

(1)	(2)	(3)	or (4)
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less	<p>Manufacture in which all the materials used are classified in a heading other than that of the product</p> <p>or</p> <p>Manufacture from cotton cloth already made up in a form ready for use of heading No 9401 or 9403, provided:</p> <ul style="list-style-type: none"> — its value does not exceed 25 % of the ex-works price of the product; — all the other materials used are already originating and are classified in a heading other than heading No 9401 or 9403 	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
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	
ex Chapter 95	Toys, games and sports requisites; parts and accessories thereof; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 9503	– Other toys; reduced-size ('scale') models and similar recreational models, working or not; puzzles of all kinds	<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; — the value of all the materials used does not exceed 50 % of the ex-works price of the product 	
ex 9506	Golf clubs and parts thereof	Manufacture in which all the materials used are classified within a heading other than that of the product. However, roughly shaped blocks for making golf club heads may be used	

(1)	(2)	(3)	or (4)
ex Chapter 96	Miscellaneous manufactured articles; except for:	Manufacture in which all the materials used are classified within a heading other than that 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 motorised, 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: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product; — the value of all the materials used does not exceed 50 % of the ex-works price of the product 	
9608	Ball-points pens; felt-tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; penholders, 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 classified within the same heading may be used	
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: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product; — the value of all the materials used does not exceed 50 % of the ex-works price of the product 	

(1)	(2)	(3)	or	(4)
ex 9613	Lighters with piezo-igniter	Manufacture in which the value of all the materials of heading No 9613 used does not exceed 30 % of the ex-works price of the product		
ex 9614	Smoking pipes and pipe bowls	Manufacture from roughly shaped blocks		
Chapter 97	Works of art, collectors' pieces and antiques	Manufacture in which all the materials used are classified within a heading other than that of the product		

(1) For the special conditions relating to 'specific processes' see Introductory Notes 7.1 and 7.3.

(2) For the special conditions relating to 'specific processes' see Introductory Note 7.2.

(3) In the case of the products composed of materials classified both within 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 the group of materials which predominates by weight in the product.

(4) The following foils shall be considered as highly transparent: foils, the optical dimming of which — measured according to ASTM-D 1003-16 by Gardener Hazemeter (i.e. Hazefactor) — is less than 2 percent.

(5) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

(6) Note 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 in another heading in Chapter 32.

(7) A 'group' is regarded as any part of the heading separated from the rest by a semi-colon.

(8) See Introductory Note 6.

(9) For knitted or crocheted articles, not elastic or rubberised, obtained by sewing or assembling pieces of knitted or crocheted fabrics (cut out or knitted directly to shape), see Introductory Note 6.

(10) SEMI-Semiconductor Equipment and Materials Institute Incorporated.

ANNEX II (A)

Derogations from the list of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status, according to Article 8(2) of this protocol

The products mentioned in the list may not all be covered by the Agreement. It is therefore necessary to consult the other parts of this Agreement.

Common provisions

1. For the products described in the table below, the following rules may also apply instead of the rules set out in Annex II.
2. A proof of origin issued or made out pursuant to this Annex shall contain the following statement in English:

‘Derogation — Annex II(a) of Protocol 1: materials of HS heading No ..., originating from ... used.’

These statements shall be contained in box 7 of movement certificates EUR.1 referred to in Article 20 of this Protocol, or shall be added to the origin declaration referred to in Article 24 of this Protocol.

3. The SADC EPA States and the Member States of the EU shall take the measures necessary on their part to implement this Annex.

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status
ex Chapter 4	Dairy produce,—with a content of materials of Chapter 17 not more than 20 % by weight	Manufacture in which all the materials of Chapter 4 used are wholly obtained
Chapter 6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	Manufacture in which all the materials of Chapter 6 used are wholly obtained.
ex Chapter 8	Edible fruit and nuts; peel of citrus fruits or melons, — with a content of materials of Chapter 17 not more than 20 % by weight	Manufacture in which all the materials of Chapter 8 used are wholly obtained,
ex 1101 to ex 1104	Products of the milling industry, of cereals other than rice	Manufacture from cereals of Chapter 10, other than rice of heading 1006
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture from materials of any heading except that of the product
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)	Manufacture in which the value of all the materials of heading 1301 used does not exceed 60 % of the ex-works price of the product

