	18-8
0810 90 30 from 1 November to 30 April	Unlimited	22-5	21-3	20-0	18-8	18-8
0813 40 50	Unlimited	18-0	17-0	16-0	15-0	15-0
0813 40 60	Unlimited	18-0	17-0	16-0	15-0	15-0
0813 40 80	Unlimited	18-0	17-0	16-0	15-0	15-0
		0-0	0-0	0-0	0-0	0-0
0901 21 00	Unlimited	22-5	21-3	20-0	18-8	18-8
		0-0	0-0	0-0	0-0	0-0
1001 10 10	Unlimited	22-5	21-3	20-0	18-8	18-8
1001 90 91	100 000	22-5	21-3	20-0	18-8	18-8
1001 90 99		22-5	21-3	20-0	18-8	18-8
1002 00 00	30 000	22-5	21-3	20-0	18-8	18-8
1003 00 10	1 000	22-5	21-3	20-0	18-8	18-8
1003 00 90	50 000	22-5	21-3	20-0	18-8	18-8
1005 10 11	1 000	2-7	2-6	2-4	2-3	2-3
1005 10 13		2-7	2-6	2-4	2-3	2-3
1005 10 15		2-7	2-6	2-4	2-3	2-3
1006 30 21	10 000	22-5	21-3	20-0	18-8	18-8
1006 30 23		22-5	21-3	20-0	18-8	18-8
1006 30 25		22-5	21-3	20-0	18-8	18-8
1006 30 27		22-5	21-3	20-0	18-8	18-8
1006 30 42		22-5	21-3	20-0	18-8	18-8
1006 30 44		22-5	21-3	20-0	18-8	18-8
1006 30 46		22-5	21-3	20-0	18-8	18-8
1006 30 48		22-5	21-3	20-0	18-8	18-8
1006 30 61		22-5	21-3	20-0	18-8	18-8
1006 30 63		22-5	21-3	20-0	18-8	18-8
1006 30 65		22-5	21-3	20-0	18-8	18-8
1006 30 67		22-5	21-3	20-0	18-8	18-8
1006 30 92		22-5	21-3	20-0	18-8	18-8
1006 30 94		22-5	21-3	20-0	18-8	18-8
1006 30 96		22-5	21-3	20-0	18-8	18-8
1006 30 98		22-5	21-3	20-0	18-8	18-8
1202 10 90	Unlimited	22-5	21-3	20-0	18-8	18-8
1202 20 00	Unlimited	22-5	21-3	20-0	18-8	18-8
1204 00 10	Unlimited	22-5	21-3	20-0	18-8	18-8
1207 40 90	Unlimited	22-5	21-3	20-0	18-8	18-8
1209 11 00	Unlimited	18-0	17-0	16-0	15-0	15-0
1209 21 00	Unlimited	18-0	17-0	16-0	15-0	15-0
1209 22 10	Unlimited	18-0	17-0	16-0	15-0	15-0

Code NC	Quantity	Year 1	Year 2	Year 3	Year 4	Year 5
		duty	duty	duty	duty	duty
1209 22 30	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 22 90	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 23 11	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 23 15	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 30 90	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 24 00	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 25 10	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 25 90	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 29 50	Unlimited	18·0	17·0	16·0	15·0	15·0
1209 99 10	Unlimited	18·0	17·0	16·0	15·0	15·0
1211 90 10	Unlimited	22·5	21·3	20·0	18·8	18·8
1211 90 30	Unlimited	22·5	21·3	20·0	18·8	18·8
1211 90 90	Unlimited	22·5	21·3	20·0	18·8	18·8
1509 10 10	Unlimited	22·5	21·3	20·0	18·8	18·8
1509 10 90	Unlimited	22·5	21·3	20·0	18·8	18·8
1509 90 00	Unlimited	22·5	21·3	20·0	18·8	18·8
1515 11 00	Unlimited	22·5	21·3	20·0	18·8	18·8
1515 30 10	Unlimited	22·5	21·3	20·0	18·8	18·8
1515 30 90	Unlimited	22·5	21·3	20·0	18·8	18·8
1602 20 90	Unlimited	22·5	21·3	20·0	18·8	18·8
1602 49 19	Unlimited	22·5	21·3	20·0	18·8	18·8
1602 50 10	Unlimited	22·5	21·3	20·0	18·8	18·8
1602 50 90	Unlimited	22·5	21·3	20·0	18·8	18·8
1701 11 10	20 000	22·5	21·3	20·0	18·8	18·8
1701 11 90		22·5	21·3	20·0	18·8	18·8
1701 12 10		22·5	21·3	20·0	18·8	18·8
1701 12 90		22·5	21·3	20·0	18·8	18·8
1701 99 10		22·5	21·3	20·0	18·8	18·8
1701 99 90		22·5	21·3	20·0	18·8	18·8
1801 00 00	Unlimited	22·5	21·3	20·0	18·8	18·8
2005 70 00	5000	22·5	21·3	20·0	18·8	18·8
2007 91 10	Unlimited	22·5	21·3	20·0	18·8	18·8
2007 91 30	Unlimited	22·5	21·3	20·0	18·8	18·8
2007 91 90	Unlimited	22·5	21·3	20·0	18·8	18·8
2007 99 35	Unlimited	22·5	21·3	20·0	18·8	18·8
2007 99 51	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 11 10	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 11 91	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 11 99	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 11	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 19	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 31	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 39	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 51	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 55	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 59	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 71	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 75	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 79	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 91	Unlimited	22·5	21·3	20·0	18·8	18·8
2008 30 99	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 11 11	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 11 19	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 11 91	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 11 99	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 19 11	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 19 19	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 19 91	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 19 99	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 20 11	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 20 91	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 20 99	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 30 11	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 30 19	Unlimited	22·5	21·3	20·0	18·8	18·8
2009 30 31	Unlimited	22·5	21·3	20·0	18·8	18·8

Code NC	Quantity	Year 1	Year 2	Year 3	Year 4	Year 5
		duty	duty	duty	duty	duty
2009 30 39	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 30 51	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 30 55	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 30 59	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 40 11	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 40 19	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 40 30	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 40 91	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 40 93	Unlimited	22.5	21.3	20.0	18.8	18.8
2009 40 99	Unlimited	22.5	21.3	20.0	18.8	18.8
2301 10 00	Unlimited	22.5	21.3	20.0	18.8	18.8
2301 20 00	Unlimited	18.0	17.0	16.0	15.0	15.0
2304 00 00	Unlimited	22.5	21.3	20.0	18.8	18.8
2401 10 10	2500	22.5	21.3	20.0	18.8	18.8
2401 10 20		22.5	21.3	20.0	18.8	18.8
2401 10 60		22.5	21.3	20.0	18.8	18.8
2401 10 70		22.5	21.3	20.0	18.8	18.8
2401 20 10		22.5	21.3	20.0	18.8	18.8
2401 20 20		22.5	21.3	20.0	18.8	18.8

Community fishery concessions

CN code	Product description	Duty rate %
0301 91 00	Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>), live	10
0302 11 00	Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>), fresh or chilled (excl. livers and roes)	10
ex 0302 12 00	Danube salmon (<i>Hucho hucho</i>), fresh or chilled (excl. livers and roes)	1,8
0303 21 00	Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>), frozen	10
ex 0303 22 00	Danube salmon (<i>Hucho hucho</i>), frozen	1,8
0303 31 30	Atlantic halibut (<i>Hippoglossus hippoglossus</i>), frozen	4
0303 71 10	Sardines of the species <i>Sardina pilchardus</i> , frozen	20,7
0303 71 30	Sardines of the genus <i>Sardinops</i> and <i>Sardinella</i> (<i>Sardinella</i> spp.), frozen	13,5
0303 74 19	Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , from 16 June to 14 February, frozen	18
0304 10 11	Fillets of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>), fresh or chilled	10
0304 20 11	Fillets of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>), frozen	10
ex 0305 69 50	Danube salmon (<i>Hucho hucho</i>), salted but not dried or smoked and in brine	2
0306 12 90	Lobsters (<i>Homarus</i> spp.), frozen, other than whole	4
0306 19 10	Freshwater crayfish, frozen	4
0306 29 10	Freshwater crayfish, not frozen	4
0306 29 30	Norway lobsters (<i>Nephros norvegicus</i>), not frozen	10,8
0307 31 10	Mussels (<i>Mytilus</i> spp.), live, fresh or chilled	5,5
0307 39 10	Mussels (<i>Mytilus</i> spp.), other than live, fresh or chilled	5,5
0307 41	Cuttle fish (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola</i> spp.) and squid (<i>Ommastrephes</i> spp., <i>Loligo</i> spp., <i>Nototodarus</i> spp., <i>Sepoiteuthis</i> spp.) live, fresh or chilled	4
1604 12 90	Herring, whole or in pieces, but not minced, other than "fillets, raw, merely coated with batter or breadcrumbs, whether or not prefried in oil, deep frozen"	18
1604 13 10	Sardines, prepared or preserved, whole or in pieces (excl. minced)	22,5
1604 13 90	<i>Sardinella</i> and brisling or sprats, prepared or preserved, whole or in pieces (excl. minced)	9
1604 15 10	Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , prepared or preserved, whole or in pieces (excl. minced)	19
1604 15 90	Mackerel of the species <i>Scomber australasicus</i> prepared or preserved, whole or in pieces (excl. minced)	9
ex 1604 20 10	Danube salmon, prepared or preserved (excl. whole or in pieces)	4
ex 1604 20 50	Sardines and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , prepared or preserved (excl. whole or in pieces)	19
1604 30 10	Caviar (sturgeon roe)	12
ex 1605 20 00	Shrimps and prawns other than the "Crangon" variety, prepared or preserved	6
2301 20 00	Flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption	0

Romanian fishery concessions

CN code	Product description	Duty rate %
0302 40 10	Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i> , from 15.2 to 15.6, fresh or chilled (excl. livers and roes)	18
0302 40 90	Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i> , from 16.6 to 14.2, fresh or chilled (excl. livers and roes)	18
0302 61 10	Sardines of the species <i>Sardina pilchardus</i> , fresh or chilled	18
0302 61 30	Sardines of the species <i>Sardinops</i> and <i>Sardinella</i> (<i>Sardinella</i> ssp.), fresh or chilled	18
0302 64 10	Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>), from 15.2 to 15.6, fresh or chilled	18
0302 64 90	Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>), from 16.6 to 14.2, fresh or chilled	18
0303 50 10	Herrings (<i>Clupea harengus</i> , <i>Clupea Pallasii</i>) from 15.2 to 15.6, frozen (excl. livers and roes)	18
0303 50 90	Herrings (<i>Clupea harengus</i> , <i>Clupea Pallasii</i>) from 16.6 to 14.2, frozen (excl. livers and roes)	18
0303 71 10	Sardines of the species <i>Sardina pilchardus</i> , frozen	18
0303 71 30	Sardines of the genus <i>Sardinops</i> and <i>Sardinella</i> (<i>Sardinella</i> spp.), frozen	18
0303 74 11	Mackerel (<i>Scomber scombrus</i> and <i>Scomber japonicus</i>), from 15.2 to 15.6, frozen	18
0303 74 19	Mackerel (<i>Scomber scombrus</i> and <i>Scomber japonicus</i>), from 16.6 to 14.2, frozen	18
1604 12 10	Herring fillets, raw, merely coated with batter or breadcrumbs, whether or not prefried in oil, deep frozen	22,5
1604 12 90	Herrings, whole or in pieces, but not minced, other than "fillets, raw, merely coated with batter or breadcrumbs, whether or not prefried in oil, deep frozen"	22,5
1604 13 10	Sardines, prepared or preserved, whole or in pieces (excl. minced)	22,5
ex 1604 13 90	<i>Sardinella</i> , prepared or preserved, whole or in pieces (excl. minced)	22,5
1604 15 10	Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , prepared or preserved, whole or in pieces (excl. minced)	22,5
ex 1604 20 50	Sardines and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , prepared or preserved (excl. whole or in pieces)	22,5
ex 1604 20 90	Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>) prepared or preserved (excl. whole or in pieces)	22,5

Establishment (Article 45(1))

Legal acts relating to real-estate property in frontier regions in accordance with legislation in force in certain Member States of the Community.

Establishment (Article 45(2))

1. Purchase, ownership, sale of land and forestry.
2. Purchase, ownership, sale of residence buildings not related to foreign investments in Romania.
3. Cultural and historic monuments and buildings.
4. Organization of gambling, betting, lotteries and other similar activities.
5. Legal services, excluding legal advisory services.

Establishment: Financial Services
(Articles 45, 46, 48 and 50)

Definitions:

A financial service is any service of a financial nature offered by a financial service provider of a party. Financial services include the following activities:

- A. All insurance and insurance-related services
 1. Direct insurance (including co-insurance)
 - (i) life
 - (ii) non-life
 2. Reinsurance and retrocession
 3. Insurance intermediation, such as brokerage and agency
 4. Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claims settlement services.
- B. Banking and other financial services (excluding insurance)
 1. Acceptance of deposits and other repayable funds from the public
 2. Lending of all types, including, *inter alia*, consumer credit, mortgage credit, factoring and financing of commercial transaction
 3. Financial leasing
 4. All payment and money transmission services, including credit charge and debit cards, travellers cheques and bankers drafts
 5. Guarantees and commitments
 6. Trading for own account of customs, whether on an exchange, in an over the counter market or otherwise, the following:
 - (a) money market instruments (cheques, bills, certificates of deposits, etc.)
 - (b) foreign exchange
 - (c) derivative products including, but not limited to, futures and options
 - (d) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc
 - (e) transferable securities
 - (f) other negotiable instruments and financial assets, including bullion
 7. Participation in issues of all kinds of securities, including under-writing and placement as agent (whether publicly or privately) and provision of services related to such issues
 8. Money broking
 9. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services
 10. Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments
 11. Advisory intermediation and other auxiliary financial services on all the activities listed in Points 1 to 10 above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy
 12. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services.

Are excluded from the definition of financial services the following activities:

- (a) Activities carried out by central banks or by any other public institution in pursuit of monetary and exchange rate policies.
- (b) Activities conducted by central banks, government agencies or departments, or public institutions, for the account or with the guarantee of the government, except when those activities may be carried out by financial service providers in competition with such public entities.
- (c) Activities forming part of a statutory system of social security or public retirement plans, except when those activities may be carried out by financial service providers in competition with public entities or private institutions.

Intellectual Property (Article 67)

1. Paragraph 2 of Article 67 concerns the following multilateral conventions:
 - Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the purpose of Patent Procedures (1977¹, modified in 1980);
 - Protocol relating to the Madrid Agreement concerning the International Registration of Marks (Madrid 1989)²;
 - Berne Convention for the Protection of Literary and Artistic Works (Paris Act, 1971)³;
 - International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961)⁴.
2. The Association Council may decide that paragraph 2 of Article 67 shall apply to other present or future multilateral conventions.
3. The Contracting Parties confirm the importance they attach to the obligations arising from the following multilateral conventions:
 - Paris Convention for the Protection of Industrial Property (Stockholm Act, 1967 and amended in 1979)⁵;
 - Madrid Agreement concerning the International Registration of Marks (Stockholm Act, 1967 and amended in 1979)⁶;
 - Patent Co-operation Treaty (Washington 1970, amended 1979 and modified in 1984)⁷.
4. Before the end of the first stage, Romania shall comply in its internal legislation with the substantial provisions of the Nice Agreement concerning the international Classification of Goods and Services for the purposes of registration of marks (Geneva 1977, amended 1979)⁸.
5. For the purposes of paragraph 3 of this Annex and the provisions of Article 76(1) referring to intellectual property, Contracting Parties shall be Romania, the European Economic Community and the Member States, each in as far as they are respectively competent for matters concerning industrial, intellectual and commercial property covered by these conventions or by Article 76(1).
6. The provisions of this Annex and of the provisions of Article 76(1), referring to intellectual property are without prejudice to the competence of the European Economic Community and its Member States in matters of industrial, intellectual and commercial property.

¹ Treaty Series No. 5 (1981), Cmnd. 8136.

² Miscellaneous No. 14 (1991), Cm 1601.

³ Treaty Series No. 63 (1990), Cm 1212.

⁴ Treaty Series No. 38 (1964), Cmnd. 2425.

⁵ Treaty Series No. 61 (1970), Cmnd. 4431.

⁶ Treaty Series No. 62 (1970), Cmnd. 4426.

⁷ Treaty Series No. 78 (1978), Cmnd. 7340.

⁸ Treaty Series No. 72 (1979), Cmnd. 7671.

List of protocols

Protocol	Article referred to	Title
No. 1	16	On textile and clothing products
No. 2	17	On products covered by the treaty establishing the European Coal and Steel Community (ECSC)
No. 3	20	On trade between Romania and the Community in processed agricultural products referred to in Article 20 of the Agreement
No. 4	35	Concerning the definition of the concept of "originating products" and methods of administrative co-operation
No. 5	37	On specific provisions concerning trade between Romania and Spain and Portugal
No. 6	94	On mutual assistance in customs matters
No. 7	126	On concessions with annual limits

PROTOCOL No. 1

on textile and clothing products

ARTICLE 1

This Protocol applies to the textile and clothing products (hereinafter "textile products") defined as follows:

- for quantitative purposes, textiles products are those listed in Annex I to the bilateral agreement between the Community and Romania on trade in textile products initialled on 11 July 1986 and applied provisionally since 1 January 1987, as amended by the Exchange of Letters initialled in Brussels on 20 September 1991, and to those products listed in Table I of the Annex to the agreement in the form of an exchange of letters which is an integral part of the aforementioned bilateral agreement initialled on 11 July 1986;
- for tariff purposes, textile products are those in section XI (chapters 50 to 63) of the Combined Nomenclature of the Community, and, respectively, of the Romanian Customs Tariff.

ARTICLE 2

1. Customs duties on imports applicable in the Community to textile products falling within section XI (chapters 50 to 63) of the Combined Nomenclature and originating in Romania in accordance with Protocol 4 of the Agreement shall be reduced in order to arrive at their elimination at the end of a period of six years starting from the entry into force of the Agreement, as follows:

- upon entry into force of the Agreement to five-sevenths of the basic duty;
- at the start of the third year to four-sevenths of the basic duty;
- at the start of the fourth year to three-sevenths of the basic duty;
- at the start of the fifth year to two-sevenths of the basic duty;
- at the start of the sixth year to one-seventh of the basic duty;
- at the start of the seventh year the remaining duties shall be eliminated.

2. Customs duties on imports applicable in Romania to textile products falling within section XI (chapters 50 to 63) of the Romanian Customs Tariff and originating in the Community in accordance with Protocol No. 4 of the Agreement, shall be progressively eliminated as provided for in Article 11 of the Agreement.

3. The customs duties applicable to compensating products imported into the Community which originate in Romania within the meaning of Protocol No. 4 of the Agreement, and which result from operations in Romania in accordance with Council Regulation (EC) No. 636/82, shall be eliminated on the date of entry into force of the Agreement.

4. The provisions of Article 12 and Article 13 of the Agreement shall apply to trade in textile products between the Parties.

ARTICLE 3

1. From the date of entry into force of the Agreement until the entry into force of the Protocol referred to in paragraph 2 below, the quantitative arrangements and other related issues regarding exports of textile products originating in Romania to the Community shall continue to be governed by the bilateral agreement on trade in textile products between the Community and Romania, initialled on 11 July 1986 and applied provisionally since 1 January 1987, as amended by the Exchange of Letters initialled in Brussels on 20 September 1991. The Parties agree to amend as necessary the aforementioned bilateral agreement on trade in textile products to take account of the Community's policy on textiles after 1 January 1993.

The Parties agree that, as regards exports to the Community of textiles products originating in Romania, Article 26, paragraph 2 and Article 31 of the Agreement shall not apply during the period of application of the aforementioned bilateral agreement on trade in textile products.

2. Romania and the Community hereby undertake to negotiate a new Protocol on quantitative arrangements and other related issues on their trade in textile products as soon as possible, taking into account the future regime governing international trade in textile products under discussion in the multilateral negotiations in Geneva. The modalities and period during which non-tariff barriers shall be eliminated will be determined in the new Protocol. The period shall be equal to half the integration period to be decided in the Uruguay Round negotiations starting from 1 January 1994 and it shall not be shorter than five years starting from 1 January 1993 or from the entry into force of the Agreement, if later. The new Protocol shall follow on the expiration of the Agreement on textile products referred to in paragraph 1 above.

3. Taking into account the development of textile trade between the Parties, the degree of access of textile exports originating in the Community to Romania and the results of the multilateral trade negotiations of the Uruguay Round, provision will be made in the new Protocol for a substantial improvement of the regime applied to imports into the Community regarding import levels, growth rates, flexibility for quantitative limitations and elimination of certain quantitative limitations after a case-by-case examination. Notwithstanding Article 26, paragraph 2 and Article 31 of the Agreement, provision for a specific textiles safeguard mechanism shall also be made in the new Protocol. Such a mechanism shall not be globally more restrictive than the safeguard mechanism provided for in the textile Agreement referred to in paragraph 1 above.

4. Quantitative restrictions and measures of equivalent effect on imports of Community textile products into Romania shall be abolished over the same period as is envisaged for the elimination of quantitative restrictions and measures of equivalent effect on imports of Romanian textile products into the Community.

ARTICLE 4

From the entry into force of the Agreement until the entry into force of the new Protocol, no new quantitative restrictions or measures of equivalent effect shall be imposed except as provided for under the Agreement and its Protocols.

PROTOCOL No. 2

on ECSC products

ARTICLE 1

This Protocol applies to products listed in Annex I to this Protocol.

CHAPTER I

ECSC steel products

ARTICLE 2

Customs duties on imports applicable in the Community on ECSC steel products originating in Romania shall be progressively abolished in accordance with the following timetable:

1. each duty shall be reduced to 80% of the basic duty on the date of entry into force of the Agreement;
2. further reductions to 60%, 40%, 20%, 10% and 0% of the basic duty shall be made at the beginning of the second, third, fourth, fifth and sixth years respectively after the entry into force of the Agreement.

ARTICLE 3

Customs duties applicable in Romania on imports of ECSC steel products originating in the Community shall be progressively abolished in accordance with the following timetable:

1. for products listed in Annex IIa to this Protocol customs duties shall be abolished on the date of entry into force of the Agreement;
2. for products listed in Annex IIb to this Protocol customs duties shall be progressively reduced as provided for in Article 11(2) of the Agreement;
3. for products listed neither in Annex IIa nor IIb to this Protocol customs duties shall be progressively reduced as provided for in Article 11(4) of the Agreement.