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status
ex 1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products: – other than mucilages and thickeners, modified, derived from vegetable products	Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product
ex 1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified; – other than solid fractions	Manufacture from materials of any heading except that of the product
ex 1507 to ex 1515	Vegetable oils and their fractions: – Soya, ground nut, palm, copra, palm kernel, babassu, tung and oiticica oil, myrtle wax and Japan wax, fractions of jojoba oil and oils for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture from materials of any subheading except that of the product
	– other than olive oils under headings 1509 and 1510	Manufacture from materials of any heading except that of the product
ex 1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared: – fats and oils and their fractions of hydrogenated castor oil, so called ‘opal wax’	Manufacture from materials classified in a heading other than that of the product
ex Chapter 18	Cocoa and cocoa preparations, – with a content of materials of Chapter 17 not more than 20 % by weight	Manufacture from materials of any heading, except that of the product
ex 1901	Food preparations of flour, groats, meal, starch or malt extract, not containing cocoa in more than 40 % by weight calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading 0401 to 0404, not containing cocoa in more than 5 % by weight calculated on a totally defatted basis, not elsewhere specified or included. – with a content of materials of Chapter 17 not more than 20 % by weight	Manufacture from materials of any heading, except that of the product

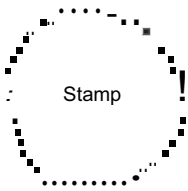
HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status
1902	<p>Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared</p> <p>– containing 20 % or less by weight of meat, meat offal, fish, crustaceans or molluscs</p> <p>– containing more than 20 % by weight of meat, meat offal, fish, crustaceans or molluscs</p>	<p>Manufacture in which all the products of Chapter 11 used are originating</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> – all the products of Chapter 11 used are originating, – all the materials of Chapters 2 and 3 used are wholly obtained
1903	<p>Tapioca and substitutes thereof prepared from starch, in the form of flakes, grains, pearls, sifting or similar forms:</p> <p>– with a content of materials of heading 1108.13 (potato starch) not more than 20 % by weight</p>	<p>Manufacture from materials of any heading, except that of the product</p>
1904	<p>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 or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included:</p> <p>– with a content of materials of Chapter 17 not more than 20 % by weight</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> – from materials of any heading, except those of heading 1806, – in which all the products of Chapter 11 used are originating
1905	<p>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</p>	<p>Manufacture in which all the products of Chapter 11 used are originating</p>
ex Chapter 20	<p>Preparations of vegetables, fruit, nuts or other parts of plants:</p> <ul style="list-style-type: none"> – from materials other than those of subheading 0711.51 – from materials other than of headings 2002, 2003, 2008 and 2009 – with a content of materials of Chapter 17 not more than 20 % by weight 	<p>Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product</p>

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status
ex Chapter 21	Miscellaneous edible preparations: – with a content of materials of Chapters 4 and 17 not more than 20 % by weight	Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product
ex Chapter 23	Residues and waste from the food industries; prepared animal fodder: – with a content of maize or materials of Chapters 2, 4 and 17 not more than 20 % by weight	Manufacture in which the value of all the materials used does not exceed 60 % of the ex-works price of the product

*ANNEX III***Form for movement certificate**

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 plus 8mm or minus 5mm 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 exporting States 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

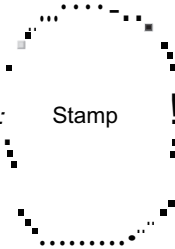
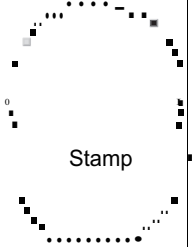
1. Exporter (name, full address, country)	EUR.1 No A 000.000	
	See notes overleaf before completing this form	
3. Consignee (name, full address, country) (Optional)	2. Certificate used in preferential trade between	
	and (insert appropriate countries, groups of countries or territories)	
	4. Country, 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; Marks and numbers; Number and kind of package C); Description of goods	9. Gross mass (kg) or other measure (litres, m³, etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT Declaration certified Export document <i>e)</i> Form No Customs office Issuing country or territory (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

Verification carried out shows that this certificate (*)

<p>Verification of the authenticity and accuracy of this certificate is requested</p>	<p>D was issued by the customs office indicated and that the information contained therein is accurate.</p>
<p>(Place and date)</p> <p>(Signature)</p> 	<p>D does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>(Place and date)</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

1. Exporter (name, full address, country)	EUR.1 No A 000.000		
	See notes overleaf before completing this form		
	2. Application for a certificate to be used in preferential trade between		
3. Consignee (name, full address, country) (Optional)	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; Marks and numbers; Number and kind of packages C); Description of goods	9. Gross mass (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

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

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, manufacturer's declarations, etc. referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX IV

Origin declaration

The origin declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение № ... ⁽¹⁾) декларира, че освен където ясно е отбелязано друго, тези продукти са с ... ⁽²⁾ преференциален произход.