ARTICLE 4

1. Quantitative restrictions and measures of equivalent effect on imports into the Community of ECSC steel products originating in Romania shall be abolished on the date of entry into force of the Agreement.
2. Quantitative restrictions and measures of equivalent effect on imports into Romania of ECSC steel products originating in the Community shall be abolished on the date of entry into force of the Agreement.

ARTICLE 5

If, during a period equal to the derogation for subsidies under Article 9(4) and given the particular sensitivities of the steel markets, imports of specific steel products originating in one Party cause or threaten to cause serious injury to domestic producers of like products or serious disturbances to the steel markets of the other Party, both Parties shall enter into consultations immediately to find an appropriate solution. Pending such a solution and notwithstanding other provisions of the Agreement and in particular Articles 31 and 34, when exceptional circumstances require action, the importing Party may adopt forthwith quantitative or other solutions strictly necessary to deal with the situation, in accordance with its international and multilateral obligations.

CHAPTER II

ECSC coal products

ARTICLE 6

Customs duties on imports applicable in the Community on ECSC coal products originating in Romania shall be progressively abolished in accordance with the following timetable:

1. on 1 January 1994 each duty shall be reduced to 50% of the basic duty;
2. on 31 December 1995 the remaining duties shall be eliminated.

ARTICLE 7

Customs duties on imports applicable in Romania to ECSC coal products originating in the Community shall be abolished on the date of the entry into force of the Agreement.

ARTICLE 8

1. Quantitative restrictions applicable in the Community to ECSC coal products originating in Romania as well as measures having equivalent effect shall be abolished at the latest one year after the entry into force of the Agreement, with the exception of those concerning the products and the regions described in the Annex III, which shall be abolished at the latest four years after the entry into force of the Agreement.
2. Quantitative restrictions on imports applicable in Romania to coal products originating in the Community as well as measures having equivalent effect shall be abolished upon entry into force of the Agreement.

CHAPTER III

Common provisions

ARTICLE 9

1. The following are incompatible with the proper functioning of the Agreement, insofar as they may affect trade between the Community and Romania:
 1. all agreements of co-operative or concentrative nature between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
 2. abuse by one or more undertakings of a dominant position in the territories of the Community or of Romania as a whole or in a substantial part thereof;
 3. public aid in any form whatsoever except derogations allowed pursuant to the ECSC Treaty.
2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the rules of Articles 65 and 66 of the Treaty establishing the ECSC, and of Articles 85 and 86 of the Treaty establishing the EEC and the rules on State aids, including the secondary legislation.
3. The Association Council shall, within three years of the entry into force of the Agreement, adopt the necessary rules for the implementation of paragraphs 1 and 2.
4. The Contracting Parties recognize that during the first five years after the entry into force of the Agreement, and by derogation from paragraph 1(3) of this Article, Romania may exceptionally, as regards ECSC steel products, grant public aid for restructuring purposes, provided that:
 - it leads to the viability of the benefiting firms under normal market conditions at the end of the restructuring period;
 - the amount and intensity of such aid are strictly limited to what is absolutely necessary in order to restore such viability and are progressively reduced;
 - the restructuring programme is linked to a global rationalizing and reduction of capacity in Romania.

5. Each Party shall ensure transparency in the area of public aid by a full and continuous exchange of information to the other Party, including amount, intensity and purpose of the aid and detailed restructuring plan.

6. If the Community or Romania considers that a particular practice is incompatible with the terms of paragraph 1 as amended by paragraph 4 of this Article, and

—is not adequately dealt with under the implementing rules referred to in paragraph 3 or

—in the absence of such rules and if such practice causes or threatens to cause prejudice to the interests of the other Party or material injury to its domestic industry,

the affected Party may take appropriate measures if no solution is found within 30 days through consultation. Such consultation shall be held in 30 days.

In the case of practices incompatible with paragraph 1(3) of this Article, such appropriate measures may only cover measures adopted in conformity with the procedures and under the conditions laid down by the General Agreement on Tariffs and Trade and any other relevant instrument negotiated under its auspices which are applicable between the Parties.

ARTICLE 10

The provisions of Articles 12, 13 and 14 of the Agreement shall apply to trade between the Parties in ECSC products.

ARTICLE 11

The Parties agree that one of the special bodies established by the Association Council shall be a Contact Group which will discuss the implementation of this Protocol.

List of ECSC Coal and Steel Products

2601 11 00	7208 12 98	7209 34 10	7214 50 10	7222 10 19
2601 12 00	7208 13 10	7209 34 90	7214 50 91	7222 10 51
	7208 13 91	7209 41 00	7214 50 99	7222 10 59
2602 00 00	7208 13 95	7209 42 10	7214 60 00	7222 10 99
	7208 13 98	7209 42 90		7222 30 10
2619 00 10	7208 14 10	7209 43 10	7215 90 10	7222 40 11
	7208 14 91	7209 43 90		7222 40 19
2701 11 00	7208 14 99	7209 44 10	7216 10 00	7222 40 30
2701 11 90	7208 21 10	7209 44 90	7216 21 00	
2701 12 10	7208 21 90	7209 90 10	7216 22 00	7224 10 00
2701 12 90	7208 22 10		7216 31 11	7224 90 01
2701 19 00	7208 22 91	7210 11 10	7216 31 19	7224 90 09
2701 20 00	7208 22 95	7210 12 11	7216 31 91	7224 90 15
	7208 22 98	7210 12 19	7216 31 99	7224 90 30
2702 10 00	7208 22 98	7210 20 10	7216 32 11	
2702 20 00	7208 23 10	7210 31 10	7216 32 19	7225 10 10
	7208 23 91	7210 39 10	7216 32 91	7225 10 91
2704 00 19	7208 23 95	7210 39 10	7216 32 99	7225 10 99
2704 00 30	7208 23 98	7210 41 10	7216 33 10	7225 20 10
	7208 24 10	7210 49 10	7216 33 90	7225 20 30
7201 10 11	7208 24 91	7210 50 10	7216 40 10	7225 30 00
7201 10 19	7208 24 99	7210 60 11	7216 40 90	7225 40 10
7201 10 30	7208 31 00	7210 60 19	7216 50 10	7225 40 30
7201 10 90	7208 32 10	7210 70 31	7216 50 90	7225 40 50
7201 20 00	7208 32 30	7210 70 39	7216 90 10	7225 40 70
7201 30 10	7208 32 51	7210 90 31		7225 40 90
7201 30 90	7208 32 59	7210 90 33	7218 10 00	7225 50 10
7201 40 00	7208 32 91	7210 90 35	7218 90 11	7225 50 90
	7208 32 99	7210 90 39	7218 90 13	7225 90 10
7202 11 20	7208 33 10	7211 11 00	7218 90 15	
7202 11 80	7208 33 91	7211 12 10	7218 90 19	7226 10 10
7202 99 11	7208 33 99	7211 12 90	7218 90 50	7226 10 30
	7208 34 10	7211 19 10		7226 20 10
7203 10 00	7208 34 90	7211 19 91	7219 11 10	7226 20 31
7203 90 00	7208 35 10	7211 19 99	7219 11 90	7226 20 51
	7208 35 90	7211 21 00	7219 12 10	7226 20 71
7204 10 00	7208 41 00	7211 22 10	7219 12 90	7226 91 10
7204 21 00	7208 42 10	7211 22 90	7219 13 10	7226 91 90
7204 29 00	7208 42 30	7211 29 10	7219 13 90	7226 92 10
7204 30 00	7208 42 51	7211 29 91	7219 14 10	7226 99 11
7204 41 10	7208 42 59	7211 29 99	7219 14 90	7226 99 31
7204 41 91	7208 42 91	7211 30 10	7219 21 11	
7204 41 99	7208 42 99	7211 41 10	7219 21 19	7227 10 00
7204 49 10	7208 43 10	7211 41 91	7219 21 90	7227 20 00
7204 49 30	7208 43 91	7211 49 10	7219 22 10	7227 90 10
7204 49 91	7208 43 99	7211 90 11	7219 22 90	7227 90 30
7204 49 99	7208 44 10		7219 23 10	7227 90 80
7204 50 10	7208 44 90	7212 10 10	7219 23 90	
7204 50 90	7208 45 10	7212 10 91	7219 24 10	7228 10 10
	7208 45 90	7212 21 11	7219 24 90	7228 10 30
7206 10 00	7208 45 90	7212 29 11	7219 31 10	7228 20 11
7206 90 00	7208 90 10	7212 30 11	7219 31 90	7228 20 19
		7212 40 10	7219 31 90	7228 20 30
7207 11 11	7209 11 00	7212 40 91	7219 32 10	7228 30 10
7207 11 19	7209 12 10	7212 50 31	7219 32 90	7228 30 30
7207 12 11	7209 12 90	7212 50 51	7219 33 10	7228 30 80
7207 12 19	7209 13 10	7212 60 11	7219 33 90	7228 60 10
7207 19 11	7209 13 90	7212 60 91	7219 34 10	7228 70 10
7207 19 15	7209 14 10		7219 34 90	7228 70 31
7207 19 31	7209 14 90		7219 35 10	7228 80 10
7207 20 11	7209 21 00	7213 10 00	7219 35 90	7228 80 90
7207 20 15	7209 21 00	7213 20 00	7219 90 11	
7207 20 17	7209 22 10	7213 31 00	7219 90 19	7301 10 00
7207 20 31	7209 22 90	7213 39 00		
7207 20 33	7209 23 10	7213 41 00	7220 11 00	7302 10 31
7207 20 51	7209 23 90	7213 49 00	7220 12 00	7302 10 39
7207 20 55	7209 24 10	7213 50 10	7220 20 10	7302 10 90
7207 20 57	7209 24 91	7213 50 90	7220 90 11	7302 20 00
7207 20 71	7209 24 99		7220 90 31	7302 40 10
	7209 31 00	7214 20 00		7302 90 10
7208 11 00	7209 32 10	7214 30 00	7221 00 10	
7208 12 10	7209 32 90	7214 40 10	7221 00 90	
7208 12 91	7209 33 10	7214 40 91		
7208 12 95	7209 33 90	7214 40 99	7222 10 11	

List of products referred to in Articles 3(1) and 7

26.01.11.00	72.04.10.00
26.01.12.00	72.04.21.00
26.02.00.00	72.04.29.00
26.19.00.10	72.04.30.00
27.01.11.10	72.04.41.10
27.01.11.90	72.04.41.91
27.01.12.10	72.04.41.99
27.01.12.90	72.04.49.10
27.01.19.00	72.04.49.30
27.01.20.00	72.04.49.91
27.02.10.00	72.04.49.99
27.02.20.00	72.04.50.10
27.04.00.19	72.04.50.90
27.04.00.30	72.06.10.00
72.01.10.11	72.06.90.00
72.01.10.19	72.10.12.11
72.01.10.30	72.10.12.19
72.01.10.90	72.10.60.11
72.01.20.00	72.10.60.19
72.01.30.10	72.10.90.31
72.01.30.90	72.10.90.33
72.01.40.00	72.10.90.35
72.02.99.11	72.10.90.39
72.03.10.00	72.18.10.00
72.03.90.00	72.18.90.11
	72.18.90.13
	72.18.90.15
	72.18.90.19
	72.18.90.50
	73.01.10.00

List of products referred to in Article 3(2)

72.02.11.20	72.22.30.10
72.02.11.80	72.22.40.11
72.07.11.11	72.22.40.19
72.07.11.19	72.22.40.30
72.07.12.11	72.27.10.00
72.07.12.19	72.27.20.10
72.07.19.11	72.27.90.10
72.07.19.15	72.27.90.30
72.07.19.31	72.27.90.80
72.07.20.11	72.28.10.10
72.07.20.15	72.28.10.30
72.07.20.17	72.28.20.11
72.07.20.31	72.28.20.19
72.07.20.33	72.28.20.30
72.07.20.51	72.28.30.10
72.07.20.55	72.28.30.30
72.07.20.57	72.28.30.80
72.07.20.71	72.28.60.10
72.20.11.00	72.28.70.10
72.20.12.00	72.28.70.31
72.20.20.10	72.28.80.10
72.20.90.11	72.28.80.90
72.20.90.31	

Products and regions referred to as exceptions in Article 8 of the ECSC Protocol

Products:

2601 1100
2601 1200
2602 0000
2619 0010
2701 1100
2701 1190
2701 1210
2701 1290
2701 1900
2701 2000
2702 1000
2702 2000
2704 0019
2704 0030

Regions:

All regions of:

- the Federal Republic of Germany
- the Kingdom of Spain.

PROTOCOL 3

on trade between Romania and the Community in processed agricultural products referred to in Article 20 of the Agreement

ARTICLE 1

1. The Community shall grant the tariff concessions referred to in Annex A to products originating in Romania. For goods for which a reduction of the agricultural component is provided for, in accordance with Article 3, such reduction shall be applicable within the quantity limits established in Annex B.
2. From 1 January 1996, Romania shall grant tariff concessions determined in accordance with this Protocol for the processed agricultural products referred to in Annex C.
3. The Association Council may:
 - add to the list of processed agricultural products referred to in this Protocol,
 - increase the quantities of processed agricultural products eligible for the concessions referred to in Annex B.
4. The Association Council may replace the concessions referred to in paragraphs 1 and 2 with a system of compensatory amounts with no quantity limits, established on the basis of the differences found between the prices on the Community and Romanian markets of the agricultural products actually used to produce the processed agricultural products covered by this Protocol. The Association Council shall draw up a list of the products to which the compensatory amounts are applicable and a list of basic products. It shall adopt general implementing rules to that end.

ARTICLE 2

For the purposes of the Articles which follow, the definitions given below shall apply:

- “goods”: the processed agricultural products referred to in this Protocol;
- “agricultural components of the levy”: the part of the levy corresponding to the quantity of agricultural products incorporated into the processed product and deducted from the levy applicable when such agricultural products are imported unprocessed;
- “non-agricultural components of the levy”: the part of the levy remaining when the agricultural component is deducted from the total levy;
- “basic products”: the agricultural products considered as having been used in the production of goods within the meaning of Regulation (EEC) No. 3033/80;
- “base quantity”: the quantity of a basic product calculated in the manner stipulated in Article 6 of Regulation (EEC) No. 3033/80 which is used to determine the variable component applicable to goods of a given type, in accordance with the terms of the same Regulation.

ARTICLE 3

1. From the date this Agreement enters into force, the Community shall phase out the non-agricultural component of the levy in accordance with the timetable set out in Annex A.
2. The Community shall apply to imports originating in Romania an agricultural component set according to the following criteria:
 - (a) For the goods for which Annex A stipulates an agricultural component (MOB), the latter shall be identical to that applying in the case of third countries.
 - (b) For the goods for which Annex A stipulates a reduced agricultural component (MOBR), the latter shall be calculated by reducing the base quantities of the basic products for which a levy reduction is granted by 20% in 1993, 40% in 1994 and 60% from 1995. In the case of other basic products, the corresponding reductions, for the same years, shall be 10, 20 and 30%.

This reduction of the agricultural component shall be granted only within the limits of the tariff quotas established in Annex B; for quantities in excess of those quotas, the agricultural component applying to all third countries shall be restored.

3. The agricultural component of the levy shall be determined according to the rules applicable to the import of processed agricultural products not covered by Annex II of the Treaty establishing the European Economic Community, taking into account the reductions provided for in paragraph 2(b).

ARTICLE 4

1. Before 1 July 1995, Romania shall determine the agricultural component of the levy on the goods referred to in Annex C on the basis of the import duties applicable in 1995 to the basic agricultural products originating in the Community considered to have been used in the production of these goods. It shall forward that information to the Association Council.

2. From the time at which the Agreement enters into force until 31 December 1995, Romania shall apply to the goods referred to in Annex C the rates of duty in force on 28 February 1993. However, if reform of Romanian agricultural policy causes the agricultural component of the levy defined in Article 2 to increase, Romania shall inform the Association Council accordingly, and the latter may agree to an increase in the rate of duty concerned which corresponds to the size of the agricultural component.

3. Romania shall phase out the levies applicable to the goods referred to in Annex C in accordance with a timetable established by the Association Council. Elimination of the non-agricultural component of the levy must be complete by 1 January 2000 at the latest. Reduction of the agricultural component shall be determined by the Association Council on the basis of the concessions applicable to the basic products.

ARTICLE 5

The reduction of the variable components referred to in Article 3(3) shall apply only from¹.

¹The start of the three month period (or the period of determining the variable components) following the entry into force of the (interim) Agreement.

Duties applicable to goods originating in Romania on import into the Community

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:					
0403 10	— Yogurt:					
0403 10 51 to 99	— Flavoured or containing added fruit, nuts or cocoa	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
0403 90	— Other:					
0403 90 71 to 99	— Flavoured or containing added fruit, nuts or cocoa	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:					
0710 40	— Sweet corn	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:					
0711 90	— Other vegetables; mixtures of vegetables:					
0711 90 30	— Vegetables: sweet corn	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils of their fractions of heading No. 1516:					
1517 10	— Margarine, excluding liquid margarine:					
1517 10 10	— Containing more than 10% but not more than 15% by weight of milkfats	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
1517 90	— Other:					
1517 90 10	— Containing more than 10% but not more than 15% by weight of milkfats	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
1519 12 00	— Oleic acid	3	0	0	0	0
1519 20	— Industrial fatty alcohols	5	3,3	3,3	3,3	0

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1704	Sugar confectionery (including white chocolate), not containing cocoa:					
1704 10	— Chewing gum, whether or not sugar-coated					
1704 10 11 to 19	— Containing less than 60% by weight of sucrose (including invert sugar expressed as sucrose)	2+ MOB MAX 23	0+ MOBR MAX 23	0+ MOBR MAX 23	0+ MOBR MAX 23	0
1704 10 91 to 99	— Containing 60% or more by weight of sucrose (including invert sugar expressed as sucrose)	2+ MOB MAX 18	0+ MOBR MAX 18	0+ MOBR MAX 18	0+ MOBR MAX 18	0
1704 90 10	— Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	9	9	9	9	0
1704 90 30	— White chocolate	4+ MOB MAX 27 + AD S/Z	2+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	1
	— Other:					
1704 90 51	— Pastes, including marzipan, in immediate packing of a net content of 1 kg or more:					
	— Sugar fondant:					
	— containing less than 70% by weight of sucrose (including invert sugar as sucrose)	6+ MOB MAX 27 + AD S/Z	3+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	1
	— containing 70% or more by weight of sucrose (including invert sugar expressed as sucrose)	6+ MOB MAX 27 + AD S/Z	3+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
	— Other	6+ MOB MAX 27 + AD S/Z	3+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	1
1704 90 55	— Throat pastilles and cough drops	6+ MOB MAX 27 + AD S/Z	3+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	1
1704 90 61	— Sugar coated (pansed) goods	6+ MOB MAX 27 + AD S/Z	3+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	1
1704 90 65 to 81	— Other	6+ MOB MAX 27 + AD S/Z	3+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	0+ MOBR MAX 27 + AD S/Z	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1704 90 99	—Other:					
	—Other:					
	—Containing less than 70% by weight of sucrose (including invert sugar expressed as sucrose)	6+ MOB MAX 27 +AD S/Z	3+ MOBR MAX 27 +AD S/Z	0+ MOBR MAX 27 +AD S/Z	0+ MOBR MAX 27 +AD S/Z	1
	—Containing 70% or more by weight of sucrose (including invert sugar as sucrose)	6+ MOB MAX 27 +AD S/Z	3+ MOB MAX 27 +AD S/Z	0+ MOB MAX 27 +AD S/Z	0+ MOB MAX 27 +AD S/Z	1
1803	Cocoa paste, whether or not defatted	11	8,8	6,6	0	4
1804 00 00	Cocoa butter, fat and oil	8	6,4	4,8	0	4
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	9	7,2	5,4	0	4
1806	Chocolate and other food preparations containing cocoa:					
1806 10	—Cocoa powder, containing added sugar or other sweetening matter:					
1806 10 10	—Containing no sucrose or containing less than 65% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	—Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	—Not otherwise sweetened than by the addition of sucrose	3	0	0	0	0
	—Other	10	8	6	0	4
	—Other:					
	—Not otherwise sweetened than by the addition of sucrose	3+ MOB	0+ MOBR	0+ MOBR	0+ MOBR	0
	—Other	10+ MOB	5+ MOBR	0+ MOBR	0+ MOBR	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1806 10 30	— Containing 65% or more but less than 80% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose: — Not otherwise sweetened than by the addition of sucrose — Other:	3 + MOB	0 + MOBR	0 + MOBR	0 + MOBR	0
1806 10 90	— Containing 80% or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose: — Not otherwise sweetened than by the addition of sucrose — Other	10 + MOB	5 + MOBR	0 + MOBR	0 + MOBR	1
1806 20	— Other preparations in blocks or slabs weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:					
1806 20 10	— Containing 31% or more by weight of cocoa butter or containing a combined weight of 31% or more of cocoa butter and milk fat	9 + MOB MAX 27 + AD S/Z	4,5 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	1
1806 20 30	— Containing a combined weight of 25% or more, but less than 31% of cocoa butter and milk fat — Other:	9 + MOB MAX 27 + AD S/Z	4,5 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	1
1806 20 50	— Containing 18% or more by weight of cocoa butter	9 + MOB MAX 27 + AD S/Z	4,5 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	1
1806 20 70	— Chocolate milk crumb	19 + MOB	12,7 + MOB	6,3 + MOB	0 + MOB	2
1806 20 80 00/80	— Chocolate flavour coating:					
1806 20 80 10/80	— Containing less than 70% by weight of sucrose (including invert sugar expressed as sucrose)	9 + MOB MAX 27 + AD S/Z	4,5 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1806 20 80 90/80	Containing 70% or more by weight of sucrose (including invert sugar expressed as sucrose)	9+MOB MAX 27 +AD S/Z	4,5+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	
1806 20 95 00/80	Other:					
1806 20 95 10/80	Containing less than 70% by weight of sucrose (including invert sugar expressed as sucrose)	9+MOB MAX 27 +AD S/Z	4,5+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 20 95 90/80	Containing 70% or more by weight of sucrose (including invert sugar expressed as sucrose)	9+MOB MAX 27 +AD S/Z	4,5+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	1
1806 31	Filled	9+MOB MAX 27 +AD S/Z	4,5+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 32	Not filled	9+MOB MAX 27 +AD S/Z	4,5+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 90	Other:					
1806 90 11 to 39	Chocolate and chocolate products	9+MOB MAX 27 +AD S/Z	4,5+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 90 50	Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	9+MOB MAX 27 +AD S/Z	4,5+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 90 60	Spreads containing cocoa:					
	In immediate packings of a net content not exceeding 1 kg or less	12+MOB MAX 27 +AD S/Z	6+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
	Other	12+MOB MAX 27 +AD S/Z	6+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 90 70	Preparations containing cocoa for making beverages	12+MOB MAX 27 +AD S/Z	6+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1
1806 90 90	Other:					
	Containing less than 70% by weight of sucrose (including invert sugar expressed as sucrose)	12+MOB MAX 27 +AD S/Z	6+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	0+MOBR MAX 27 +AD S/Z	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1901	— Containing 70% or more by weight of sucrose (including invert sugar expressed as sucrose) Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos. 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included:	12+MOB MAX 27 +AD S/Z	6+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	1
1901 10 00	— Preparations for infant use, put up for retail sale	0+MOB	0+MOB	0+MOB	0+MOB	0
1901 20	— Mixes and doughs for the preparation of bakers' wares of heading No. 1905	0+MOB	0+MOB	0+MOB	0+MOB	0
1901 90	— Other:					
1901 90 11	— Malt extract: — With a dry extract content of 90% or more by weight	8+MOB	4+MOB	0+MOB	0+MOB	1
1901 90 19	— Other	8+MOB	4+MOB	0+MOB	0+MOB	1
1901 90 90	— Other: — Preparations based on flour of leguminous vegetables in the form of sun-dried discs or dough, known as 'papad'	0	0	0	0	
1902	— Other Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared: — Uncooked pasta, not stuffed or otherwise prepared:	0+MOB	0+MOB	0+MOB	0+MOB	0
1902 11	— Containing eggs	12+MOB	6+MOBR	0+MOBR	0+MOBR	1
1902 19	— Other	12+MOB	6+MOBR	0+MOBR	0+MOBR	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1902 20	— Stuffed pasta, whether or not cooked or otherwise prepared:					
1902 20 91 to 99	— Other	13 + MOB	7,5 + MOBR	0 + MOBR	0 + MOBR	1
1902 30	— Other pasta	10 + MOB	5 + MOBR	0 + MOBR	0 + MOBR	1
1902 40	— Couscous					
1902 40 10	— Unprepared	12 + MOB	6 + MOBR	0 + MOBR	0 + MOBR	1
1902 40 90	— Other	10 + MOB	5 + MOBR	0 + MOBR	0 + MOBR	1
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms:					
	— Tapioca and sago substitutes from potato or other starches	10 + MOB	5 + MOB	0 + MOB	0 + MOB	1
	— Other	2 + MOB	0 + MOB	0 + MOB	0 + MOB	0
1904	Prepared foods obtained by the swelling or roasting of cereals or cereals products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:					
1904 10	— Prepared foods obtained by the swelling or roasting of cereals or cereals products	0 + MOB	0 + MOBR	0 + MOBR	0 + MOBR	0
1904 90	— Other:					
	— Rice	3 + MOB	0 + MOBR	0 + MOBR	0 + MOBR	0
	— Other	2 + MOB	0 + MOBR	0 + MOBR	0 + MOBR	0
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:					
1905 10	— Crispbread	0 + MOB MAX 24 + AD D/Z	0 + MOBR MAX 24 + AD S/Z	0 + MOBR MAX 24 + AD S/Z	0 + MOBR MAX 24 + AD S/Z	0
1905 20	— Gingerbread and the like	0 + MOB	0 + MOBR	0 + MOBR	0 + MOBR	0
ex 1905 30	— Sweet biscuits; waffles and wafers:					
1905 30 11 to 59 and 99		13 + MOB MAX 35 + AD S/Z	6,5 + MOBR MAX 35 + AD S/Z	0 + MOBR MAX 35 + AD S/Z	0 + MOBR MAX 35 + AD S/Z	1
	— Other:					
	— Waffles and wafers:					
1905 30 91	— Salted, whether or not filled	13 + MOBR MAX 30 + AD F/M	6,5 + MOBR MAX 30 + AD F/M	0 + MOBR MAX 30 + AD F/M	0 + MOBR MAX 30 + AD F/M	1

CN code	Description	Rate of duty					applicable after . . . years
		basic	entry into force	after one year	final		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
1905 40	— Rusks, toasted bread and similar toasted products	14+ MOB	2+ MOBR	0+ MOBR	0+ MOBR	1	
1905 90	— Other:						
1905 90 10	— Matzos	0+ MOB MAX 20 +AD F/M	0+ MOBR MAX 20 +AD F/M	0+ MOBR MAX 20 +AD F/M	0+ MOBR MAX 20 +AD F/M	0	
1905 90 20	— Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	0+ MOBR	0+ MOBR	0+ MOBR	0+ MOBR	0	
	— Other:						
1905 90 30	— Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5% of sugar and not more than 5% of fat	4+ MOB	0+ MOBR	0+ MOBR	0+ MOBR	0	
1905 90 40	— Waffles and wafers with a water content exceeding 10% by weight	13+ MOB MAX 30 +AD F/M	6,5+ MOBR MAX 30 +AD F/M	0+ MOBR MAX 30 +AD F/M	0+ MOBR MAX 30 +AD F/M	1	
1905 90 45 and 55	— Biscuits; extruded or expanded products, savoury or salted	13+ MOB MAX 30 +AD F/M	6,5+ MOBR MAX 30 +AD F/M	0+ MOBR MAX 30 +AD F/M	0+ MOBR MAX 30 +AD F/M	1	
	— Other:						
1905 90 60	— With added sweetening matter	13+ MOB MAX 35 +AD S/Z	6,5+ MOBR MAX 35 +AD S/Z	0+ MOBR MAX 35 +AD S/Z	0+ MOBR MAX 35 +AD S/Z	1	
1905 90 90	— Other	13+ MOB MAX 30 +AD F/M	6,5+ MOBR MAX 30 +AD F/M	0+ MOBR MAX 30 +AD F/M	0+ MOBR MAX 30 +AD F/M	1	
2001	Vegetables, fruit, nuts and other edible parts or plants, prepared or preserved by vinegar or acetic acid:						
	— Other:						
2001 90 30	— Sweet corn (Zea mays var, saccharata)	4+ MOB	0+ MOB	0+ MOB	0+ MOB	0	
2001 90 40	— Yams, sweet potatoes and similar edible parts of plants containing 5% or more by weight of starch	13+ MOB	6,5+ MOB	0+ MOB	0+ MOB	1	
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen:						
2004 10	— Potatoes:						

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2004 10 91	— In the form of flour, meal or flakes	11 + MOB	5,5 + MOB	0 + MOB	0 + MOB	1
2004 90 10	— Sweet corn (<i>Zea mays</i> var, saccharate)	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen					
2005 20	— Potatoes:					
2005 20 10	— In the form of flour, meal or flakes	11 + MOB	5,5 + MOB	0 + MOB	0 + MOB	1
2005 80	— Sweet corn (<i>Zea mays</i> var, saccharata)	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
2008	Fruit, nuts other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:					
	— Nuts, ground-nuts and other seeds, whether or not mixed together:					
2008 11	— Ground-nuts:					
2008 11 10	— Peanut butter	20	14,1	8,2	8,2	1
	— Other, including mixtures other than those of subheading NI 2006 19:					
2008 91 00	— Palm hearts	7	7	7	7	—
2008 99	— Other:					
	— Not containing added spirit:					
	— Not containing added sugar:					
2008 99 85	— Maize (corn), other than sweet corn (<i>Zea mays</i> var, saccharata)	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
2008 99 91	— Yams, sweet potatoes and similar edible parts of plants, containing 5% or more by weight of starch	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2101 10	— Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:					
	— Preparations:					
	— Extracts, essences or concentrates:					
2101 10 99	— Other	13+ MOB	6,5+ MOB	0+ MOB	0+ MOB	1
2101 20	— Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté:					
2101 20 10	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch:					
	— Preparations with a basis of tea or maté	0	0	0	0	0
	— Other	6	4,4	4,4	4,4	0
2101 20 90	— Other	13+ MOB	6,5+ MOB	0+ MOB	0+ MOB	1
2101 30	— Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:					
	— Roasted chicory and other roasted coffee substitutes:					
2101 30 11	— Roasted chicory	18	12,9	7,7	7,7	1
2101 30 19	— Other	2+ MOB	0+ MOBR	0+ MOBR	0+ MOBR	0
	— Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:					
2101 30 91	— Of roasted chicory	22	15,3	8,6	8,6	1
2101 30 99	— Other	2+ MOB	0+ MOBR	0+ MOBR	0+ MOBR	0
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No. 3002); prepared baking powders:					
2102 10	— Active yeasts:					
2102 10 10	— Culture yeast	8	7,4	7,4	7,4	1
2102 10 31 to 39	— Bakers' yeast	4+ MOB	2+ MOB	0+ MOB	0+ MOB	1
2102 10 90	— Other	10	8,8	8,8	8,8	0

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2102 20	— Inactive yeasts; other single-cell micro-organisms, dead:					
	— Inactive yeasts:					
2102 20 11	— In tablet, cube or similar form, or in immediate packing of a net content not exceeding 1 kg	6	3	3	3	1
2102 30 00	— Prepared baking powders	3	3	3	3	0
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:					
	— Soya sauce:					
2103 10	— With a vegetable oil basis	12	8,2	4,4	4,4	1
	— Other	5	4,4	4,4	4,4	0
2103 20	— Tomato ketchup and other tomato sauces:					
	— Sauces with a basis of tomato purée	6	6	6	6	0
	— Other	16	11,5	7	7	1
2103 30	— Mustard flour and meal and prepared mustard:					
2103 30 90	— Prepared mustard	7	6,5	6,5	6,5	0
2103 90	— Other:					
2103 90 90	— Other:					
	— Containing tomato:					
	— With tomato ketchup basis	7	5,9	5,9	5,9	0
	— Other	12	9	5,9	5,9	1
	— Other:					
	— With a vegetable oil basis	12	9	5,9	5,9	1
	— Other	5	5	5	5	0
2104	Soups and broths and preparations therefor; homogenized composite food preparations:					
	— Soups and broths and preparations therefor:					
2104 10	— Containing tomato	11	9	7	7	1
	— Other	11	9	7	7	1
2104 20 00	— Homogenized composite food preparations	17	12,8	8,6	8,6	1
2105	Ice cream and other edible ice, whether or not containing cocoa	12 + MOB MAX 27 + AD S/Z	6 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	0 + MOBR MAX 27 + AD S/Z	1
2106	Food preparations not elsewhere specified or included:					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2106 10	— Protein concentrates and textured protein substances:					
2106 10 10	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch	20	14,1	8,2	8,2	1
2106 10 90	— Other	13+ MOB	6,5+ MOBR	0+ MOBR	0+ MOBR	1
2106 90	— Other:					
2106 90 10	— Cheese fondues	13+ MOB MAX ECU 35/ 100 kg/ net	6,5+ MOBR MAX ECU 30/ 100 kg/ net	0+ MOBR MAX ECU 25/ 100 kg/ net	0+ MOBR MAX ECU 25/ 100 kg/ net	1
2106 90 91	— Other					
	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch:					
ex 2106 90 91	— Hydrolysates of proteins; autolysates of yeast	20	14,8	9,6	4,4	2
ex 2106 90 91	— Other	20	14,8	9,6	4,4	2
2106 90 99	— Other:					
	— Containing less than 70% by weight of sucrose (including invert sugar expressed as sucrose)	13+ MOB	6,5+ MOBR	0+ MOBR	0+ MOBR	1
	— Containing 70% or more by weight of sucrose (including invert sugar expressed as sucrose)	13+ MOB	6,5+ MOB	0+ MOB	0+ MOB	1
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 2209:					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2202 10	—Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	6	3	0	0	1
2202 90	— Other					
2202 90 10	— Not containing products of heading Nos. 0401 to 0404 or fat obtained from products of heading Nos. 0401 to 0404:					
ex 2202 90 10	— Containing sugar (sucrose or invert sugar)	6	3	0	0	1
	— Other	6	6	6	6	0
2202 90 91 to 99	— Other	8+MOB	4+MOBR	0+MOBR	0+MOBR	1

**Tariff quotas applicable on imports into the Community of goods originating in Romania
for which a reduction of the variable component is granted in accordance with
Article 3(2)(b)**

CN code	Description	Quantities (× 1000 Kg)				
		1993 (1990 × 1.1)	1994 (1990 × 1.2)	1995 (1990 × 1.3)	1996 (1990 × 1.4)	1997 and over (1990 × 1.5)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1704	Sugar confectionary (including white chocolate), not containing cocoa	1,200	1,320	1,440	1,560	1,680
1806	Chocolate and other food preparations containing cocoa:	650	715	780	845	910
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared	285	314	342	371	399
1904	Prepared foods obtained by the swelling or roasting of cereals or cereals products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared	180	198	216	234	252
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:	850	935	1,020	1,105	1,190.
2101 30	—Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof	100	110	120	130	140
2105	Ice cream and other edible ice, whether or not containing cocoa	70	77	84	91	98
2106	Food preparations not elsewhere specified or included:	600	660	720	780	840
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 2209	10	11	12	13	14

Goods referred to in Article 1(2)

04031051	18061090	19059040
04031053	18062010	19059045
04031059	18062030	19059055
04031091	18062050	19059060
04031093	18062070	19059090
04031099	18062080	20019030
04039071	18062095	21013011
04039073	19019011	21013019
04039079	19019019	21013091
04039091	19021110	21013099
04039093	19021190	21021010
04039099	19021911	21021031
07104000	19021919	21021039
07119030	19021990	21021090
13023100	19022091	21022011
17041011	19022099	21022019
17041019	19023010	21023090
17041091	19023090	21023000
17041099	19024010	21061010
17049030	19024090	21061090
17049055	19053011	
18031000	19053019	
18032000	19053030	
18040000	19053051	
18050000	19053059	
18061010	19053091	
18061030	19053099	

PROTOCOL No. 4

**concerning the definition of the concept of “originating products” and methods
of administrative co-operation**

TITLE I

Definition of the Concept of “Originating Products”

ARTICLE 1

Origin criteria

For the purpose of implementing the Agreement, and without prejudice to the provisions of Articles 2 and 3 of this Protocol, the following products shall be considered as:

1. products originating in the Community:
 - (a) products wholly obtained in the Community, within the meaning of Article 4 of this Protocol;
 - (b) products obtained in the Community which contain materials not wholly obtained there, provided that the said materials have undergone sufficient working or processing in the Community within the meaning of Article 5 of this Protocol;
2. products originating in Romania:
 - (a) products wholly obtained in Romania, within the meaning of Article 4 of this Protocol;
 - (b) products obtained in Romania which contain materials not wholly obtained there, provided that the said materials have undergone sufficient working or processing in Romania within the meaning of Article 5 of this Protocol.

ARTICLE 2

Bilateral cumulation

1. Notwithstanding Article 1(1)(b), materials originating in Romania within the meaning of this Protocol shall be considered as originating in the Community without it being necessary for those materials to have undergone sufficient working or processing, provided they have undergone working or processing going beyond that described in Article 5(3) of this Protocol.
2. Notwithstanding Articles 1(2)(b), materials originating in the Community within the meaning of this Protocol shall be considered as originating in Romania without it being necessary for those materials to have undergone sufficient working or processing, provided they have undergone working or processing going beyond that described in Article 5(3) of this Protocol.

ARTICLE 3

Cumulation with materials originating in Bulgaria

1. Inasmuch as trade between the Community and Bulgaria and between Romania and Bulgaria is governed by agreements containing rules identical to those in this Protocol, the terms of paragraphs 2, 3 and 5 shall apply.
2. (a) Notwithstanding Article 1(1)(b), and without prejudice to the terms of paragraphs 3 and 5, materials originating in Bulgaria within the meaning of Protocol No. 4 attached to the Agreement between the Community and Bulgaria shall be considered as materials originating in the Community without it being necessary for those materials to have undergone sufficient working or processing, provided they have undergone working or processing in the Community going beyond that described in Article 5(3) of this Protocol.
(b) Notwithstanding Article 1(2)(b), and without prejudice to the terms of paragraphs 3 and 5, materials originating in Bulgaria within the meaning of Protocol No. 4 attached to the Agreement between the Community and Bulgaria shall be considered as materials originating in Romania without it being necessary for those materials to have undergone sufficient working or processing, provided they have undergone working or processing in Romania going beyond that described in Article 5(3) of this Protocol.

3. Products which have acquired the status of originating products under the terms of paragraph 2 shall continue to be considered as originating in the Community or in Romania, as appropriate, only if the value added to such products exceeds the value of the materials included in the product which originate in Bulgaria.

If this is not the case, the products in question shall be considered as originating in Bulgaria for the purposes of the implementation of this Agreement or of the Agreement between the Community and Bulgaria.

4. "Added value" shall be taken to be the ex works price minus the customs value of each of the products incorporated which did not originate in the country in which those products were obtained.

5. For the purposes of applying this Article, rules of origin identical to those of this Protocol shall be applied in trade conducted between the Community and Bulgaria and between Romania and Bulgaria.

ARTICLE 4

Wholly obtained products

1. Within the meaning of Article 1(1)(a) and (2)(a), the following shall be considered as wholly obtained either in the Community or in Romania:

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from the products specified in subparagraphs (a) to (i).

2. The term "their vessels" in paragraph 1(f) shall apply only to vessels:

- which are registered or recorded in Romania or in a Member State of the Community;
- which sail under the flag of Romania or of a Member State of the Community;
- which are owned to an extent of at least 50% by nationals of Romania or of Member States of the Community, or by a company with its head office in one of these States or in Romania, of which the manager or managers, chairman of the board of directors or the supervisory board, and the majority of the members of such boards are nationals of Romania or of Member States of the Community and of which, in addition, in the case of partnerships or limited companies at least half the capital belongs to these States, to Romania, to their public bodies or to their nationals;
- of which the master and officers are nationals of Romania or of Member States of the Community;
- of which at least 75% of the crew are nationals of Romania or of Member States of the Community.

3. The terms "Romania" and "the Community" shall also cover the territorial waters which surround Romania and the Member States of the Community.

Sea-going vessels, including factory ships on which the fish caught is worked or processed, shall be considered as part of the territory of the Community or of Romania provided that they satisfy the conditions set out in paragraph 2.

ARTICLE 5

Sufficiently processed products

1. For the purposes of Article 1, non-originating materials are considered to be sufficiently worked or processed when the product obtained is classified in a heading which is different from that in which all the non-originating materials used in its manufacture are classified, subject to paragraphs 2 and 3.

The expressions "chapters" and "headings" used in this Protocol shall mean the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System (hereinafter referred to as the "Harmonized System" or HS).

The expression "classified" shall refer to the classification of a product or material under a particular heading.

2. For a product mentioned in columns 1 and 2 of the list in Annex II, the conditions set out in column 3 for the product concerned must be fulfilled instead of the rule in paragraph 1.

- (a) Where in the list in Annex II a percentage rule is applied in determining the originating status of a product obtained in the Community or in Romania, the value added by the working or processing shall correspond to the ex-works price of the product obtained, less the value of third-country materials imported into the Community or Romania.
- (b) The term "value" in the list in Annex II shall mean the customs value at the time of the import of the non-originating materials used or, if this is not known and cannot be ascertained, the first ascertainable price paid for these materials in the territory concerned.

Where the value of the originating materials used needs to be established, the provisions of the above subparagraph shall be applied *mutatis mutandis*.

- (c) The term "ex-works price" in the list in Annex II shall mean the price paid for the product obtained to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used in manufacture, minus any internal taxes which are, or may be repaid when the product obtained is exported.
- (d) "Customs value" shall be understood as the value determined in accordance with the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade, established in Geneva on 12 April 1979.

3. For the purpose of implementing paragraphs 1 and 2 the following shall be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

- (a) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and breaking up and assembly of consignments;
(ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards etc., and all other simple packaging operations;
- (d) affixing marks, labels and other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating either in the Community or in Romania;
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

ARTICLE 6

Natural elements

In order to determine whether a product originates in the Community or in Romania, it shall not be necessary to establish whether the electrical power, fuel, plant and equipment and machines and tools used to obtain such product or whether any materials or products used in the course of production which do not enter and which were not intended to enter into the final composition of the product originate in third countries or not.

ARTICLE 7

Accessories, spare parts and tools

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

ARTICLE 8

Sets

Sets, as defined in General Rule 3 of the Harmonized System, shall be regarded as originating when all component articles are originating products. Nevertheless, when a set is composed of originating and non-originating articles, the set as a whole shall be regarded as originating provided that the value of the non-originating articles does not exceed 15% of ex-works price of the set.

ARTICLE 9

Direct transport

1. The preferential treatment provided for under the Agreement applies only to products or materials which are transported between the territories of the Community, Romania or, where the provisions of Article 3 apply, of Bulgaria without entering any other territory. However, goods originating in Romania and constituting one single consignment which is not split up may be transported through territory other than that of the Community, Romania or, where the provisions of Article 3 apply, Bulgaria with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the goods have remained under the surveillance of the customs authorities in the country of transit or of warehousing and that they have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities by the production of:

- (a) a single transport document issued in the exporting country covering the passage through the country of transit;
- (b) or a certificate issued by the customs authorities of the country of transit;
 - giving an exact description of the goods,
 - stating the dates of unloading and reloading of the goods or of the embarkation or disembarkation, identifying the ships or other means of transport used, and
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

ARTICLE 10

Territorial requirement

The conditions set out in this Title relative to the acquisition of originating status must be fulfilled without interruption in the Community or in Romania except as provided for in Articles 2 and 3.

If originating products exported from the Community or Romania to another country are returned, except insofar as provided for in Articles 2 and 3, they must be considered as non-originating unless it can be demonstrated to the satisfaction of the customs authorities that:

- the goods returned are the same goods as those exported, and
- they have not undergone any operation beyond that necessary to preserve them in good condition while in that country.

TITLE II

Proof of Origin

ARTICLE 11

Movement certificate EUR.1

Evidence of originating status of products, within the meaning of this Protocol, shall be given by a movement certificate EUR.1, a specimen of which appears in Annex III to this Protocol.

ARTICLE 12

Normal procedure for the issue of certificates

1. A movement certificate EUR.1 shall be issued only on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorized representative. Such application shall be made on a form, a specimen of which appears in Annex III to this Protocol, which shall be completed in accordance with this Protocol.