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera nº ... ⁽¹⁾) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial ... ⁽²⁾.

Croatian version

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br. ... ⁽¹⁾) izjavljuje da su, osim ako je drukčije izričito navedeno, ovi proizvodi ... ⁽²⁾ preferencijalnog podrijetla.

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení ... ⁽¹⁾) prohlašuje, že kromě zřetelně označených mají tyto výrobky preferenční původ v... ⁽²⁾.

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ... ⁽¹⁾), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ... ⁽²⁾.

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ... ⁽¹⁾) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anderes angegeben, präferenzbegünstigte ... ⁽²⁾ Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolli luba nr. ... ⁽¹⁾) deklareerib, et need tooted on ... ⁽²⁾ soodus-päritoluga, välja arvatud juhul, kui on selgelt näidatud teisiti.

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ' αριθ. ... ⁽¹⁾) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής ... ⁽²⁾.

English version

The exporter of the products covered by this document (customs authorisation No ... ⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of ... ⁽²⁾ preferential origin.

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ... ⁽¹⁾) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... ⁽²⁾.

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n ... ⁽¹⁾) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ... ⁽²⁾.

Latvian version

To produktu eksportētājs, kuri ietverti šajā dokumentā (muitas atļauja Nr. ... ⁽¹⁾), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir preferenciāla izcelsme ... ⁽²⁾.

Lithuanian version

Šiame dokumente išvardytų produktų eksportuotojas (muitinės liudijimo Nr ... ⁽¹⁾) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra ... ⁽²⁾ preferencinės kilmės produktai.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: ... ⁽¹⁾) kijelentem, hogy eltérő egyértelmű jelzés hiányában az áruk preferenciális ... ⁽²⁾ származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. ... ⁽¹⁾) jiddikjara li, ħlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali ... ⁽²⁾.

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ... ⁽¹⁾), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële oorsprong zijn uit ... ⁽²⁾.

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr ... ⁽¹⁾) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają preferencyjne pochodzenie z ... ⁽²⁾.

Portuguese version

O abaixo-assinado, exportador dos produtos abrangidos pelo presente documento (autorização aduaneira n.º ... ⁽¹⁾), declara que, salvo indicação expressa em contrário, estes produtos são de origem preferencial ... ⁽²⁾.

Romanian version

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală nr. ... ⁽¹⁾) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială... ⁽²⁾.

Slovenian version

Izvoznik blaga, zajetega v tem dokumentu (pooblastilo carinskih organov št ... ⁽¹⁾), izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno ... ⁽²⁾ poreklo.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia ... ⁽¹⁾) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v ... ⁽²⁾.

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o ... ⁽¹⁾) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja ... alkuperäisiä ⁽²⁾.

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr ... ⁽¹⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung ⁽²⁾.

..... ⁽³⁾

(Place and date)

..... ⁽⁴⁾

(Signature of the exporter; in addition the name of the person signing the declaration has to be indicated in clear script)

Notes

- (1) When the origin declaration is made out by an approved exporter within the meaning of Article 25 of this Protocol, the authorisation number of the approved exporter must be entered in this space. When the origin declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.
- (2) Origin of products to be indicated. When the origin declaration relates in whole or in part, to products originating in Ceuta and Melilla within the meaning of Article 44 of this Protocol, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol 'CM'.
- (3) These indications may be omitted if the information is contained on the document itself.
- (4) See Article 24(5) of this Protocol. In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.

ANNEXVA

Supplier declaration for products having preferential origin status

I, the undersigned, declare that the goods listed on this invoice (1) were produced in e) and satisfy the rules of origin governing preferential trade between the said country/territory of production and the EU.

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

..... (3)

Note

The abovementioned text, suitably completed in conformity with the footnotes below, constitutes a supplier's declaration. The footnotes do not have to be reproduced.