Applications for movement certificates EUR.1 must be preserved for at least two years by the customs authorities of the exporting State.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the products to be exported are such as to qualify for the issue of a movement certificate EUR.1.

He shall undertake to submit, at the request of the appropriate authorities, any supplementary evidence they may require for the purpose of establishing the correctness of the originating status of the products eligible for preferential treatment and shall undertake to agree to any inspection of his accounts and to any check on the processes of the obtaining of the above products carried out by the said authorities.

Exporters must keep for at least two years the supporting documents referred to in this paragraph.

3. A movement certificate EUR.1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Agreement.

4. The movement certificate EUR.1 shall be issued by the customs authorities of a Member State of the European Economic Community if the goods to be exported can be considered as products originating in the Community within the meaning of Article 1(1) of this Protocol. The movement certificate EUR.1 shall be issued by the customs authorities of Romania if the goods to be exported can be considered as products originating in Romania within the meaning of Article 1(2) of this Protocol.

5. Where the cumulation provisions of Articles 2 and 3 are applied, the customs authorities of the Member States of the Community or of Romania may issue movement certificates EUR.1 under the conditions laid down in this Protocol if the goods to be exported can be considered as products originating in the Community or Romania within the meaning of this Protocol and provided that the goods covered by the movement certificates EUR.1 are in the Community or in Romania.

In these cases movement certificates EUR.1 shall be issued subject to the presentation of the proof of origin previously issued or made out. This proof of origin must be kept for at least two years by the customs authorities of the exporting State.

6. Since the movement certificate EUR.1 constitutes the documentary evidence for the application of the preferential tariff arrangements laid down in the Agreement, it shall be the responsibility of the customs authorities of the exporting country to take any steps necessary to verify the origin of the goods and to check the other statements on the certificate.

7. For the purpose of verifying whether the conditions for issuing EUR.1 certificates have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

8. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in paragraph 1 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the products must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

9. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

10. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting State when the products to which it relates are exported. It shall be made available to the exporter as soon as actual export has been effected or ensured.

ARTICLE 13

Long-term certificates EUR.1

1. Notwithstanding the provisions of Article 12(10), a movement certificate EUR.1 may be issued by the customs authorities of the exporting State when only part of the products to which it relates are exported, in the case of a certificate covering a series of exportations of the same products from the same exporter to the same importer, over a maximum period of one year from the date of issue, hereinafter referred to as an "LT certificate".

2. LT certificates shall be issued, in accordance with the provisions of Article 12, at the discretion of the customs authorities of the exporting State and according to their own judgment of the need for this procedure, only where the originating status of the goods to be exported is expected to remain unchanged for the period of validity of the LT certificate. If any goods are no longer covered by the LT certificate, the exporter shall immediately inform the customs authorities who issued the certificate.

3. Where the LT certificate procedure applies, the customs authorities of the exporting State may prescribe the use of EUR.1 certificates bearing a distinctive sign by which they may be identified.

4. Box 11 "Customs endorsement" of the EUR.1 certificate must be endorsed as usual by the customs authorities of the exporting State.

5. One of the following phrases shall be entered in box 7 of the EUR.1 certificate:

"CERTIFICADO LT VALIDO HASTA EL... ",

"LT-CERTIFICAT GYLDIGT INDTIL... ",

"LT-CERTIFICATE GÜLTIG BIS... ",

"ΠΙΣΤΟΠΟΙΗΤΙΚΟ LT ΙΣΧΥΟΝ ΜΕΧΡΙ... ",

"LT-CERTIFICATE VALID UNTIL... ",

"CERTIFICAT LT VALABLE JUSQU'AU... ",

"CERTIFICATO LT VALIDO FINO AL... ",

"LT-CERTIFICAAT GELDIG TOT EN MET... ",

"LT-CERTIFICADO VALIDO ATE... ",

"CERTIFICAT LT VALABIL PINA LA... ",

(date indicated in Arabic numerals).

6. Reference is not required in box 8 and box 9 of the LT certificate to the marks and numbers and number and kind of packages and the gross weight (kg) or other measures (litres, m³, etc.). Box 8 must, however, contain a description and designation of the goods which is sufficiently precise to allow for their identification.

7. Notwithstanding Article 18, the LT certificate must be submitted to the customs office of import at or before the first importation of any goods to which it relates. When the importer carries out the customs clearance at several customs offices in the State of importation, the customs authorities may require him to produce a copy of the LT certificate to all of those offices.

8. Where an LT certificate has been submitted to the customs authorities, the evidence of the originating status of the imported goods shall, during the validity of the LT certificate, be given by invoices which satisfy the following conditions:

- (a) when an invoice includes both goods originating in the Community or Romania and non-originating goods, the exporter shall distinguish clearly between these two categories;
- (b) the exporter shall state on each invoice the number of the LT certificate which covers the goods and the date of expiry of the certificate and the names of the country or countries in which the goods originate.

The statement on the invoice made by the exporter of the number of the LT certificate with the indication of the country of origin shall constitute a declaration that the goods fulfil the conditions laid down in this Protocol for the acquisition of preferential origin status in trade between the Community and Romania.

The customs authorities of the exporting State may require that the entries which, under the above provisions, must appear on the invoice, be supported by the manuscript signature followed by the name of the signatory in clear script;

- (c) the description and the designation of the goods on the invoice shall be in sufficient detail to show clearly that the goods are also listed on the LT certificate to which the invoice refers;
- (d) the invoices can be made out only for the goods exported during the period of validity of the relevant LT certificate. They may however be produced at the customs office of importation within four months of their being made out by the exporter.

9. In the framework of the LT certificate procedure, invoices which satisfy the conditions of this Article may be made out and/or transmitted using telecommunications or electronic data-processing methods. Such invoices shall be accepted by the customs of the importing State as evidence of the originating status of the goods imported in accordance with the procedures laid down by the customs authorities there.

10. Should the customs authorities of the exporting State identify that a certificate and/or invoice issued under the provisions of this Article is invalid in relation to any goods supplied, they shall immediately notify the customs authorities of the importing State of the facts.

11. The provisions of this Article shall not prejudice application of the rules of the Community, the Member States and Romania on customs formalities and the use of customs documents.

ARTICLE 14

Issue of EUR.1 retrospectively

1. In exceptional circumstances a movement certificate EUR.1 may also be issued after export of the products to which it relates if it was not issued at the time of export because of errors or involuntary omissions or special circumstances.

2. For the implementation of paragraph 1, the exporter must in the written application:
 - indicate the place and date of export of the products to which the certificate relates;
 - certify that no movement certificate EUR.1 was issued at the time of export of the products in question, and state the reasons.

3. The customs authorities may issue a movement certificate EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases:
"NACHTRÄGLICH AUSGESTELLT", "DELIVRÉ A POSTERIORI",
"RILASCIATO A POSTERIORI", "AFGEGEVEN A POSTERIORI",
"ISSUED RETROSPECTIVELY", "UDSTEDT EFTERFØLGENDE",
"ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ", "EXPEDIDO A POSTERIORI",
"EMITADO A POSTERIORI", "EMIS A POSTERIORI".

4. The endorsement referred to in paragraph 3 shall be inserted in the "Remarks" box on the movement certificate EUR.1.

ARTICLE 15

Issue of a duplicate EUR.1

1. In the event of the theft, loss or destruction of a movement certificate EUR.1, the exporter may apply in writing to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.

2. The duplicate issued in this way must be endorsed with one of the following words:
"DUPLIKAT", "DUPLICATA", "DUPLICATO", "DUPLICAAT",
"DUPLICATE", "DUPLIKAT", "ΑΝΤΙΓΡΑΦΟ", "DUPLICADO",
"SEGUNDA VIA", "DUPLICÁT".

3. The endorsement referred to in paragraph 2 shall be inserted in the "Remarks" box on the movement certificate EUR.1.

4. The duplicate, which must bear the date of issue of the original movement certificate EUR.1, shall take effect as from that date.

ARTICLE 16

Simplified procedure for the issue of certificates

1. By way of derogation from Articles 12, 14 and 15 of this Protocol, a simplified procedure for the issue of EUR.1 movement certificates can be used in accordance with the following provisions.

2. The customs authorities in the exporting State may authorize any exporter, hereinafter referred to as "approved exporter", making frequent shipments for which EUR.1 movement certificates may be issued and who offers, to the satisfaction of the competent authorities, all guarantees necessary to verify the originating status of the products, not to submit to the customs office of the exporting State at the time of export either the goods or the application for an EUR.1 certificate relating to those goods, for the purpose of obtaining an EUR.1 certificate under the conditions laid down in Article 12 of this Protocol.

3. The authorization referred to in paragraph 2 shall stipulate, at the choice of the competent authorities, that box No. 11 "Customs endorsement" of the EUR.1 movement certificate must:

(a) either be endorsed beforehand with the stamp of the competent customs office of the exporting State and the signature, which may be a facsimile, of an official of that office, or

(b) be endorsed by the approved exporter with a special stamp which has been approved by the customs authorities of the exporting State and corresponds to the specimen given in Annex V of this Protocol. Such stamp may be pre-printed on the forms.

4. In the cases referred to in paragraph 3(a), one of the following phrases shall be entered in box No. 7 "Remarks" of the EUR.1 movement certificate:

"PROCEDIMIENTO SIMPLIFICADO", "FORENKLET PROCEDURE",
"VEREINFACHTES VERFAHREN", "ΑΠΛΟΥΣΤΕΥΜΕΝΗ ΔΙΑΔΙΚΑΣΙΑ",
"SIMPLIFIED PROCEDURE", "PROCÉDURE SIMPLIFIÉE",
"PROCEDURA SEMPLIFICATA", "VEREENVOUDIGDE PROCEDURE",
"PROCEDIMENTO SIMPLIFICADO", "PROCEDURA SIMPLIFICATA".

5. Box No. 11 "Customs endorsement" of the EUR.1 certificate shall be completed if necessary by the approved exporter.
6. The approved exporter shall, if necessary, indicate in box No. 13 "Request for verification" of the EUR.1 certificate the name and address of the authority competent to verify such certificate.
7. Where the simplified procedure is applied, the customs authorities of the exporting State may prescribe the use of EUR.1 certificates bearing a distinctive sign by which they may be identified.
8. In the authorization referred to in paragraph 2 the competent authorities shall specify in particular:
 - (a) the conditions under which the applications for EUR.1 certificates are to be made;
 - (b) the conditions under which these applications are to be kept for at least two years;
 - (c) in the cases referred to in paragraph 3(b) the authority competent to carry out the subsequent verification referred to in Article 28 of this Protocol.
9. The customs authorities of the exporting State may declare certain categories of goods ineligible for the special treatment provided for in paragraph 2.
10. The customs authorities shall refuse the authorization referred to in paragraph 2 to exporters who do not offer all the guarantees which they consider necessary. The competent authorities may withdraw the authorization at any time. They must do so where the approved exporter no longer satisfies the conditions or no longer offers these guarantees.
11. The approved exporter may be required to inform the competent authorities, in accordance with the rules which they lay down, of the goods to be dispatched by him, so that such authorities may make any verification they think necessary before the departure of the goods.
12. The customs authorities of the exporting State may carry out any check on approved exporters which they consider necessary. Such exporters must allow this to be done.
13. The provisions of this Article shall be without prejudice to the application of the rules of the Community, the Member States and Romania concerning customs formalities and the use of customs documents.

ARTICLE 17

Replacement of certificates

1. It shall at any time be possible to replace one or more movement certificates EUR.1 by one or more other certificates provided that this is done by the customs office or other competent authorities responsible for controlling the goods.
2. When products which originate in the Community, in Romania or, where the provisions of Article 3 apply, in Bulgaria and are imported into a free zone under cover of an EUR.1 certificate undergo treatment or processing, the authorities concerned must issue a new EUR.1 certificate at the exporter's request if the treatment or processing undergone is in conformity with the provisions of this Protocol.
3. The replacement certificate shall be regarded as a definite movement certificate EUR.1 for the purposes of the application of this Protocol, including the provisions of this Article.
4. The replacement certificate shall be issued on the basis of a written request from the re-exporter, after the authorities concerned have verified the information supplied in the applicant's request. The date and serial number of the original movement certificate EUR.1 shall be given in box 7.

ARTICLE 18

Validity of certificates

1. A movement certificate EUR.1 must be submitted, within four months of the date of issue by the customs authorities of the exporting State, to the customs office of the importing State where the products are entered.
2. Movement certificates EUR.1 which are submitted to the customs authorities of the importing State after the final date of presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificates by the final date set is due to reasons of *force majeure* or exceptional circumstances.
3. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the products have been submitted to them before the said final date.

ARTICLE 19

Exhibitions

1. Products sent from the Community or Romania for exhibition in a country other than Romania or a Member State of the Community and sold after the exhibition for importation into Romania or the Community shall benefit on importation from the provisions of the Agreement on condition that the products meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Romania and provided that it is shown to the satisfaction of the customs authorities that:
 - (a) an exporter has consigned these products from the Community or Romania to the country in which the exhibition is held and has exhibited them there;
 - (b) the products have been sold or otherwise disposed of by that exporter to someone in the Community or Romania;
 - (c) the products have been consigned during the exhibition or immediately thereafter to the Community or Romania in the state in which they were sent for exhibition;
 - (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.
2. A movement certificate EUR.1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the products and the conditions under which they have been exhibited may be required.
3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

ARTICLE 20

Submission of certificates

Movement certificates EUR.1 shall be submitted to the customs authorities in the importing State in accordance with the procedures laid down by that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the implementation of the Agreement.

ARTICLE 21

Importation by instalments

Without prejudice to Article 5(3) of this Protocol, where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the harmonized system is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon import of the first instalment.

ARTICLE 22

Preservation of certificates

Movement certificates EUR.1 shall be preserved by the customs authorities of the importing State in accordance with the rules in force in that State.

ARTICLE 23

Form EUR.2

1. Notwithstanding Article 11, the evidence of originating status, within the meaning of this Protocol, for consignments containing only originating products and whose value does not exceed ECU 5 110 per consignment, may be provided by a form EUR.2, a specimen of which appears in Annex IV to this Protocol.
2. The form EUR.2 shall be completed and signed by the exporter or, under the exporter's responsibility, by his authorized representative in accordance with this Protocol.
3. A form EUR.2 shall be completed for each consignment.
4. The exporter who applied for the form EUR.2 shall submit at the request of the customs authorities of the exporting State all supporting documents concerning the use of this form.
5. Articles 18, 20 and 22 shall apply *mutatis mutandis* to forms EUR.2.

ARTICLE 24

Discrepancies

The discovery of slight discrepancies between the statements made in the movement certificate EUR.1 or in the form EUR.2 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the document null and void if it is duly established that it corresponds to the products submitted.

ARTICLE 25

Exemptions from proof of origin

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR.1 or the completion of form EUR.2, provided that such products are not imported by way of trade and have been declared as meeting the conditions required for the application of the agreement, and where there is no doubt as to the veracity of such declaration.
2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.

Furthermore, the total value of those products must not exceed ECU 365 in the case of small packages or ECU 1 025 in the case of the contents of travellers' personal luggage.

ARTICLE 26

Amounts expressed in ECU

1. Amounts in the national currency of the exporting State equivalent to the amounts expressed in ECU shall be fixed by the exporting State and communicated to the other Parties to this Agreement. When the amounts are more than the corresponding amounts fixed by the importing State, the latter shall accept them if the goods are invoiced in the currency of the exporting State.

If the goods are invoiced in the currency of another State and that State is a Member State of the Community, Romania or, where the provisions of Article 3 apply, Bulgaria, the importing State shall recognize the amount notified by the country concerned.

2. Up to and including 30 April 1993, the ECU to be used in any given national currency shall be the equivalent in that national currency of the ECU as at 3 October 1990. For each successive period of two years, it shall be the equivalent in that national currency of the ECU as at the first working day in October in the year immediately preceding that two-year period.

TITLE III

Arrangements for Administrative Co-operation

ARTICLE 27

Communication of stamps and addresses

The customs authorities of the Member States and of Romania shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of EUR.1 certificates and with the addresses of the customs authorities responsible for issuing movement certificates EUR.1 and for verifying those certificates and forms EUR.2.

ARTICLE 28

Verification of movement certificates EUR.1 and of forms EUR.2

1. Subsequent verification of movement certificates EUR.1 and of forms EUR.2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubts as to the authenticity of the document or the accuracy of the information regarding the true origin of the products in question.
2. For the purpose of the subsequent verification of movement certificates EUR.1, the customs authorities of the exporting State must keep copies of the certificates, as well as any export documents referring to them, for at least two years.
3. In order to ensure the proper application of this Protocol, Romania and the Member States of the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR.1, including those issued under Article 12(5), and the forms EUR.2 and the accuracy of the information concerning the actual origin of the products concerned.
4. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR.1 or form EUR.2, or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an enquiry. The relevant commercial documents, or a copy thereof, shall be attached to the certificate EUR.1 or form EUR.2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.
5. If the customs authorities of the importing State decide to suspend execution of the provisions of the Agreement while awaiting the results of the verification, they shall offer to release the products to the importer subject to any precautionary measures judged necessary.
6. The customs authorities of the importing State shall be informed of the results of the verification as soon as possible. These results must be such as to make it possible to determine whether the disputed movement certificate EUR.1 or form EUR.2 apply to the products in question and whether those products can, in fact, qualify for the application of the preferential arrangements.

If in cases of reasonable doubt there is no reply within 10 months of the date of the verification request, or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting authorities shall refuse, except in the case of *force majeure* or exceptional circumstances, any benefit from the preferential treatment laid down in the Agreement.

7. Disputes which cannot be settled between the customs authorities of the importing State and those of the exporting State, or which raise a question as to the interpretation of this Protocol, shall be submitted to the Customs Co-operation Committee.

8. In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

9. Where the verification procedure or any other available information appears to indicate that the provisions of this Protocol are being contravened, the Community or Romania shall on its own initiative or at the request of the other Party carry out appropriate enquiries or arrange for such enquiries to be carried out with due urgency to identify and prevent such contraventions, and for this purpose the Community or Romania may invite the participation of the other Party in these enquiries.

10. Where the verification procedure or any other available information appears to indicate that the provisions of this Protocol are being contravened, the products would be accepted as originating products under this Protocol only after completion of such aspects of administrative co-operation set down in this Protocol which may have been activated, including in particular the verification procedure.

Likewise, products would be refused treatment as originating products under this Protocol only after the completion of the verification procedure.

ARTICLE 29

Penalties

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect particulars for the purpose of obtaining preferential treatment for products.

ARTICLE 30

Free zones

The Member States and Romania shall take all necessary steps to ensure that products traded under cover of a movement certificate EUR.1, which in the course of transport use a free zone situated in their territory, are not substituted by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

TITLE IV

Ceuta and Melilla

ARTICLE 31

Application of the Protocol

1. The term "Community" used in this Protocol does not cover Ceuta or Melilla. The term "products originating in the Community" does not cover products originating in these zones.

2. This Protocol shall apply *mutatis mutandis* to products originating in Ceuta and Melilla, subject to particular conditions set out in Article 32.

ARTICLE 32

Special conditions

1. The following provisions shall apply instead of Article 1 and references to that Article shall apply *mutatis mutandis* to this Article.
2. Providing they have been transported directly in accordance with the provisions of Article 9, the following shall be considered as:
 - (1) products originating in Ceuta and Melilla:
 - (a) products wholly obtained in Ceuta and Melilla;
 - (b) products obtained in Ceuta and Melilla which contain materials not wholly obtained there, provided that:
 - (i) the said materials have undergone sufficient working or processing within the meaning of Article 5 of this Protocol, or that
 - (ii) those materials originate in Romania or the Community within the meaning of this Protocol, provided that they have undergone working or processing which goes beyond the working or processing referred to in Article 5(3) of this Protocol;
 - (2) products originating in Romania:
 - (a) products wholly obtained in Romania;
 - (b) products obtained in Romania which contain materials not wholly obtained there, provided that:
 - (i) the said materials have undergone sufficient working or processing within the meaning of Article 5 of this Protocol, or that
 - (ii) those materials originate in Ceuta and Melilla or the Community within the meaning of this Protocol, provided that they have undergone working or processing which goes beyond the working or processing referred to in Article 5(3) of this Protocol.
3. Ceuta and Melilla shall be considered as a single territory.
4. The exporter or his authorized representative shall enter “ Romania ” and “ Ceuta and Melilla ” in box 2 of movement certificates EUR.1. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in box 4 of movement certificates EUR.1.
5. The Spanish customs authorities shall be responsible for the application of this Protocol in Ceuta and Melilla.

TITLE V

Final Provisions

ARTICLE 33

Amendments to the Protocol

The Association Council shall examine at two-yearly intervals, or whenever Romania or the Community so request, the application of the provisions of this Protocol, with a view to making any necessary amendments or adaptations.

Such examination shall take into account in particular the participation of the Contracting Parties in free trade zones or customs unions with third countries.

ARTICLE 34

Customs Co-operation Committee

1. A Customs Co-operation Committee shall be set up, charged with carrying out administrative co-operation with a view to the correct and uniform application of this Protocol and with carrying out any other task in the customs field which may be entrusted to it.
2. The Committee shall be composed, on the one hand, of experts of the Member States and of officials of the departments of the Commission of the European Communities who are responsible for customs questions and, on the other hand, of experts nominated by Romania.

ARTICLE 35

Petroleum products

The products set out in Annex VI shall be temporarily excluded from the scope of this Protocol. Nevertheless, the arrangements regarding administrative co-operation shall apply, *mutatis mutandis*, to these products.

ARTICLE 36

Annexes

The Annexes to this Protocol shall form an integral part thereof.

ARTICLE 37

Implementation of the Protocol

The Community and Romania shall each take the steps necessary to implement this Protocol.

ARTICLE 38

Goods in transit or storage

The provisions of the Agreement may be applied to goods which comply with the provisions of this Protocol and which on the date of entry into force of the Agreement are either in transit or are in the Community, in Romania or, to the extent that the provisions of Article 3 apply, in Bulgaria in temporary storage in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State, within four months of that date, of a certificate EUR.1 endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

List of Annexes

Annex I	Notes
Annex II	List of working and processing within the meaning of Article 5(2)
Annex III	Specimen of movement certificate EUR.1
Annex IV	Specimen of form EUR.2
Annex V	Specimen impression of the stamp referred to in Article 16(3)(b)
Annex VI	List of products referred to in Article 35

NOTES

Foreword

These notes shall apply, where appropriate, to all manufactured products using non-originating materials, even if they are not subject to specific conditions contained in the list in Annex II but are subject instead to the change of heading rule set out in Article 5(1).

Note 1

1.1. The first two columns in the list describe the product obtained. The first column gives the heading number or chapter number used in the Harmonized System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in column 3 or 4. Where, in some cases, the entry in the first column is preceded by an “ex”, this signifies that the rule in column 3 or 4 applies only to the part of that heading or chapter as described in column 2.

1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of products in column 2 is therefore given in general terms, the adjacent rule in column 3 applies to all products which, under the Harmonized System, are classified in headings of the chapter or in any of the headings grouped together in column 1.

1.3. Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rule in column 3 or 4.

Note 2

2.1. The term “manufacture” covers any kind of working or processing including “assembly” or specific operations. However, see Note 3.5 below.

2.2. The term “material” covers any ingredient, raw material, component or part, etc., used in the manufacture of the product.

2.3. The term “product” refers to the product being manufactured, even if it is intended for later use in another manufacturing operation.

2.4. The term “goods” covers both materials and products.

Note 3

3.1. In the case of any heading not in the list or any part of a heading that is not in the list, the “change of heading” rule set out in Article 5(1) applies. If a “change of heading” condition applies to any entry in the list, then it is contained in the rule in column 3.

3.2. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.

3.3. Where a rule states that “materials of any heading” may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression “manufacture from materials of any heading, including other materials of heading No...” means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.

3.4. If a product made from non-originating materials which has acquired originating status during manufacture by virtue of the change of heading rule or its own list rule is used as a material in the process of manufacture of another product, then the rule applicable to the product in which it is incorporated does not apply to it.

For example:

An engine of heading No. 8407, for which the rule states that the value of the non-originating materials which may be incorporated may not exceed 40% of the ex-works price, is made from “other alloy steel roughly shaped by forging” of heading No. 7224.

If this forging has been forged in the country concerned from a non-originating ingot then the forging has already acquired origin by virtue of the rule for heading No. ex 7224 in the list. It can then count as originating in the value calculation for the engine regardless of whether it was produced in the same factory or another. The value of the non-originating ingot is thus not taken into account when adding up the value of the non-originating materials used.

3.5. Even if the change of heading rule or the other rules contained in the list are satisfied, a product shall not acquire originating status if the processing carried out, taken as a whole, is insufficient within the meaning of Article 5(3).

3.6. The unit of qualification for the application of the origin rules shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonized System. In the case of sets of products which are classified by virtue of General Rule 3 for the interpretation of the Harmonized System, the unit of qualification shall be determined in respect of each item in the set: this provision is equally applicable to sets of headings Nos. 6308, 8206 and 9605.

Accordingly, it follows that:

- when a product composed of a group or assembly of articles is classified under the terms of the Harmonized System in a single heading, the whole constitutes the unit of qualification,
- when a consignment consists of a number of identical products classified under the same heading of the Harmonized System, each product must be taken individually when applying the origin rules,
- where, under General Rule 5 of the Harmonized System, packing is included with the product for classification purposes, it shall be included for the purposes of determining origin.

Note 4

4.1. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.

4.2. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.

For example:

The rule for fabrics says that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; one can use one or the other or both.

If, however, a restriction applies to one material and other restrictions apply to other materials in the same rule, then the restrictions only apply to the materials actually used.

For example:

The rule for sewing machines specifies that both the thread tension mechanism used and the zigzag mechanism used must originate; these two restrictions only apply if the mechanisms concerned are actually incorporated into the sewing machine.

4.3. When a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

For example:

The rule for heading No. 1904 which specifically excludes the use of cereals or their derivatives does not prevent the use of mineral salts, chemicals and other additives which are not produced from cereals.

For example:

In the case of an article made from non-woven materials, if the use of only non-originating yarn is allowed for this class of article, it is not possible to start from non-woven cloth—even if non-woven cloths cannot normally be made from yarn. In such cases, the starting material would normally be at the stage before yarn—that is the fibre stage.

See also Note 7.3 in relation to textiles.

4.4. If in a rule in the list two or more percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. The maximum value of all the non-originating materials used may never exceed the highest of the percentages given. Furthermore, the individual percentages must not be exceeded in relation to the particular materials they apply to.

Note 5

5.1. The term “natural fibres” is used in the list to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, the term “natural fibres” includes fibres that have been carded, combed or otherwise processed but not spun.

5.2. The term “natural fibres” includes horsehair of heading No. 0503, silk of heading Nos. 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of heading Nos. 5101 to 5105, the cotton fibres of heading Nos. 5201 to 5203 and the other vegetable fibres of heading Nos. 5301 to 5305.

5.3. The terms “textile pulp”, “chemical materials” and “paper-making materials” are used in the list to describe the materials not classified in chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.

5.4. The term “man-made staple fibres” is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of headings Nos. 5501 to 5507.

Note 6

6.1. In the case of the products classified within those headings in the list to which a reference is made to this Note, the conditions set out in column 3 of the list shall not be applied to any basic textile materials used in their manufacture which, taken together, represent 10% or less of the total weight of all the basic textile materials used (but see also Notes 6.3 and 6.4 below).

6.2. However, this tolerance may only be applied to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

- silk;
- wool;
- coarse animal hair;
- fine animal hair;
- horsehair;
- cotton;
- paper-making materials and paper;
- flax;
- true hemp;
- jute and other textile bast fibres;
- sisal and other textile fibres of the genus *Agave*;
- coconut, abaca, ramie and other vegetable textile fibres;
- synthetic man-made filaments;
- artificial man-made filaments;
- synthetic man-made staple fibres;
- artificial man-made staple fibres.

For example:

A yarn of heading No. 5205 made from cotton fibres of heading No. 5203 and synthetic staple fibres of heading No. 5506 is a mixed yarn. Therefore, non-originating synthetic staple fibres that do not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) may be used up to a weight of 10% of the yarn.

For example:

A woollen fabric of heading No. 5112 made from woollen yarn of heading No. 5107 and synthetic yarn of staple fibres of heading No. 5509 is a mixed fabric. Therefore synthetic yarn which does not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) or woollen yarn that does not satisfy the origin rules (which require manufacture from natural fibres, not carded or combed or otherwise prepared for spinning) or a combination of the two may be used up to a weight of 10% of the fabric.

For example:

Tufted textile fabric of heading No. 5802 made from cotton yarn of heading No. 5205 and cotton fabric of heading No. 5210 is only a mixed product if the cotton fabric is itself a mixed fabric being made from yarns classified in two separate headings or if the cotton yarns used are themselves mixtures.

For example:

If the tufted textile fabric concerned had been made from cotton yarn of heading No. 5205 and synthetic fabric of heading No. 5407, then, obviously, the yarns used are two separate basic textile materials and the tufted textile fabric is accordingly a mixed product.

For example:

A carpet with tufts made from both artificial yarns and cotton yarns and with a jute backing is a mixed product because three basic textile materials are used. Thus, any non-originating materials that are at a later stage of manufacture than the rule allows may be used, provided their total weight taken together does not exceed 10% of the weight of the textile materials in the carpet. Thus, both the jute backing and/or the artificial yarns could be imported at that stage of manufacture, provided the weight conditions are met.

6.3. In the case of fabrics incorporating “ yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped ” this tolerance is 20% in respect of this yarn.

6.4. In the case of fabrics incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of an adhesive between two films of plastic film, this tolerance is 30% in respect of this strip.

Note 7

7.1. In the case of those textile products which are marked in the list by a footnote referring to this note, textile materials with the exception of linings and interlinings which do not satisfy the rule set out in the list in column 3 for the made up products concerned may be used provided that they are classified in a heading other than that of the product and that their value does not exceed 8% of the ex-works price of the product.

7.2. Any non-textile trimmings and accessories or other materials used which contain textiles do not have to satisfy the conditions set out in column 3 even though they fall outside the scope of Note 4.3.

7.3. In accordance with Note 4.3, any non-originating non-textile trimmings and accessories or other product, which do not contain any textiles, may, anyway, be used freely where they cannot be made from the materials listed in column 3.

For example:

If a rule in the list says that for a particular textile item, such as a blouse, yarn must be used, this does not prevent the use of metal items, such as buttons, because they cannot be made from textile materials.

7.4. Where a percentage rule applies, the value of trimmings and accessories must be taken into account when calculating the value of the non-originating materials incorporated.

List of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
0201	Meat of bovine animals, fresh or chilled	Manufacture from materials of any heading except meat of bovine animals, frozen of heading No. 0202
0202	Meat of bovine animals, frozen	Manufacture from materials of any heading except meat of bovine animals, fresh or chilled of heading No. 0201
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	Manufacture from materials of any heading except carcasses of headings Nos. 0201 to 0205
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal	Manufacture from materials of any heading except meat and offal of heading Nos. 0201 to 0206 and 0208 or poultry liver of heading No. 0207
0302 to 0305	Fish, other than live fish	Manufacture in which all the materials of Chapter 3 used must already be originating
0402, 0404 to 0406	Dairy products	Manufacture from materials of any heading except milk or cream of heading No. 0401 or 0402
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa	Manufacture in which: —all the materials of Chapter 4 used must already be originating, —any fruit juice (except those of pineapple, lime or grapefruit) of heading No. 2009 used must be originating, and —the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked, by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter	Manufacture from materials of any heading except birds' eggs of heading No. 0407
ex 0502	Prepared pigs', hogs' or boars' bristles and hair	Cleaning, disinfecting, sorting and straightening of bristles and hair
ex 0506	Bones and horn-cores unworked	Manufacture in which all the materials of Chapter 2 used must already be originating
0710 to 0713	Edible vegetables, frozen or dried, provisionally preserved except for heading Nos. ex 0710 and ex 0711	Manufacture in which all the vegetable materials used must already be originating
ex 0710	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen	Manufacture from fresh or chilled sweet corn
ex 0711	Sweet corn, provisionally preserved	Manufacture from fresh or chilled sweet corn
0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter: —Containing added sugar —Other	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the value of the ex works price of the product Manufacture in which all the fruit or nuts used must already be originating

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
0812	Fruit and nuts provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Manufacture in which all the fruit or nuts used must already be originating
0813	Fruit, dried, other than that of heading Nos. 0801 to 0806; mixtures of nuts or dried fruits of this chapter	Manufacture in which all the fruit or nuts used must already be originating
0814	Peel of citrus fruit or melons (including water-melons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Manufacture in which all the fruit or nuts used must already be originating
ex Chapter 11	Products of the milling industry; malt, starches; inulin; wheat gluten, except for heading No. ex 1106	Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No. 0714 or fruit used must already be originating
ex 1106	Flour and meal of the dried, shelled leguminous vegetables of heading No. 0713	Drying and milling of leguminous vegetables of heading No. 0708
1301	Lac; natural gums, resins, gum-resins and balsams	Manufacture in which the value of any materials of heading No. 1301 used may not exceed 50% of the ex works price of the product
ex 1302	Mucilages and thickeners derived from vegetable products, modified	Manufacture from non-modified mucilages and thickeners
1501	Lard; other pig fat and poultry fat, rendered, whether or not pressed or solvent-extracted: —Fats from bones or waste. —Other	Manufacture from materials of any heading except those of heading Nos. 0203, 0206 or 0207 or bones of heading No. 0506 Manufacture from meat or edible offal of swine of heading Nos. 0203 or 0206 or of meat and edible offal of poultry of heading No. 0207
1502	Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted: —Fats from bones or waste —Other	Manufacture from materials of any heading except those of heading Nos. 0201, 0202, 0204 or 0206 or bones of heading No. 0506 Manufacture in which all the animal materials of Chapter 2 used must already be originating
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: —Solid fractions of fish oils and fats and oils of marine mammals —Other	Manufacture from materials of any heading including other materials of heading No. 1504 Manufacture in which all the animal materials of Chapters 2 and 3 used must already be originating
ex 1505	Refined lanolin	Manufacture from crude wool grease of heading No. 1505
1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified: —Solid fractions —Other	Manufacture from materials of any heading including other materials of heading No. 1506 Manufacture in which all the animal materials of Chapter 2 used must already be originating

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 1507 to 1515	Fixed vegetable oils and their fractions, whether or not refined, but not chemically modified: —Solid fractions, except for that of Jojoba oil —Other, except for: —Lung oil, myrtle wax and Japan wax —Those for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture from other materials of heading Nos. 1507 to 1515 Manufacture in which all the vegetable materials used must already be originating
ex 1516	Animal or vegetable fats and oils and their fractions, re-esterified, whether or not refined but not further prepared	Manufacture in which all the animal and vegetable materials used must already be originating
ex 1517	Edible liquid mixtures of vegetable oils of heading Nos. 1507 to 1515	Manufacture in which all the vegetable materials used must already be originating
ex 1519	Industrial fatty alcohols having the character of artificial waxes	Manufacture from materials of any heading including fatty acids of heading No. 1519
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	Manufacture from animals of Chapter 1
1602	Other prepared or preserved meat, meat offal or blood	Manufacture from animals of Chapter 1
1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates	Manufacture from animals of Chapter 1. However, all fish, crustaceans, molluscs or other aquatic invertebrates used must already be originating
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	Manufacture in which all the fish or fish eggs used must already be originating
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	Manufacture in which all the crustaceans, molluscs or other aquatic invertebrates used must already be originating
ex 1701	Cane or beet sugar and chemically pure sucrose, in solid form, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: —Chemically pure maltose and fructose —Other sugars in solid form, flavoured or coloured —Other	Manufacture from materials of any heading including other materials of heading No. 1702 Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product Manufacture in which all the materials used must already be originating
ex 1703	Molasses resulting from the extraction or refining of sugar, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1704	Sugar confectionery (including white chocolate), not containing cocoa	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1806	Chocolate and other food preparations containing cocoa	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos. 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included: —Malt extract —Other	Manufacture from cereals of Chapter 10 Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared	Manufacture in which all the cereals (except durum wheat), meat, meat offal, fish, crustaceans or molluscs used must already be originating
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms	Manufacture from materials of any heading except potato starch heading No. 1108
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: —Not containing cocoa: —Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared —Other —Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos. 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No. 0710 may not be used Manufacture in which: —all the cereals and flour (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and —the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product Manufacture from materials not classified in heading No. 1806, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from materials of any heading, except those of Chapter 11
2001	Vegetables, fruit nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used must already be originating
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the tomatoes used must already be originating
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the mushrooms or truffles used must already be originating
2004 and 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen or not frozen	Manufacture in which all the vegetables used must already be originating
2006	Fruits, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex works price of the product
2008	Fruit, nuts and other edible parts of plants otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: —Fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen —Nuts, not containing added sugar or spirits —Other	Manufacture in which all the fruit and nuts used must already be originating Manufacture in which the value of the originating nuts and oil seeds of heading Nos. 0801, 0802 and 1202 to 1207 used exceeds 60% of the ex works price of the product Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
ex 2009	Fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
ex 2101	Roasted chicory and extracts, essences and concentrates thereof	Manufacture in which all the chicory used must already be originating
ex 2103	—Sauces and preparations therefor, mixed condiments and mixed seasonings	Manufacture in which all the materials used are classified in a heading other than that of the product. However, mustard flour or meal or prepared mustard may be used
ex 2104	—Prepared mustard —Soups and broths and preparations therefor	Manufacture from mustard flour or meal Manufacture from materials of any heading, except prepared or preserved vegetables of heading Nos. 2002 to 2005
ex 2106	—Homogenized composite food preparations Sugar syrups, flavoured or coloured	The rule for the heading in which the product would be classified in bulk shall apply Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex works price of the product
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Manufacture in which all the water used must already be originating
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 2009	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product and any fruit juice used (except for pineapple, lime and grapefruit juices) must already be originating
ex 2204	Wine of fresh grapes, including fortified wines, and grape must with the addition of alcohol	Manufacture from other grape must
2205, ex 2207,	The following, containing grape materials:	Manufacture from materials of any heading, except grapes or any material derived from grapes
ex 2208 and ex 2209	vermouth and other wine of fresh grapes flavoured with plants or aromatic substances; ethyl alcohol and other spirits, denatured or not; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages; vinegar	

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 2208	Whiskies of an alcoholic strength by volume of less than 50% vol	Manufacture in which the value of any cereal based spirits used does not exceed 15% of the ex works price of the product
ex 2303	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% by weight	Manufacture in which all the maize used must already be originating
ex 2306	Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3% of olive oil	Manufacture in which all the olives used must already be originating
2309	Preparations of a kind used in animal feeding	Manufacture in which all the cereals, sugar or molasses, must or milk used must already be originating
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No. 2401 used must already be originating
ex 2403	Smoking tobacco	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No. 2401 used must already be originating
ex 2504	Natural crystalline graphite, with enriched carbon content, purified and ground	Enriching of the carbon content, purifying and grinding of crude crystalline graphite
ex 2515	Marble, merely cut by sawing or otherwise into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm
ex 2516	Granite porphyry, basalt, sandstone and other monumental and building stones, merely cut by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of stones (even if already sawn) of a thickness exceeding 25 cm
ex 2518	Calcined dolomite	Calcination of dolomite not calcined
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture in which all the materials used are classified in a heading other than that of the product. However, natural magnesium carbonate (magnesite) may be used
ex 2520	Plasters specially prepared for dentistry	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 2524	Natural asbestos fibres	Manufacture from asbestos concentrate
ex 2525	Mica powder	Grinding of mica or mica waste
ex 2530	Earth colours, calcined or powdered	Calcination or grinding of earth colours
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	These are Annex VI products
2709 to 2715	Mineral oils and products of their distillation; bituminous substances; mineral waxes	These are Annex VI products

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos. ex 2811 and ex 2833 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 2811	Sulphur trioxide	Manufacture from sulphur dioxide
ex 2833	Aluminium sulphate	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 29	Organic chemicals, except for heading Nos. ex 2901, ex 2902, ex 2905, 2915, ex 2932, 2933 and 2934, for which the position is set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	These are Annex VI products
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	These are Annex VI products
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol or glycerol	Manufacture from materials of any heading, including other materials of heading No. 2905. However, metal alcoholates of this heading may be used, provided their value does not exceed 20% of the ex works price of the product
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading Nos. 2915 and 2916 used may not exceed 20% of the ex works price of the product
ex 2932	—Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives —Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading No. 2909 used may not exceed 20% of the ex works price of the product Manufacture from materials of any heading
2933	Heterocyclic compounds with nitrogen heteroatom(s) only; nucleic acids and their salts:	Manufacture from materials of any heading. However, the value of all the materials of heading Nos. 2932 and 2933 used may not exceed 20% of the ex works price of the product
2934	Other heterocyclic compounds	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex Chapter 30	Pharmaceutical products, except for heading Nos. 3002, 3003 and 3004, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
3002	Human blood, animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products: —Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale	Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
3002 (contd)	Other: —Human blood —Animal blood prepared for therapeutic or prophylactic uses —Blood fractions other than antisera, haemoglobin and serum globulin —Haemoglobin, blood globulin and serum globulin —Other	Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product
3003 and 3004	Medicaments (excluding goods of heading Nos. 3002, 3005 or 3006)	Manufacture in which: —all the materials used are classified within a heading other than that of the product. However, materials of heading No. 3003 or 3004 may be used provided their value, taken together, does not exceed 20% of the ex works price of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 31	Fertilizers except for heading No. ex 3105, for which the rule is set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium; other fertilizers; goods of this chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for: —Sodium nitrate —Calcium cyanamide —Potassium sulphate —Magnesium potassium sulphate	Manufacture in which: —all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks; except for heading Nos. ex 3201 and 3205, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 3201 3205	Tannins and their salts, ethers, esters and other derivatives Colour lakes; preparations as specified in note 3 to this chapter based on colour lakes ¹	Manufacture from tanning extracts of vegetable origin Manufacture from materials of any heading, except heading Nos. 3202 and 3204 provided the value of any materials classified in heading No. 3205 does not exceed 20% of the ex works price of the product
ex Chapter 33 3301	Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for heading No. 3301, for which the rule is set out below Essential oils (terpeneless or not), including concretes and absolutes; resinoids; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product Manufacture from materials of any heading, including materials of a different "group" ² within this heading. However, materials of the same group may be used, provided their value does not exceed 20% of the ex works price of the product
ex Chapter 34 ex 3403 ex 3404	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster; except for heading Nos. ex 3403 and 3404, for which the position is set out below Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70% by weight Artificial waxes and prepared waxes: —With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax —Other	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product These are Annex VI products These are Annex VI products Manufacture from materials of any heading, except: —hydrogenated oils having the character of waxes of heading No. 1516 —fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading No. 1519 —materials of heading No. 3404 However, these materials may be used provided their value does not exceed 20% of the ex works price of the product
ex Chapter 35 3505	Albuminoidal substances; modified starches; glues; enzymes; except for heading Nos. 3505 and ex 3507 for which the rules are set out below Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product

¹Note 3 to Chapter 32 says that these preparations are those of a kind used for colouring any material or used as ingredients in the manufacturing of colouring preparations, provided they are not classified within another heading in Chapter 32.