-
- (1) If only some of the goods listed on the invoice are concerned they should be clearly indicated or marked and this marking entered on the declaration as follows: "... listed on this invoice and marked were produced "
- If a document other than an invoice or an annex to the invoice is used (see Article 32(3) of this Protocol), the name of the document concerned shall be mentioned instead of the word "invoice".
- (2) The EU, Member State, SADC EPA State, OCT or other ACP EPA State. Where a SADC EPA State, OCT or another ACP EPA State is given, a reference must also be made to the EU customs office holding any EUR.1(s) concerned, giving the No of the certificate(s) concerned and, if possible, the relevant customs entry No involved.
- (1) Place and date.
- Ⓒ Name and function in company.
- Ⓒ Signature.

ANNEXV B

Supplier declaration for products not having preferential origin status

I, the undersigned, declare that the goods listed on this invoice Cl were produced in e) and incorporate the following components or materials which do not have a SADC EPA State, other ACP EPA State, OCT or EU origin for preferential trade:

..... (4) (5)

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

Cl

..... (9)

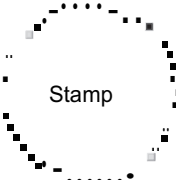
Note

The abovementioned text, suitably completed in conformity with the footnotes below, constitutes a supplier's declaration. The footnotes do not have to be reproduced.

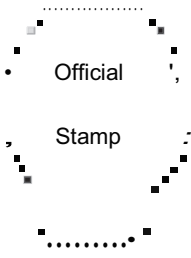
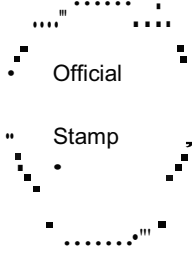
- (1) If only some of the goods listed on the invoice are concerned they should be clearly indicated or marked and this marking entered on the declaration as follows: "... listed on this invoice and marked were produced " If a document other than an invoice or an annex to the invoice is used (see Article 32(3) of this Protocol), the name of the document concerned shall be mentioned instead of the word "invoice".
- (2) The EU, Member State, SADC EPA State, OCT or another ACP EPA State.
- (3) Description is to be given in all cases. The description must be adequate and should be sufficiently detailed to allow the tariff classification of the goods concerned to be determined.
- ⌚ Customs values to be given only if required.
- ⌚ Country of origin to be given only if required. The origin to be given must be a preferential origin, all other origins to be given as "third country".
- (*) "and have undergone the following processing in [the EU] [Member State] [SADC EPA State] [OCT] [other ACP EPA State]", to be added with a description of the processing carried out if this information is required.
- Cl Place and date.
- ⌚ Name and function in company.
- (-) Signature.

*ANNEX VI***Information certificate**

1. The form of information certificate given in this Annex shall be used and be printed in one or more of the official languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. Information certificates shall be completed in one of those languages; if they are handwritten, they shall be completed in ink in capital letters. They shall bear a serial number, whether or not printed, by which they can be identified.
2. The information certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m².
3. The national administrators may reserve the right to print the forms themselves or may have them printed by printers approved by them. In the latter case, each form must include a reference to such approval. The forms shall bear the name and address of the printer or a mark by which the printer can be identified.

1. Supplier C)		INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the EUROPEAN UNION and the SADC EPA STATES		
2. Consignee C)				
3. Processor C)		4. State in which the working or processing has been carried out		
6. Customs office of importation C)		5. For official use		
7. Import document e)				
Form:..... No: Series Date:				
GOODS SENT TO THE STATES OF DESTINATION				
8. Marks, numbers, quantity and kind of package		9. Harmonised Commodity Description and Coding System heading/subheading number (HS code)		10. Quantity C)
				11. Value (4)
IMPORTED GOODS USED				
12. Harmonised Commodity Description and Coding System heading/subheading number (HS code)		13. Country of origin	14. Quantity e)	15. Value e) (5)
16. Nature of the working or processing carried out				
17. Remarks				
18. CUSTOMS ENDORSEMENT Declaration certified: Document: Form: No: Customs office: Date: (Signature)		19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate. _____ Place: Date: (Signature)		
				

(1) (2) (3) (4) (5) See footnotes on verso.

REQUEST FOR VERIFICATION	RESULT OF VERIFICATION
<p>The undersigned customs official requests verification of the authenticity and accuracy of this information certificate.</p>	<p>Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>(a) was issued by the customs office indicated and that the information contained therein is accurate(*)</p> <p>(b) does not meet the requirements as to authenticity and accuracy (see notes appended)(*)</p>
<p style="text-align: center;"><i>(Place and date)</i></p> <div style="text-align: center;">  <p>Official</p> <p>Stamp</p> </div> <p style="text-align: right;">(Official's signature)</p>	<p style="text-align: center;"><i>(Place and date)</i></p> <div style="text-align: center;">  <p>Official</p> <p>Stamp</p> </div> <p style="text-align: right;">(Official's signature)</p>

(*) Delete where not applicable

Cross references

Cl Name of individual or business and full address.