²A "group" is regarded as any part of the heading separated from the rest by a semi-colon.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 3507	<p>—Starch ethers and esters</p> <p>—Other</p> <p>Prepared enzymes not elsewhere specified or included</p>	<p>Manufacture from materials of any heading, including other materials of heading No. 3505</p> <p>Manufacture from materials of any heading, except those of heading No. 1108</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product</p>
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex Chapter 37	Photographic or cinematographic goods; except for heading Nos. 3701, 3702 and 3704 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
3701	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitized, unexposed, whether or not in packs	Manufacture in which all the materials used are classified in a heading other than heading No. 3702
3702	Photographic film in rolls, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitized, unexposed	Manufacture in which all the materials used are classified within a heading other than heading Nos. 3701 or 3702
3704	Photographic plates, film, paper, paperboard and textiles, exposed but not developed	Manufacture in which all the materials used are classified in a heading other than heading Nos. 3701 to 3704
ex Chapter 38	Miscellaneous chemical products; except for heading Nos. ex 3801, ex 3803, ex 3805, ex 3806, ex 3807, 3808 to 3814, 3818 to 3820, 3822 and 3823 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 3801	<p>—Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes</p> <p>—Graphite in paste form, being a mixture of more than 30% by weight of graphite with mineral oils</p>	<p>Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product</p> <p>Manufacture in which the value of all the materials of heading No. 3403 used does not exceed 20% of the ex works price of the product</p>
ex 3803	Refined tall oil	Refining of crude tall oil
ex 3805	Spirits of sulphate turpentine, purified	Purification by distillation or refining of raw spirits of sulphate turpentine
ex 3806	Ester gums	Manufacture from resin acids
ex 3807	Wood pitch (wood tar pitch)	Distillation of wood tar
3808 to 3814	Miscellaneous chemical products:	
3818 to 3820	—Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals, of heading No. 3811	These are Annex VI products
3822 and 3823	<p>—The following of heading No. 3823:</p> <p>—Prepared binders for foundry moulds or cores based on natural resinous products</p> <p>—Naphthenic acids, their water insoluble salts and their esters</p>	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
	<ul style="list-style-type: none"> —Sorbitol other than that of heading No. 2905 —Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts —Ion exchangers —Getters for vacuum tubes —Alkaline iron oxide for the purification of gas —Ammoniacal gas liquors and spent oxide produced in coal gas purification —Sulphonaphthenic acids, their water insoluble salts and their esters —Fusel oil and Dippel's oil —Mixtures of salts having different anions —Copying pastes with a basis of gelatin, whether or not on a paper or textile backing —Other 	<p>Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product</p>
ex 3901 to 3915	<p>Plastics in primary forms, waste, parings and scrap, of plastic; except for heading No. ex 3907 for which the rule is set out below:</p> <ul style="list-style-type: none"> —Addition homopolymerization products 	<p>Manufacture in which:</p> <ul style="list-style-type: none"> —the value of all the materials used does not exceed 50% of the ex works price of the product, and —the value of any materials of Chapter 39 used does not exceed 20% of the ex works price of the product¹
ex 3907	<ul style="list-style-type: none"> —Other <p>Copolymer, made from polycarbonate and acrylonitrile-butadiene-styrene copolymer (ABS)</p>	<p>Manufacture in which the value of the materials of Chapter 39 used does not exceed 20% of the ex works price of the product¹</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex works price of the product</p>
ex 3916 to 3921	<p>Semi-manufactures and articles of plastics, except for headings Nos. ex 3916, ex 3917 and ex 3920, for which the rules are set out below:</p> <ul style="list-style-type: none"> —Flat products, further worked than only surface-worked or cut into forms other than rectangular (including square); other products, further worked than only surface-worked —Other: <ul style="list-style-type: none"> —Addition homopolymerization products —Other 	<p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 50% of the ex works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> —the value of all the materials used does not exceed 50% of the ex works price of the product, and —the value of any materials of Chapter 39 used does not exceed 20% of the ex works price of the product¹ <p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 20% of the ex works price of the product¹</p>

¹ In the case of products composed of materials classified within both heading Nos. 3901 to 3906, on the one hand, and within heading Nos. 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 3916 and ex 3917	Profile shapes and tubes	Manufacture in which: —the value of all the materials used does not exceed 50% of the ex works price of the product, and —the value of any materials classified in the same heading as the product does not exceed 20% of the ex works price of the product
ex 3920	Ionomer sheet or film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
3922 to 3926	Articles of plastic	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4001	Laminated slabs of crepe rubber for shoes	Lamination of sheets of natural rubber
4005	Compounded rubber, unvulcanized, in primary forms or in plates, sheets or strip	Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50% of the ex works price of the product
4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps of rubber	Manufacture from materials of any heading, except those of heading Nos. 4011 or 4012
ex 4017	Articles of hard rubber	Manufacture from hard rubber
ex 4102	Raw skins of sheep or lambs, without wool on	Removal of wool from sheep or lamb skins, with wool on
4104 to 4107	Leather, without hair or wool other than leather of heading No. 4108 or 4109	Retanning of pre-tanned leather or Manufacture in which all the materials used are classified in a heading other than that of the product
4109	Patent leather and patent laminated leather; metallized leather	Manufacture from leather of heading Nos. 4104 to 4107 provided its value does not exceed 50% of the ex works price of the product
ex 4302	Tanned or dressed furskins, assembled: —Plates, crosses and similar forms —Other	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins Manufacture from non-assembled, tanned or dressed furskins
4303	Articles of apparel, clothing accessories and other articles of furskin	Manufacture from non-assembled, tanned or dressed furskins, of heading No. 4302
ex 4403	Wood roughly squared	Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or finger-jointed	Planing, sanding or finger-jointing
ex 4408	Veneer sheets and sheets for plywood, of a thickness not exceeding 6 mm, sliced, and other wood sawn lengthwise, sliced or peeled, of a thickness not exceeding 6 mm, planed, sanded or finger-jointed	Splicing, planing, sanding or finger-jointing
ex 4409	—Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces, sanded or finger-jointed —Beadings and mouldings	Sanding or finger-jointing Beading or moulding

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4416	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood	Manufacture from riven staves, not further worked than sawn on the two principal surfaces
ex 4418	—Builders' joinery and carpentry of wood	Manufacture in which all the materials used are classified within a heading other than that of the product. However, cellular wood panels, shingles and shales may be used
ex 4421	—Beadings and mouldings Match splints; wooden pegs or pins for footwear	Beading or moulding Manufacture from wood of any heading except drawn wood of heading No. 4409
4503	Articles of natural cork	Manufacture from cork of heading No. 4501
ex 4811	Paper and paperboard, ruled, lined or squared only	Manufacture from paper-making materials of Chapter 47
4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading No. 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes	Manufacture from paper-making materials of Chapter 47
4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4818	Toilet paper	Manufacture from paper-making materials of Chapter 47
ex 4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4820	Letter pads	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape	Manufacture from paper-making materials of Chapter 47
4909	Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings	Manufacture from materials not classified within heading No. 4909 or 4911
4910	Calendars of any kind, printed, including calendar blocks: —Calendars of the "perpetual" type or with replaceable blocks mounted on bases other than paper or paperboard —Other	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product Manufacture from materials not classified within heading No. 4909 or 4911

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed	Carding or combing of silk waste
5501 to 5507 ex Chapter 50 to Chapter 55	Man-made staple fibres Yarn, monofilament and thread Woven fabrics: —Incorporating rubber thread —Other	Manufacture from chemical materials or textile pulp Manufacture from ¹ : —raw silk, silk waste, carded or combed or otherwise processed for spinning, —other natural fibres not carded, combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials Manufacture from single yarn ¹ Manufacture from ¹ : —coir yarn, —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex works price of the product
ex Chapter 56	Wadding, felt and non-wovens; special yarns, twine cordage, ropes and cables and articles thereof except for heading Nos. 5602, 5604, 5605 and 5606, for which the rules are set out below	Manufacture from ¹ : —coir yarn, —natural fibres, —chemical materials or textile pulp, or —paper-making materials
5602	Felt, whether or not impregnated, coated, covered or laminated: —Needleloom felt —Other	Manufacture from ¹ : —natural fibres, —chemical materials or textile pulp However: —polypropylene filament of heading No. 5402, —polypropylene fibres of heading No. 5503 or 5506, or —polypropylene filament tow of heading No. 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided that their value does not exceed 40% of the ex works price of the product Manufacture from ¹ : —natural fibres, —man-made staple fibres made from casein, or —chemical materials or textile pulp

¹ For special conditions relating to products made of a mixture of textile materials, see Note 6.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No. 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics: —Rubber thread and cord, textile covered —Other	Manufacture from rubber thread or cord, not textile covered Manufacture from ¹ : —natural fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials
5605	Metallized yarn, whether or not gimped, being textile yarn, or strip or the like of heading No. 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	Manufacture from ¹ : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials
5606	Gimped yarn, and strip and the like of heading No. 5404 or 5405, gimped (other than those of heading No. 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn	Manufacture from ¹ : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials
Chapter 57	Carpets and other textile floor coverings: —Of needleloom felt —Of other felt —Other	Manufacture from ¹ : —natural fibres, or —chemical materials or textile pulp. However: —polypropylene filament of heading No. 5402, —polypropylene fibres of heading No. 5503 or 5506, or —polypropylene filament tow of heading No. 5501 of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided that their value does not exceed 40% of the ex works price of the product Manufacture from ¹ : —natural fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp Manufacture from ¹ : —coir yarn, —synthetic or artificial filament yarn, —natural fibres, or —man-made staple fibres not carded or combed or otherwise processed for spinning
ex Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings, embroidery, except for heading Nos. 5805 and 5810; the rule for heading No. 5810 is set out below:	

¹ For special conditions relating to products made of a mixture of textile materials, see Note 6.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
5810	<p>—Combined with rubber thread —Other</p> <p>Embroidery in the piece, in strips or in motifs</p>	<p>Manufacture from single yarn¹ Manufacture from¹: —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex works price of the product Manufacture in which: —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product</p>
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from yarn
5902	<p>Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon:</p> <p>—Containing not more than 90% by weight of textile materials —Other</p>	<p>Manufacture from yarn</p> <p>Manufacture from chemical materials or textile pulp</p>
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading No. 5902	Manufacture from yarn
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from yarn ¹
5905	<p>Textile wall coverings:</p> <p>—Impregnated, coated, covered or laminated with rubber, plastics or other materials —Other</p>	<p>Manufacture from yarn</p> <p>Manufacture from¹: —coir yarn, —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex works price of the product</p>

¹ For special conditions relating to products made of a mixture of textile materials, see Note 6.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
5906	Rubberized textile fabrics, other than those of heading No. 5902: —Knitted or crocheted fabrics —Other fabrics made of synthetic filament yarn, containing more than 90% by weight of textile materials —Other	Manufacture from ¹ : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp Manufacture from chemical materials Manufacture from yarn
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn
ex 5908	Incandescent gas mantles, impregnated	Manufacture from tubular knitted gas mantle fabric
5909 to 5911	Textile articles of a kind suitable for industrial use: —Polishing discs or rings other than of felt of heading No. 5911 —Other	Manufacture from yarn or waste fabrics or rags of heading No. 6310 Manufacture from ¹ : —coir yarn, —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
Chapter 60	Knitted or crocheted fabrics	Manufacture from ¹ : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted: —Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form —Other	Manufacture from yarn ² Manufacture from ¹ : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted, except for heading Nos. ex 6202, ex 6204, ex 6206, ex 6209, ex 6210, 6211, 6213, 6214, ex 6216 and ex 6217 for which the rules are set out below	Manufacture from yarn ²

¹ For special conditions relating to products made of a mixture of textile materials, see Note 6.

² See Note 7.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 6202 ex 6204 ex 6206 ex 6209 ex 6211 and ex 6217 ex 6210 ex 6216 and ex 6217	Women's, girls' and babies' clothing and 'other made-up clothing accessories', embroidered Fire-resistant equipment of fabric covered with foil of aluminized polyester	Manufacture from yarn ¹ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex works price of the product ² Manufacture from yarn ¹ or Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40% of the ex works price of the product ¹
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like: —Embroidered	Manufacture from unbleached single yarn ^{1,2} or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex works price of the product ¹
ex 6217	—Other Interlinings for collars and cuffs, cut out	Manufacture from unbleached single yarn ^{1,2} Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 40% of the ex works price of the product
6301 to 6304	Blankets, travelling rugs, bed linen etc; curtains, etc.; other furnishing articles: —Of felt, of non-wovens —Other: —Embroidered	Manufacture from ² : —natural fibres, or —chemical materials or textile pulp Manufacture from unbleached single yarn ^{2,3} or Manufacture from unembroidered fabric (other than knitted or crocheted) provided the value of the unembroidered fabric used does not exceed 40% of the ex works price of the product
6305	—Other Sacks and bags, of a kind used for the packing of goods	Manufacture from unbleached single yarn ^{2,3} Manufacture from ² : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
6306	Tarpaulins, sails for boats, sailboards or landcraft, awnings, sunblinds, tents and camping goods: —Of non-wovens	Manufacture from ² : —natural fibres, or —chemical materials or textile pulp
ex 6307	—Other Other made-up articles, including dress patterns	Manufacture from unbleached single yarn Manufactures in which the value of all the materials used does not exceed 40% of the ex works price of the product

¹ See Note 7.

² For special conditions relating to products made of a mixture of textile materials, see Note 6.

³ For knitted or crocheted articles, not elastic or rubberized, obtained by sewing or assembly of pieces of knitted or crocheted fabric (cut out or knitted directly to shape) see Note 7.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated provided their total value does not exceed 15% of the ex works price of the set
6401 to 6405	Footwear	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No. 6406
6503	Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading No. 6501, whether or not lined or trimmed	Manufacture from yarn or textile fibres ¹
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed	Manufacture from yarn or textile fibres ¹
6601	Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 6803	Articles of slate or of agglomerated slate	Manufacture from worked slate
ex 6812	Articles of asbestos or of mixtures with a basis of asbestos or with a basis of asbestos and magnesium carbonate	Manufacture from materials of any heading
ex 6814	Articles of mica; including agglomerated or reconstituted mica on a support of paper, paperboard or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)
7006	Glass of heading No. 7003, 7004 or 7005, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials	Manufacture from materials of heading No. 7001
7007	Safety glass, consisting of toughened (tempered) or laminated glass	Manufacture from materials of heading No. 7001
7008	Multiple-walled insulating units of glass	Manufacture from materials of heading No. 7001
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of heading No. 7001
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No. 7010 or 7018)	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex works price of the product or Hand-decoration (with the exception of silk screen printing) of hand-blown glassware, provided the value of the hand-blown glassware does not exceed 50% of the ex works price of the product

¹ See Note 7.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from: —uncoloured slivers, rovings, yarn or chopped strands, or —glass wool
ex 7102 ex 7103 and ex 7104	Worked precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture from unworked precious or semi-precious stones
7106 7108 and 7110	Precious metals: —Unwrought	Manufacture from materials not classified in heading No. 7106, 7108 or 7110 or Electrolytic, thermal or chemical separation of precious metals of heading No. 7106, 7108 or 7110 or Alloying of precious metals of heading No. 7106, 7108 or 7110 with each other or with base metals
	—Semi-manufactured or in powder form (All)	Manufacture from unwrought precious metals
ex 7107 ex 7109 and ex 7111	Metals clad with precious metals, semi-manufactured	Manufacture from metals clad with precious metals, unwrought
7116	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
7117	Imitation jewellery	Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from base metal parts, not plated or covered with precious metals, provided the value of all the materials used does not exceed 50% of the ex works price of the product
7207	Semi-finished products of iron or non-alloy steel	Manufacture from materials of heading Nos. 7201, 7202, 7203, 7204 or 7205
7208 to 7216	Flat-rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel	Manufacture from ingots or other primary forms of heading No. 7206
7217	Wire of iron or non-alloy steel	Manufacture from semi-finished materials of heading No. 7207
ex 7218 7219 to 7222	Semi-finished products, flat-rolled products, bars and rods, angles, shapes and sections of stainless steel	Manufacture from ingots or other primary forms of heading No. 7218
7223	Wire of stainless steel	Manufacture from semi-finished materials of heading No. 7218
ex 7224 7225 to 7227	Semi-finished products, flat-rolled products, bars and rods, in irregularly wound coils, of other alloy steel	Manufacture from ingots or other primary forms of heading No. 7224
7228	Other bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel	Manufacture from ingots or other primary forms of heading Nos. 7206, 7218 or 7224
7229	Wire of other alloy steel	Manufacture from semi-finished materials of heading No. 7224

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 7301	Sheet piling	Manufacture from materials of heading No. 7206
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails	Manufacture from materials of heading No. 7206
7304 7305 and 7306	Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel	Manufacture from materials of heading Nos. 7206, 7207, 7218 or 7224
7308	Structures (excluding prefabricated buildings of heading No. 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture in which all the materials used are classified within a heading other than that of the product. However, welded angles, shapes and sections of heading No. 7301 may not be used
ex 7315	Skid-chains	Manufacture in which the value of all the materials of heading No. 7315 used does not exceed 50% of the ex works price of the product
ex 7322	Radiators for central heating, not electrically heated	Manufacture in which the value of all the materials of heading No. 7322 used does not exceed 5% of the ex works price of the product
ex Chapter 74	Copper and articles thereof, except for heading Nos. 7401 to 7405; the rule for heading No. ex 7403 is set out below	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 7403	Copper alloys, unwrought	Manufacture from refined copper, unwrought, or waste and scrap
ex Chapter 75	Nickel and articles thereof, except for heading Nos. 7501 to 7503;	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 76	Aluminium and articles thereof, except for heading Nos. 7601, 7602 and ex 7616; the rules for heading Nos. 7601 and ex 7616 are set out below	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
7601	Unwrought aluminium	Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 7616	Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium	<p>Manufacture in which:</p> <ul style="list-style-type: none"> —all the materials used are classified within a heading other than that of the product. However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 78	Lead and articles thereof, except for heading Nos. 7801 and 7802; the rule for heading No. 7801 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
7801	<p>Unwrought lead:</p> <ul style="list-style-type: none"> —Refined lead —Other 	<p>Manufacture from “bullion” or “work” lead</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No. 7802 may not be used</p>
ex Chapter 79	Zinc and articles thereof, except for heading Nos. 7901 and 7902; the rule for heading No. 7901 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
7901	Unwrought zinc	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No. 7902 may not be used</p>
ex Chapter 80	Tin and articles thereof, except for heading Nos. 8001, 8002 and 8007; the rule for heading No. 8001 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
8001	Unwrought tin	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No. 8002 may not be used</p>
ex Chapter 81	Other base metals, wrought; articles thereof	<p>Manufacture in which the value of all the materials classified in the same heading as the products used does not exceed 50% of the ex works price of the product</p>
8206	Tools of two or more of the heading Nos. 8202 to 8205, put up in sets for retail sale	<p>Manufacture in which all the materials used are classified in a heading other than heading Nos. 8202 to 8205. However, tools of heading Nos. 8202 to 8205 may be incorporated into the set provided their value does not exceed 15% of the ex works price of the set</p>

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8207	Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning or screwdriving), including dies for drawing or extruding metal, and rock-drilling or earth-boring tools	Manufacture in which: —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 40% of the ex works price of the product
8208	Knives and cutting blades, for machines or for mechanical appliances	Manufacture in which: —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 40% of the ex works price of the product
ex 8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No. 8208	Manufacture in which all the materials used are classified in a heading other than that of the product. However, knife blades and handles of base metal may be used
8214	Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)	Manufacture in which all the materials used are classified in a heading other than that of the product. However, handles of base metal may be used
8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or table ware	Manufacture in which all the materials used are classified in a heading other than that of the product. However, handles of base metal may be used
ex 8306	Statuettes and other ornaments, of base metal	Manufacture in which all the materials used are classified in a heading other than that of the product. However, the other materials of heading No. 8306 may be used provided their value does not exceed 30% of the ex works price of the product
ex Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 8403, ex 8404, 8406 to 8409, 8412, 8415, 8418, ex 8419, 8420, 8425 to 8430, ex 8431, 8439, 8441, 8444 to 8447, ex 8448, 8452, 8456 to 8466, 8469 to 8472, 8480, 8484 and 8485	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8403 and ex 8404	Central heating boilers, other than those of heading No. 8402, and auxiliary plant for central heating boilers	Manufacture in which all the materials used are classified in a heading other than heading No. 8403 or 8404. However, materials which are classified in heading No. 8403 or 8404 may be used provided their value, taken together, does not exceed 5% of the ex works price of the product
8406	Steam turbines and other vapour turbines	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8409	Parts suitable for use solely or principally with the engines of heading No. 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8412	Other engines and motors	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8415	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other heat pumps other than air conditioning machines of heading No. 8415	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 8419	Machines for the wood, paper pulp and paperboard industries	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8425 to 8428	Lifting, handling, loading or unloading machinery	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified in heading No. 8431 are only used up to a value of 5% of the ex works price of the product
8429	<p>Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers:</p> <ul style="list-style-type: none"> —Road rollers —Other 	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the value of the materials classified within heading No. 8431 are only used up to a value of 5% of the ex works price of the product
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the value of the materials classified within heading No. 8431 are only used up to a value of 5% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 8431	Parts for road rollers	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8444 to 8447	Machines of these headings for use in the textile industry	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex 8448	Auxiliary machinery for use with machines for heading Nos. 8444 and 8445	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8452	Sewing machines, other than book sewing machines of heading No. 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles: —Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor —Other	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all of the non-originating materials used in assembling the head (without motor) does not exceed the value of the originating materials used, and —the thread tension, crochet and zigzag mechanisms used are already originating Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8456 to 8466	Machine-tools and machines and their parts and accessories of heading Nos. 8456 to 8466	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8469 to 8472	Office machines (for example, typewriters, calculating machines, automatic data-processing machines, duplicating machines, stapling machines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8485	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers and parts and accessories of such articles; except for those falling within the following headings or parts of headings for which the rules are set out below: 8501, 8502, ex 8518, 8519 to 8529, 8535 to 8537, 8542, 8544 to 8546 and 8548	Manufacture: —in which the value of all the materials used does not exceed 40% of ex works price of the product, and —where, within the above limit, the materials classified within the same heading at the product are only used up to a value of 5% of the ex works price of the product
8501	Electric motors and generators (excluding generating sets)	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within heading No. 8503 are only used up to a value of 5% of the ex works price of the product
8502	Electric generating sets and rotary converters	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within heading No. 8501 or 8503, taken together, are only used up to a value of 5% of the ex works price of the product
ex 8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; audio-frequency electric amplifiers; electric sound amplifier sets	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8519	Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8520	Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8521	Video recording or reproducing apparatus	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8522	Parts and accessories of apparatus of heading Nos. 8519 to 8521	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8524	Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37:	

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
	<p>—Matrices and masters for the production of records</p> <p>—Other</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product</p> <p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within heading No. 8523 are only used up to a value of 5% of the ex works price of the product</p>
8525	Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating material used does not exceed the value of the originating materials used</p>
8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8527	Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8528	Television receivers (including video monitors and video projectors), whether or not combined, in the same housing, with radio-broadcast receivers or sound or video recording or reproducing apparatus	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8529	<p>Parts suitable for use solely or principally with the apparatus of heading Nos. 8525 to 8528</p> <p>—Suitable for use solely or principally with video recording or reproducing apparatus</p> <p>—Other</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product</p> <p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8535 and 8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within heading No. 8538 are only used up to a value of 5% of the ex works price of the product</p>
8537	Boards, panels (including numerical control panels), consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading No. 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, other than switching apparatus of heading No. 8517	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within heading No. 8538 are only used up to a value of 5% of the ex works price of the product</p>

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8542	Electronic integrated circuits and microassemblies	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within heading No. 8541 or 8542, taken together, are only used up to a value of 5% of the ex works price of the product
8544	Insulated (including enamelled or anodized) wire, cable (including co-axial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8548	Electrical parts of machinery or apparatus, not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8601 to 8607	Railway or tramway locomotives, rolling-stock and parts thereof	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8608	Railway or tramway track fixtures and fittings; mechanical (including electromechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities; port installations or airfields; parts of the foregoing	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8609	Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock and parts and accessories thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 8709 to 8711, ex 8712, 8715 and 8716	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8709	Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8710	Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
ex 8712	Bicycles without ball bearings	Manufacture from materials not classified within heading No. 8714
8715	Baby carriages and parts thereof	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product</p>
8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product</p>
8803	Parts of goods of heading No. 8801 or 8802	Manufacture in which the value of all the materials of heading No. 8803 used does not exceed 5% of the ex works price of the product
8804	Parachutes (including dirigible parachutes) and rotachutes; parts thereof and accessories thereto: —Rotachutes —Other	<p>Manufacture from materials of any heading including other materials of heading No. 8804</p> <p>Manufacture in which the value of all the materials of heading No. 8804 used does not exceed 5% of the ex works price of the product</p>
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture in which the value of all the materials of heading No. 8805 used does not exceed 5% of the ex works price of the product
Chapter 89	Ships, boats and floating structures	Manufacture in which all the materials used are classified within a heading other than that of the product. However, hulls of heading No. 8906 may not be used
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 9001, 9002, 9004, ex 9005, ex 9006, 9007, 9011, ex 9014, 9015 to 9017, ex 9018, 9024 to 9033	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product</p>
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No. 8544; sheets and plates of polarizing material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9004	Spectacles, goggles and the like, corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex 9005	Binoculars, monoculars, other optical telescopes, and mountings therefor, except for astronomical refracting telescopes and mountings therefor	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 9006	Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than electrically ignited flashbulbs	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9011	Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection	<p>Manufacture:</p> <ul style="list-style-type: none"> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 9014	Other navigational instruments and appliances	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9016	Balances of a sensitivity of 5 cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9017	Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex 9018	Dentists' chairs incorporating dental appliances or dentists' spittoons	Manufacture from materials of any heading, including other materials of heading No. 9018
9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9026	Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading No. 9014, 9015, 9028 or 9032	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9027	Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9028	Gas, liquid or electricity supply or production meters, including calibrating meters therefor —Parts and accessories —Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading No. 9014 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading No. 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9033	Parts and accessories (not specified or included elsewhere in this chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex Chapter 91	Clocks and watches and parts thereof, except for those falling under the following headings for which the rules are set out below: 9105, 9109 to 9113	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9105	Other clocks	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9109	Clock movements, complete and assembled	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9110	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements	Manufacture: —in which the value of all the materials used does not exceed 40% of ex works price of the product, and —where, within the above limit, the materials classified within heading No. 9114 are only used up to a value of 5% of the ex works price of the product
9111	Watch cases and parts thereof	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
9112	Clock cases and cases of a similar type for other goods of this chapter, and parts thereof	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
9113	Watch straps, watch bands and watch bracelets, and parts thereof: —Of base metal, whether or not plated, or clad with precious metal —Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
Chapter 92	Musical instruments, parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
Chapter 93	Arms and ammunitions; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less	Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from cotton cloth already made up in a form ready for use of heading No. 9401 or 9403, provided: —its value does not exceed 25% of the ex works price of the product, and —all the other materials used are already originating and are classified within a heading other than heading No. 9401 or 9403
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
9503	Other toys; reduced-size ("scale") models and similar recreational models, working or not; puzzles of all kinds	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —provided the value of all the materials used does not exceed 50% of the ex works price of the product
ex 9506	Finished golf club heads	Manufacture from roughly shaped blocks
9507	Fishing rods, fish-hooks and other line fishing tackle; fish landing nets, butterfly nets and similar nets; decoy "birds" (other than those of heading No. 9208 or 9705) and similar hunting or shooting requisites:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 5% of the ex works price of the product
ex 9601 and ex 9602	Articles of animal, vegetable or mineral carving materials	Manufacture from "worked" carving materials of the same heading
ex 9603	Brooms and brushes, (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided their total value does not exceed 15% of the ex works price of the set
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
9608	Ball point pens; felt tipped and other porous-tipped pens and markers, fountain pens, stylograph pens and other pens; duplicating stylos, propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading No. 9609	Manufacture in which all the materials used are classified within a heading other than that of the product. However, nibs or nib points may be used and the other materials classified within the same heading may also be used provided their value does not exceed 5% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 9614	Smoking pipes or pipe bowls	Manufacture from roughly shaped blocks

Movement Certificates EUR. 1

1. Movement Certificates EUR. 1 shall be made out on the form of which a specimen appears in this Annex. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State. If they are handwritten, they shall be completed in ink and in capital letters.
2. Each certificate shall measure 210 × 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
3. The competent authorities of the Member States of the Community and of Romania may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000 See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Certificate used in preferential trade between and (Insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item Number; Makes and numbers; Number and kind of packages (1); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	
11. CUSTOMS ENDORSEMENT Declaration certified Export document (2) Form No..... Customs office Issuing country or territory Stamp Date (Signature)	12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date..... (Signature)		

(1) If goods are not packed, indicate number of articles or state "in bulk" as appropriate

(2) Complete only where the regulations of the exporting country or territory require

13. REQUEST FOR VERIFICATION, to:	14. RESULT OF VERIFICATION,
<p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p>	<p>Verification carried out shows that this certificate (*)</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p> <p>(*) Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

(*) If goods are not packed, indicate number of articles or state "in bulk" as appropriate

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Application for a certificate to be used in preferential trade between and (Insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item Number; Makes and numbers; Number and kind of packages (!); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate:

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....
.....
.....
.....

SUBMIT the following supporting documents⁽¹⁾:

.....
.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities:

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example, import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

FORM EUR. 2

1. Form EUR. 2 shall be made out on the form of which a specimen appears in this Annex. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Forms shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State. If they are handwritten, they shall be completed in ink and in capital letters.
2. Each Form EUR. 2 shall measure 210 × 148 mm; a maximum tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 64 g/m².
3. The competent authorities of the Member States of the Community and of Romania may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case each form must include a reference to such approval. Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

(RECTO)

Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No.		1	Form used in preferential trade between ⁽¹⁾ and.....			
2	Exporter (Name, full address, country)	3 Declaration by exporter I, the undersigned, exporter of the goods described below declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.				
4	Consignee (Name, full address, country)					
					5	Place and date
		6 Signature of exporter				
7	Remarks ⁽¹⁾	8	Country of origin ⁽²⁾	9	Country of destination ⁽²⁾	
					10	Gross weight (kg)
11 Marks; Numbers of consignment: Description of goods				12 Authority in the exporting country ⁽⁴⁾ responsible for verification of the declaration by the exporter.		

⁽¹⁾ Insert the countries, groups of countries or territories concerned.

⁽²⁾ Refer to any verification carried out by the appropriate authorities.

⁽³⁾ The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.

⁽⁴⁾ The term 'country' means country, group of countries or territory of destination.

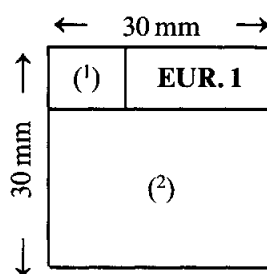
(VERSO)

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested.⁽¹⁾</p> <p>.....19..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that (*)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended).</p> <p>.....19..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p> <p>(*) Insert X in the appropriate box.</p>
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⁽¹⁾ Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR. 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference "EUR. 2" and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

Specimen impression of the stamp mentioned in Article 16(3)(b)

(1) Initials or coat of arms of the exporting State.

(2) Such information as is necessary for the identification of the approved exporter.

List of products referred to in Article 35 which are temporarily excluded from the scope of this Protocol

HS heading No.	Description of product
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
2709 to 2715	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 2901	Acyclic hydrocarbons for use as power or heating fuels
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels
ex 3403	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70% by weight
ex 3404	Artificial waxes and prepared waxes with a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax
ex 3811	Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals

PROTOCOL No. 5

CHAPTER I

Specific provisions relating to trade between Spain and Romania

ARTICLE 1

The provisions of the Agreement relating to trade in Title III shall be amended as follows in order to take account of the measures and undertakings listed in the Act of Accession of the Kingdom of Spain to the European Communities (hereinafter called "the Act of Accession").

ARTICLE 2

Under the Act of Accession, Spain shall not grant to products originating in Romania more favourable treatment than it provides for imports originating or in free circulation in other Member States.

ARTICLE 3

1. Duties applied by the Kingdom of Spain to agricultural products as defined in Article 19 of the Agreement originating in Romania and listed in Annexes XIb and XIIb of the Agreement shall be progressively aligned with those applied by the Community of Ten in accordance with the procedure and timetables set out below in Articles 75(2) and 75(3) of the Act of Accession.

2. Levies applied by the Kingdom of Spain to agricultural products referred to in Article 21(2) of the Agreement originating in Romania and listed in Annexes XIa and XIIa, and to the agricultural component of products referred to in Protocol 3 originating in Romania, will be the levies applied each year by the Community of Ten adjusted by the accession compensatory amounts as set out in the Act of Accession.

ARTICLE 4

The implementation by Spain of the undertakings covered by Article 10(4) of the Agreement shall take place at the time set for the remaining Member States always provided that Romania has been removed from the scope of Regulations (EEC) No. 1765/82 and (EEC) No. 3420/83 on import arrangements for products originating in State-trading countries.

ARTICLE 5

Quantitative restrictions may be applied to imports into Spain of products originating in Romania until 31 December 1995 in respect of the products listed in Annex A.

ARTICLE 6

Application of the provisions of this Protocol shall be without prejudice to Council Regulation (EEC) No. 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands or Council Decision 91/314/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of the Canary Islands (POSEICAN).

CHAPTER II

Specific provisions relating to trade between Portugal and Romania

ARTICLE 7

The provisions of the Agreement relating to trade in Title III shall be amended as follows in order to take account of the measures and undertakings listed in the Act of Accession of the Portuguese Republic to the European Communities (hereinafter called "the Act of Accession").

ARTICLE 8

Under the Act of Accession, Portugal shall not grant Romania more favourable treatment than is provided for imports originating in other Member States.

ARTICLE 9

1. The duties applicable by the Portuguese Republic to industrial products originating in Romania and referred to in Article 10 of the Agreement and in Protocols No. 1 and No. 2 and to the non-agricultural components of products included in Protocol No. 3 shall be phased out according to the procedure and timetables set forth in this Article.

2. Tariff dismantling shall take as its basic starting point the duties actually applied by the Portuguese Republic in its trade with the Community of Ten on 1 January 1985; from the entry into force of the Agreement, duties shall be aligned on those applied by the Community of Ten.

However, for products referred to in Annex XXXI of the Act of Accession, tariff dismantling shall be carried out according to the same timetable and start from the duties actually applied by the Portuguese Republic in its trade with third countries on 1 January 1985.

ARTICLE 10

1. The duties applied by the Portuguese Republic to agricultural products as defined in Article 19 of the Agreement originating in Romania and listed in Annexes XIb and XIIb of the Agreement shall be progressively aligned with those applied by the Community of Ten in accordance with the procedure and timetables set out below in this Article.

2. For agricultural products other than those referred to in paragraph 3 of this Article the Portuguese Republic shall reduce its tariffs from those actually applied by it in its trade with third countries on 1 January 1985. Each year the difference between those and those applied by the Community of Ten shall be reduced in accordance with the following timetable:

- from entry into force of the Agreement the difference shall be reduced to 27,2% of the original difference;
- on 1 January 1994 the difference shall be reduced to 18,1% of the original difference;
- on 1 January 1995 the difference shall be reduced to 9% of the original difference;
- from 1 January 1996 the Portuguese Republic shall apply the same duties as the Community of Ten.

3. The Portuguese Republic shall apply a duty to the agricultural products referred to in Regulations (EEC) No. 136/66, No. 804/68, No. 805/68, No. 1035/72, No. 2727/75, No. 2759/75, No. 2771/75, No. 2777/75, No. 1418/76 and No. 822/87, which reduces the difference between the duty actually applied on 31 December 1990 and the preferential duty in accordance with the following timetable:

- from the entry into force of the Agreement the difference shall be reduced to 49,9% of the initial difference;
- on 1 January 1994 the difference shall be reduced to 33,2% of the initial difference;
- on 1 January 1995 the difference shall be reduced to 16,5% of the initial difference.

Portugal shall apply preferential rates in full from 1 January 1996.

ARTICLE 11

The implementation by Portugal of the undertakings covered by Article 10(4) of the European Agreement shall take place at the time set for the remaining Member States always provided that Romania has been removed from the scope of Regulations (EEC) No. 1765/82 and (EEC) No. 3420/83 on import arrangements for products originating in State-trading countries.

ARTICLE 12

Quantitative restrictions may be applied to imports into Portugal of products originating in Romania until 31 December 1995 in respect of the products listed in Annex B.

ANNEX A

CN code	Notes	Timetable for liberalization
ex 0102 90 10	(1)	31.12.1995
ex 0102 90 31	(1)	31.12.1995
ex 0102 90 33	(1)	31.12.1995
ex 0102 90 35	(1)	31.12.1995
ex 0102 90 37	(1)	31.12.1995
0103 91 10		31.12.1995
0103 92 11		31.12.1995
0103 92 19		31.12.1995
0201		31.12.1995
0203 11 10		31.12.1995
0203 12 11		31.12.1995
0203 12 19		31.12.1995
0203 19 11		31.12.1995
0203 19 13		31.12.1995
0203 19 15		31.12.1995
0203 19 55		31.12.1995
0203 19 59		31.12.1995
0203 21 10		31.12.1995
0203 22 11		31.12.1995
0203 22 19		31.12.1995
0203 29 11		31.12.1995
0203 29 13		31.12.1995
0203 29 15		31.12.1995
0203 29 55		31.12.1995
0203 29 59		31.12.1995
0206 30 21		31.12.1995
0206 30 31		31.12.1995
0206 41 91		31.12.1995
0206 49 91		31.12.1995
0208 10 10		31.12.1995
0209 00 11		31.12.1995
0209 00 19		31.12.1995
0209 00 30		31.12.1995
0210 11 11		31.12.1995
0210 11 19		31.12.1995
0210 11 31		31.12.1995
0210 11 39		31.12.1995
0210 12 11		31.12.1995
0210 12 19		31.12.1995
0210 19 10		31.12.1995
0210 19 20		31.12.1995
0210 19 30		31.12.1995
0210 19 40		31.12.1995
0210 19 51		31.12.1995
0210 19 59		31.12.1995
0210 19 60		31.12.1995
0210 19 70		31.12.1995
0210 19 81		31.12.1995
0210 19 89		31.12.1995
0210 90 31		31.12.1995
0210 90 39		31.12.1995
ex 0210 90 90	(2)	31.12.1995
0401		31.12.1995
0403 10 22		31.12.1995
0403 10 24		31.12.1995
0403 10 26		31.12.1995
ex 0403 90 51	(3)	31.12.1995
ex 0403 90 53	(3)	31.12.1995
ex 0403 90 59	(3)	31.12.1995
0404 10 91		31.12.1995
0404 90 11		31.12.1995
0404 90 13		31.12.1995
0404 90 19		31.12.1995
0404 90 31		31.12.1995
0404 90 33		31.12.1995
0404 90 39		31.12.1995

CN code	Notes	Timetable for liberalization
0405		31.12.1995
ex 0406	(4)	31.12.1995
ex 1001 90 99	(5)	31.12.1995
ex 1004 00 90	(6)	31.12.1995
1101		31.12.1995
1103 11 10		31.12.1995
1103 11 90		31.12.1995
1103 12 00		31.12.1995
1103 13 10		31.12.1995
1103 13 90		31.12.1995
1103 14 00		31.12.1995
1103 19 10		31.12.1995
1103 19 30		31.12.1995
1103 19 90		31.12.1995
1104 11 10		31.12.1995
1104 12 10		31.12.1995
ex 1104 19 10	(7)	31.12.1995
ex 1104 19 30	(7)	31.12.1995
ex 1104 19 50	(7)	31.12.1995
ex 1104 19 99	(7)	31.12.1995
1104 21 10		31.12.1995
1103 21 30		31.12.1995
1104 21 50		31.12.1995
1104 21 90		31.12.1995
1104 22 10		31.12.1995
1104 22 30		31.12.1995
1104 22 50		31.12.1995
1104 22 90		31.12.1995
1104 23 10		31.12.1995
1104 23 30		31.12.1995
1104 23 90		31.12.1995
1104 29 11		31.12.1995
1104 29 15		31.12.1995
1104 29 19		31.12.1995
1104 29 31		31.12.1995
1104 29 35		31.12.1995
1104 29 39		31.12.1995
1104 29 91		31.12.1995
1104 29 95		31.12.1995
1104 29 99		31.12.1995
1104 30 10		31.12.1995
1104 30 90		31.12.1995
1108 11 00		31.12.1995
1109		31.12.1995
1501 00 11		31.12.1995
1501 00 19		31.12.1995
ex 1501 00 90	(8)	31.12.1995
ex 1601	(9)	31.12.1995
ex 1602 10 00	(9)	31.12.1995
ex 1602 20 90	(9)	31.12.1995
1602 41 10		31.12.1995
1602 42 10		31.12.1995
1602 49 11		31.12.1995
1602 49 13		31.12.1995
1602 49 15		31.12.1995
1602 49 19		31.12.1995
1602 49 30		31.12.1995
1602 49 50		31.12.1995
ex 1602 90 10	(10)	31.12.1995
1602 90 51		31.12.1995
ex 1902 20 30	(11)	31.12.1995
2009 60 11		31.12.1995
2009 60 19		31.12.1995
2009 60 51		31.12.1995
2009 60 59		31.12.1995
2009 60 71		31.12.1995
2009 60 79		31.12.1995
2009 60 90		31.12.1995

CN code	Notes	Timetable for liberalization
ex 2204 10 11	(12)	31.12.1995
ex 2204 10 19	(12)	31.12.1995
ex 2204 10 90	(12)	31.12.1995
ex 2204 21 10	(12)	31.12.1995
2204 21 25		31.12.1995
2204 21 29		31.12.1995
2204 21 35		31.12.1995
2204 21 39		31.12.1995
ex 2204 21 49	(12)	31.12.1995
ex 2204 21 59	(12)	31.12.1995
ex 2204 21 90	(12)	31.12.1995
ex 2204 29 10	(12)	31.12.1995
2204 29 25		31.12.1995
2204 29 29		31.12.1995
2204 29 35		31.12.1995
2204 29 39		31.12.1995
ex 2204 29 49	(12)	31.12.1995
ex 2204 29 59	(12)	31.12.1995
ex 2204 29 90	(12)	31.12.1995
2204 30 10		31.12.1995
2204 30 91		31.12.1995
2204 30 99		31.12.1995

Note: The restrictions applying to tariff heading 0803 with regard to the Member States of the European Economic Community and countries eligible for preferences are transitional, operating until a market organization is established for bananas. These products should therefore be included in this Protocol.

Explanatory notes regarding the partial restrictions which Spain will maintain until the end of the transitional period

- (1) Excluding animals for bullfights.
- (2) Domestic swine only.
- (3) Not preserved or concentrated or packed, destined for human consumption only.
- (4) Excluding requesón, Emmental, Gruyère, blue cheese, Parmigiano-Reggiano and Grana Padano.
- (5) Common bread-making wheat only.
- (6) Tipped oats only.
- (7) Crushed grain only
- (8) Excluding fat from bird bones or residues.
- (9) Only those containing meat or edible offal of domestic swine.
- (10) Only those containing pig blood.
- (11) Only:
 - sausage made of meat, edible offal or blood of domestic swine,
 - any preparation or preserved product containing meat or edible offal of domestic swine.
- (12) Excluding quality wines psr.

ANNEX B

0103 10 00	2204 21 10
0103 91 10	2204 21 21
0103 92 11	2204 21 23
0103 92 19	2204 21 25
	2204 21 29
	2204 21 31
0701 10 00	2204 21 33
0701 90 10	2204 21 35
	2204 29 10
0701 90 51	
0701 90 59	
	2204 29 21
	2204 29 23
0803 00 10	2204 29 25
0803 00 90	2204 29 29
	2204 29 31
	2204 29 33
0804 30 00	2204 29 35
	2204 29 39

PROTOCOL No. 6

on mutual assistance in customs matters

ARTICLE 1

Definitions

For the purposes of this Protocol:

- (a) “customs legislation” shall mean provisions applicable in the territories of the Contracting Parties governing the import, export, transit of goods and their placing under any other customs procedure, including measures of prohibition, restriction and control adopted by the said parties;
- (b) “customs duties” shall mean all duties, taxes, fees or and other charges which are levied and collected in the territories of the Contracting Parties, in application of customs legislation, but not including fees and charges which are limited in amount to the approximate costs of services rendered;
- (c) “applicant authority” shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which makes a request for assistance in customs matters;
- (d) “requested authority” shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which receives a request for assistance in customs matters;
- (e) “contravention” shall mean any violation of the customs legislation as well as any attempted violation of such legislation.

ARTICLE 2

Scope

1. The Contracting Parties shall assist each other, in the manner and under the conditions laid down in this Protocol, in ensuring that customs legislation is correctly applied, in particular by the prevention, detection and investigation of contraventions of this legislation.
2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of the Contracting Parties which is competent for the application of this Protocol. It shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of the judicial authority, unless those authorities so agree.

ARTICLE 3

Assistance on request

1. At the request of the applicant authority, the requested authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, including information regarding operations noted or planned which contravene or would contravene such legislation.
2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.
3. At the request of the applicant authority, the requested authority shall take the necessary steps to ensure that a surveillance is kept on:
 - (a) natural or legal persons of whom there are reasonable grounds for believing that they are contravening or have contravened customs legislation;
 - (b) movement of goods notified as possibly giving rise to substantial contraventions of customs legislation;
 - (c) means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation.

ARTICLE 4

Spontaneous assistance

The Contracting Parties shall within their competences provide each other with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations which have contravened, contravene or would contravene such legislation and which may be of interest to other Contracting Parties,
- new means or methods employed in realizing such operations,
- goods known to be subject to substantial contravention of customs legislation on import, export, transit or any other customs procedure.

ARTICLE 5

Delivery/Notification

At the request of the applicant authority, the requested authority shall in accordance with its legislation take all necessary measures in order:

- to deliver all documents
- to notify all decisions

falling within the scope of this Protocol to an addressee. residing or established in its territory. In such a case Article 6(3) is applicable.

ARTICLE 6

Form and substance of requests for assistance

1. Requests pursuant to the present Protocol shall be made in writing. Documents necessary for the execution of such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.
2. Requests pursuant to paragraph 1 of this Article shall include the following information:
 - (a) the applicant authority making the request;
 - (b) the measure requested;
 - (c) the object of, and the reason for, the request;
 - (d) the laws, rules, and other legal elements involved;
 - (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations;
 - (f) a summary of the relevant facts, except in cases provided for in Article 5.
3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.
4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

ARTICLE 7

Execution of requests

1. In order to comply with a request for assistance, the requested authority or, when the latter cannot act on its own, the administrative department to which the request has been addressed by this authority, shall proceed, within its competence and available resources, as though it were acting on its own account or at the request of other authorities of that same Contracting Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out.

2. Request for assistance will be executed in accordance with the laws, rules, and other legal instruments of the requested Contracting Party.
3. Duly authorized officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the contravention of customs legislation which the applicant authority needs for the purposes of this Protocol.
4. Officials of a Contracting Party may, with the agreement of the other Contracting Party, be present at enquiries carried out in the latter's territory.

ARTICLE 8

Form in which information is to be communicated

1. The requested authority shall communicate results of enquiries to the applicant authority in the form of documents, certified copies of documents, reports and the like.
2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose.

ARTICLE 9

Exceptions to the obligation to provide assistance

1. The Contracting Parties may refuse to give assistance as provided for in this Protocol, where to do so would:
 - (a) be likely to prejudice sovereignty, public policy (l'ordre publique), security or other essential interests; or
 - (b) involve currency or tax regulations other than regulations concerning customs duties; or
 - (c) violate an industrial, commercial or professional secret.
2. Where the applicant authority asks for assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.
3. If assistance is withheld or denied, the decision and the reasons therefor must be notified to the applicant authority without delay.

ARTICLE 10

Obligation to observe confidentiality

1. Any information communicated in whatsoever form pursuant to this Protocol shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended under the relevant laws applicable in the Contracting Party which received it and the corresponding provisions applying to the Community authorities.
2. Nominative data shall not be transmitted whenever there are reasonable grounds to believe that the transfer or the use made of the data transmitted would be contrary to the basic legal principles of one of the Parties, and, in particular, if the person concerned would suffer undue disadvantages. Upon request, the receiving Party shall inform the furnishing Party of the use made of the information supplied and of the results achieved.
3. Nominative data may only be transmitted to customs authorities and, in the case of need for prosecution purposes, to public prosecution and judicial authorities. Other persons or authorities may obtain such information only upon previous authorization by the furnishing authority.

4. The furnishing Party shall verify the accuracy of the information to be transferred. Whenever it appears that the information supplied was inaccurate or to be deleted, the receiving Party shall be notified without delay. The latter shall be obliged to carry out the correction or deletion.

5. Without prejudice to cases of prevailing public interest, the person concerned may obtain, upon request, information on the data stores and the purpose of this storage.

ARTICLE 11

Use of information

1. Information obtained shall be used solely for the purposes of this Protocol and may be used within each Contracting Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority. These provisions are not applicable to information concerning offences relating to narcotic drugs and psychotropic substances. Such information may be communicated to other authorities directly involved in the combating of illicit drug traffic, within the limits of Article 2.

2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation.

3. The Contracting Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol.

ARTICLE 12

Experts and witnesses

An official of a requested authority may be authorized to appear, within the limitations of the authorization granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol in the jurisdiction of another Contracting Party, and produce such objects, documents or authenticated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matter and by virtue of what title or qualification the official will be questioned.

ARTICLE 13

Assistance expenses

The Contracting Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Protocol, except, as appropriate, for expenses to experts and witnesses and to interpreters and translators who are not dependent upon public services.

ARTICLE 14

Implementation

1. The management of this Protocol shall be entrusted to the central customs authorities of Romania on the one hand, and the competent services of the Commission and, where appropriate, the customs authorities of the EC Member States on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection. They may recommend to the competent bodies amendments which they consider should be made to this Protocol.

2. The Contracting Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Article.

ARTICLE 15

Complementarity

1. This Protocol shall complement and not impede application of any agreements on mutual assistance which have been concluded or may be concluded between individual or several EC Member States and Romania. Nor shall it preclude more extensive mutual assistance granted under such agreements.
2. Without prejudice to Article 11, these agreements do not prejudice Community provisions governing the communication between the competent services of the Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

PROTOCOL No. 7

on concessions with annual limits

The Parties agree that if the Agreement comes into force after 1 January in any year, any concession given within the limits of annual quantities will be adjusted *pro rata* with the exception of those Community concessions contained in Annexes III and XI.

In respect of Annexes III and XI, products for which import certificates have been issued under the EEC Council Regulations applying generalized tariff preferences between 1 January and the entry into force of the Agreement will be counted against the tariff quota or tariff ceiling quantities contained in such Annexes.

FINAL ACT

The plenipotentiaries of: The Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of The Netherlands, the Portuguese Republic, the United Kingdom of Great Britain and Northern Ireland, Contracting Parties to the Treaty establishing the European Economic Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community, hereinafter referred to as "the Member States" and of the European Economic Community, the European Atomic Energy Community and the European Coal and Steel Community, hereinafter referred to as "the Community", of the one part, and

the plenipotentiaries of Romania, of the other part,

meeting at Brussels, this first day of February in the year one thousand nine hundred and ninety-three for the signature of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part ("the Europe Agreement"),

have adopted the following texts:

the Europe Agreement, and the following Protocols:

Protocol No. 1 on textile and clothing products

Protocol No. 2 on products covered by the Treaty establishing the European Coal and Steel Community (ECSC)

Protocol No. 3 on trade between Romania and the Community in processed agricultural products referred to in Article 20 of the Agreement

Protocol No. 4 concerning the definition of the concept of "originating products" and methods of administrative co-operation

Protocol No. 5 on specific provisions relating to trade between Romania and Spain and Portugal

Protocol No. 6 on mutual assistance in customs matters

Protocol No. 7 on concessions with annual limits

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of Romania have adopted the texts of the joint declarations listed below and annexed to this Final Act:

Joint declarations on Article 8(3) of the Agreement

Joint declaration on Article 8(4) of the Agreement

Joint declaration on Article 10(3) of the Agreement

Joint declaration on Article 38(1) of the Agreement

Joint declaration on Article 38 of the Agreement

Joint declaration on Article 39 of the Agreement

Joint declaration on Article 40 of the Agreement

Joint declaration on Article 45(7) of the Agreement

Joint declaration on Chapter II of Title IV of the Agreement

Joint declaration on Chapter III of Title IV of the Agreement

Joint declaration on Article 57(3) of the Agreement

Joint declaration on Article 59 of the Agreement

Joint declaration on Article 60 of the Agreement

Joint declaration on Article 64 of the Agreement
Joint declaration on Article 67 of the Agreement
Joint declaration on Article 111 of the Agreement
Joint declaration on Protocol No. 1 of the Agreement
Joint declaration on Protocol No. 4 of the Agreement
Joint declaration on Article 5 of Protocol No. 6 of the Agreement

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of Romania have also taken note of the following exchanges of letters annexed to this Final Act:

Agreement in the form of an exchange of letters between the European Community and Romania concerning transit
Agreement in the form of an exchange of letters between the European Community and Romania concerning inland transport infrastructure
Agreement in the form of an exchange of letters between the European Community and Romania concerning certain arrangements for live bovine animals

The plenipotentiaries of Romania have taken note of the declarations listed below and annexed to this Final Act:

Commission declaration on Article 2(3) of Protocol No. 1
Community declaration on Article 9 paragraphs 1.3 and 4 of Protocol No. 2
Community declaration on Article 9(4) of Protocol No. 2
Community declaration concerning Protocol No. 2
Community declarations concerning Article 21(4) of the Agreement

The plenipotentiaries of the Member States and of the Community have taken note of the declarations listed below and annexed to this Final Act:

Declaration by Romania concerning Article 8 of the Agreement
Declaration by Romania concerning Article 14(3) of the Agreement
Declaration by Romania concerning Article 21 of the Agreement
Declaration by Romania concerning Protocol No. 4 of the Agreement

Done at Brussels on the first day of February in the year one thousand nine hundred and ninety-three.

For the Council and the Commission of the European Communities

For Romania

JOINT DECLARATIONS

Article 8(3)

The words “that actually applied” shall be taken to mean the duty recorded in the customs tariff (autonomous or conventional duty, or any “permanent” tariff suspension or quota listed there). They shall not, however, cover temporary tariff suspensions and quotas.

Article 8(3)

The Community and Romania agree to enter into consultation in the event that one of the parties takes unilateral measures, temporary or permanent, to dismantle tariffs across the board for products listed in Annexes IIa, IIb, III, IV and V, in order to study the effects of such decisions on the balance of the reciprocal concessions made in the context of this Agreement.

Article 8(4)

The Community and Romania confirm that where a reduction of duties is effected by way of a suspension of duties made for a particular period of time, such reduced duties shall replace the basic duties only for the period of such suspension, and that whenever a partial suspension of duties is made, the preferential margin between the Parties will be preserved.

Article 10(3)

The Parties declare that the reduced duties calculated in accordance with the provisions of this Agreement, are to be rounded off to the first decimal place by rounding up, when the second decimal place is 5, 6, 7, 8 or 9, and rounding down, when it is 0, 1, 2, 3 or 4.

Article 38(1)

It is understood that the concept “conditions and modalities applicable in each Member State” includes Community rules where appropriate.

Article 38

It is understood that the notion “children” is defined in accordance with national legislation of the host country concerned.

Article 39

It is understood that the notion “members of their family” is defined in accordance with the national legislation of the host country concerned.

Article 40

Taking into account the financial situation of the pensions system in Romania, the Association Council shall decide the appropriate time to adopt the reciprocal measures provided for in Article 40(1).

Article 45(7)

The Parties agree that the term “public property” mentioned in Article 45(7) shall mean the areas or matters covered by Article 135 of the Romanian Constitution.

Chapter II of Title IV

Without prejudice of the provisions of Chapter IV of Title IV, the Parties agree that treatment of the nationals or companies of one Party shall be considered to be less favourable than that accorded to those of the other Party if such treatment is either formally or *de facto* less favourable than the treatment accorded to those of the other Party.

Chapter III of Title IV

The Parties shall endeavour to achieve a mutually satisfactory result in the framework of the current negotiations on services taking place in the Uruguay Round.

Article 57(3)

The Parties declare that the Agreements referred to in Article 57(3) should aim at the highest possible extension of the transport regulations and policies applicable in the Community and in the Member States to the relation between the Community and Romania in the field of transport.

Article 59

The sole fact of requiring a visa for natural persons of certain Parties and not for those of others shall not be regarded as nullifying or impairing benefits under a specific commitment.

Article 60

Whenever the Association Council is called upon to take measures for further liberalization in the areas of services or persons, it shall also determine for which transactions related to such measures, payments are to be authorized in freely convertible currency.

Article 64

The Parties shall not make an improper use of provisions on professional secrecy to prevent the disclosure of information in the field of competition.

Article 67

The Parties agree that for the purpose of this Association Agreement “intellectual, industrial and commercial property” is to be given a similar meaning as in Article 36 of the EEC Treaty and includes in particular protection of copyright and neighbouring rights, patents, industrial designs, trademarks and service marks, topographies of integrated circuits, software, geographical indications as well as protection against unfair competition and protection of undisclosed information on know-how.

Article 111

The Parties agree that the Association Council, in accordance with Article 111 of the Agreement, shall consider setting up a consultative mechanism composed of the members of the Community’s Economic and Social Committee and Romanian representatives corresponding to them.

DECLARATION OF THE COMMUNITY AND ROMANIA

The Parties confirm their intention to start negotiating the new Protocol on quantitative arrangements provided for in Article 3(2) of Protocol No. 1 before the end of 1992.

JOINT DECLARATION

Protocol No. 4, Rules of Origin

The Community and Romania confirm their readiness to consider at a later stage in the Association Council the possibility of regional cumulation with Poland, Hungary and Czechoslovakia, in the light of progress made in fulfilling the appropriate technical and administrative conditions.

The Association Council will be informed of the entry into force of the Agreement between Romania and Bulgaria permitting application of Article 3.

JOINT DECLARATION

Article 5 of Protocol No. 6 to the Agreement

The Contracting Parties stress that the reference which is made in Article 5 of Protocol No. 6 to their own legislation may cover, where appropriate, an international commitment they could have contracted, such as the convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, concluded in The Hague on 15 November 1965.

**AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN COMMUNITY
AND ROMANIA CONCERNING TRANSIT**

A. Letter from the Community

Sir,

The following was agreed between the Community and Romania:

1. The parties shall not take any measures which would adversely affect the situation resulting from implementation of the bilateral agreements concluded between the Member States of the Community and Romania, and in particular the number of authorizations, weight and dimensions of vehicles and applicable duties.
2. The Community and Romania hereby agree that, should transit conditions in the territory of the former Federal Socialist Republic of Yugoslavia fail to return to normal, they will examine and, where necessary, agree on modifications to the undertakings referred to under 1. above in order to facilitate Community transit.

Pending the conclusion of the bilateral agreement on transport between the Community and Romania, any change in the situation as outlined above will be decided by common agreement.

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

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

For the Community

B. Letter from Romania

Sir,

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

“The following was agreed between the Community and Romania:

1. The parties shall not take any measures which would adversely affect the situation resulting from implementation of the bilateral agreements concluded between the Member States of the Community and Romania, and in particular the number of authorizations, weight and dimensions of vehicles and applicable duties.
2. The Community and Romania hereby agree that, should transit conditions in the territory of the former Federal Socialist Republic of Yugoslavia fail to return to normal, they will examine and, where necessary, agree on modifications to the undertakings referred to under 1. above in order to facilitate Community transit.

Pending the conclusion of the bilateral agreement on transport between the Community and Romania, any change in the situation as outlined above will be decided by common agreement.

I should be obliged if you would confirm that your Government is in agreement with the above.”

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

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

For the Government of Romania

**AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN COMMUNITY AND ROMANIA
CONCERNING INLAND TRANSPORT INFRASTRUCTURE**

A. Letter from the Community

Sir,

I have the honour to confirm that the Community, as stated during the negotiation of the Europe Agreement between the Community and its Member States, of the one part, and Romania, of the other part, is fully apprised of the infrastructure and environmental problems facing Romania in the transport sector and that it will help, where appropriate, under the financial arrangements set up by the Europe Agreement, to fund the upgrading of inland transport infrastructure, including road, rail, inland waterway and combined transport infrastructure.

I take note of the fact that Romania has expressed an urgent need for financial assistance to adapt its inland transport infrastructure to the increased volume of traffic transiting its territory.

The Parties agree that they shall endeavour, initially under the terms of the existing trade and co-operation agreement, to find the means which will enable them to contribute to the upgrading of the said infrastructure, in particular to projects concerning transit through Romanian territory, such as the improvement of border crossings, the construction of crossing-free junctions, the reconstruction of viaducts and the increase in road capacity between Romania's western frontier and the crossing points on the Danube at the frontier with Bulgaria, without prejudice to the appraisal of projects in accordance with the procedures in force.

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

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

For the Community

B. Letter from Romania

Sir,

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

"I have the honour to confirm that the Community, as stated during the negotiation of the Europe Agreement between the Community and its Member States, of the one part, and Romania, of the other part, is fully apprised of the infrastructure and environmental problems facing Romania in the transport sector and that it will help, where appropriate, under the financial arrangements set up by the Europe Agreement, to fund the upgrading of inland transport infrastructure, including road, rail, inland waterway and combined transport infrastructure.

I take note of the fact that Romania has expressed an urgent need for financial assistance to adapt its inland transport infrastructure to the increased volume of traffic transiting its territory.

The Parties agree that they shall endeavour, initially under the terms of the existing trade and co-operation agreement, to find the means which will enable them to contribute to the upgrading of the said infrastructure, in particular to projects concerning transit through Romanian territory, such as the improvement of border crossings, the construction of crossing-free junctions, the reconstruction of viaducts and the increase in road capacity between Romania's western frontier and the crossing points on the Danube at the frontier with Bulgaria, without prejudice to the appraisal of projects in accordance with the procedures in force.

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

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

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

For the Government of Romania

**AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN COMMUNITY AND ROMANIA
CONCERNING CERTAIN ARRANGEMENTS FOR LIVE BOVINE ANIMALS**

A. Letter from the Community

Sir,

I have the honour to refer to the discussions concerning trade arrangements for certain agricultural products between the Community and Romania which have taken place in the framework of the negotiations for the Europe Agreement.

I hereby confirm that the Community will take the necessary measures to ensure that Romania will be afforded full access to the import regime for live bovine animals in the framework of Article 13 of Council Regulation (EEC) No. 805/68 on the same conditions as Hungary, Poland and the CSFR from the entry into force of this Agreement.

Imports of live bovine animals not covered by the estimates referred to in Article 13 of Council Regulation (EEC) No. 805/68 and by the Europe Agreements with Hungary, Poland and the CSFR must be limited to calves of a live weight not exceeding 80 kg.

Should forecasts indicate that imports into the Community could exceed 425,000 head and that such imports threaten to cause a serious disturbance of the Community market for beef and veal, the Community reserves the right to adopt appropriate management measures under Council Regulation (EEC) No. 1157/92 and the Europe Agreements, without prejudice to any other right conferred upon it by the Agreement.

I should be obliged if you would confirm that the Government of Romania is in agreement with the content of this letter.

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

On behalf of the Community

B. Letter from Romania

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 trade arrangements for certain agricultural products between the Community and Romania which have taken place in the framework of the negotiations for the Europe Agreement.

I hereby confirm that the Community will take the necessary measures to ensure that Romania will be afforded full access to the import regime for live bovine animals in the framework of Article 13 of Council Regulation (EEC) No. 805/68 on the same conditions as Hungary, Poland and the CSFR from the entry into force of this Agreement.

Imports of live bovine animals not covered by the estimates referred to in Article 13 of Council Regulation (EEC) No. 805/68 and by the Europe Agreements with Hungary, Poland and the CSFR must be limited to calves of a live weight not exceeding 80 kg.

Should forecasts indicate that imports into the Community could exceed 425,000 head and that such imports threaten to cause a serious disturbance of the Community market for beef and veal, the Community reserves the right to adopt appropriate management measures under Council Regulation (EEC) No. 1157/92 and the Europe Agreements, without prejudice to any other right conferred upon it by the Agreement.

I should be obliged if you would confirm that the Government of Romania is in agreement with the content of this letter.”

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

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

For the Government of Romania

**DECLARATION BY THE COMMISSION OF THE EUROPEAN COMMUNITIES
CONCERNING ARTICLE 2(3) OF PROTOCOL No. 1**

The Commission of the European Communities hereby confirms that the treatment accorded to Romania under Article 2(3) of Protocol No. 1 is identical in its substance to that accorded under the Protocols agreed with Poland, Hungary and Czechoslovakia, and that in principle any amendment to Regulation (EEC) No. 636/82 would apply to all the five countries of Eastern and Central Europe.

DECLARATIONS BY THE COMMUNITY

Protocol No. 2 on ECSC products

Articles 9(1)3 and 9(4) of Protocol No. 2 on ECSC products

The Community confirms its understanding that public aids referred to in Articles 9(1)3 and 9(4) are exclusively for the purposes of restructuring as defined, and stresses that transport subsidies acting as direct or indirect subsidies to the steel industry are excluded.

Article 9(4) of Protocol No. 2 on ECSC products

It is understood that the possibility of an exceptional extension of the five-year period is strictly limited to the particular case of Romania and does not impair the position of the Community in relation to other cases nor prejudice international commitments. The possible derogation foreseen in paragraph 4 takes into account the particular difficulties of Romania in restructuring the steel sector and the fact this process has been launched very recently.

DECLARATION BY THE COMMUNITY

The Community takes note of the fact that the Romanian authorities will not invoke the provisions of Protocol No. 2 on ECSC products, in particular Article 9, so as not to call into question the compatibility with this Protocol of the agreements made by the Community coal industry with the electricity companies and the steel industry to secure the sale of Community coal.

DECLARATIONS BY THE COMMUNITY

Article 21(4)

The Community confirms its intention to open negotiations on the wine sector with a view to concluding:

—an agreement on reciprocal protection of names of wines and on the inspection of wines;

and

—an agreement on the reciprocal introduction of tariff concessions, subject to compliance with Community import rules, with particular reference to oenological practices and certification.

Article 21(4)

The Community declares its agreement to maintain, for a further five-year period and under the same conditions, the preferential regime for certain cheeses set out in Regulation (EEC) No. 1767/82.

DECLARATIONS BY ROMANIA

Article 8

The total and partial suspensions of customs duties established on a temporary basis by Romanian Government Decision No. 812/1991 are valid only until 31 December 1992.

Article 14(3)

The Romanian party shall transmit to the Community in early 1993, the list containing the products subject to temporary quantitative export restrictions on CN basis (8 digits). Any subsequent modification of these lists shall be notified in due time.

Article 21

The Romanian delegation insists on, and defends its interest in, seeing a solution found at the earliest opportunity under the auspices of the Association Council to its request for an increase in quotas for products under the following CN Codes:

0104 10 90

0104 20 90

0201

0202

ex 0203

0204

ex 0207

0702 00 10

0702 00 90

0707 00 11

0709 60 10

0711 90 40

0711 10 20

0711 10 30

0809 10 00

0809 40 11

0809 40 19

0810 10 10

0810 10 90

0812 10 00

0813 20 00

0813 30 00

1001 90 99

1212 99 10

1512 11 91

1512 19 91

2001 10 00

2001 90 90

2002 90 30

2002 90 90

2009 70 19

The Romanian delegation strongly believes that such an important issue will finally be solved through joint efforts by the EC and Romania.

DECLARATION BY ROMANIA

Protocol No. 4, Rules of Origin

Romania considers that the Association Council should discuss and resolve the issue of regional cumulation with Poland, Hungary and the Czech and Slovak Federal Republic when trade between the Community and those three countries and between Romania and those three countries is governed by agreements containing rules identical to those of Protocol No. 4.

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