(2) Optional information.

Cl Kg, hl, m³ or other measure.

↻ Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the Article packed, and which has a lasting utility value of its own, apart from its function as packaging.

↻ The value must be indicated in accordance with the provisions on rules of origin.

ANNEX VII

Form for application for a derogation

1. Commercial description of the finished product 1.1. Customs classification (H.S. code)	2. Anticipated annual quantity of exports to the EU (weight, No of pieces, meters or other unit)
3. Commercial description of third country materials Customs classification (H. S. code)	4. Anticipated annual quantity of third country materials to be used
5. Value of third country materials	6. Value of finished products
7. Origin of third country materials	8. Reasons why the rule of origin for the finished product cannot be fulfilled
9. Commercial description of materials originating in States or territories referred to in Articles 4 and 6	10. Anticipated annual quantity of materials originating in States or territories referred to in Articles 4 and 6 to be used
11. Value of materials of States or territories referred to in Articles 4 and 6	12. Working or processing carried out in States or territories referred to in Articles 4 and 6 on third country materials without obtaining origin
13. Duration requested for derogation from	
14. Detailed description of working and processing in the SADC EPA State(s):	15. Capital structure of the firm(s) concerned
	16. Amount of investments made/foreseen
	17. Staff employed/expected
18. Value added by the working or processing in the SADC EPA State(s): 18.1. Labour: 18.2. Overheads: 18.3. Others:	20. Possible developments to overcome the need for a derogation
19. Other possible sources of supply for materials	21. Observations

Notes

1. If the boxes in the form are not sufficient to contain all relevant information, additional pages may be attached to the form. In this case, the mention "see annex" shall be entered in the box concerned.
2. If possible, samples or other illustrative material (pictures, designs, catalogues, etc.) of the final product and of the materials should accompany the form.
3. A form shall be completed for each product covered by the request.

Boxes 3, 4, 5, and 7: "third country" means any country which is not referred to in Articles 3, 4 and 6 of this Protocol.

Box 12: If third country materials have been worked or processed in the States or territories referred to in Articles 3, 4 and 6 of this Protocol without obtaining origin, before being further processed in the SADC EPA State requesting the derogation, indicate the working or processing carried out in the States or territories referred to in Articles 3, 4 and 6 of this Protocol.

Box 13: The dates to be indicated are the initial and final one for the period in which EUR.1 certificates may be issued under the derogation.

Box 18: Indicate either the percentage of added value in respect of the ex-works price of the product or the monetary amount of added-value for unit of product.

Box 19: If alternative sources of material exist, indicate here what they are and, if possible, the reasons of cost or other reasons why they are not used.

Box 20: Indicate possible further investments or suppliers' differentiation which make the derogation necessary for only a limited period of time.

ANNEX VIII

Overseas countries and territories

Within the meaning of this Protocol ‘overseas countries and territories’ shall mean the countries and territories referred to in Annex II to the Treaty on the Functioning of the EU listed below:

(This list is without prejudice to the status of these countries and territories, or future changes in their status.)

1. Overseas countries and territories that have special relations with the Kingdom of Denmark:
 - Greenland.
2. Overseas countries and territories that have special relations with the French Republic:
 - New Caledonia and Dependencies,
 - French Polynesia,
 - French Southern and Antarctic Territories,
 - Wallis and Futuna Islands,
 - Saint Barthelemy,
 - Saint Pierre and Miquelon.
3. Overseas countries and territories that have special relations with the Kingdom of the Netherlands:
 - Aruba,
 - Bonaire,
 - Curaçao,
 - Saba,
 - Sint Eustatius,
 - Sint Maarten.
4. Overseas countries and territories that have special relations with the United Kingdom of Great Britain and Northern Ireland:
 - Anguilla,
 - Bermuda
 - Cayman Islands,
 - Falkland Islands,
 - South Georgia and South Sandwich Islands,
 - Montserrat,
 - Pitcairn,
 - Saint Helena and its Dependencies,
 - British Antarctic Territory,
 - British Indian Ocean Territory,
 - Turks and Caicos Islands,
 - British Virgin Islands.

ANNEX IX

Products for which the cumulation provisions referred to in Article 4 apply after 1 October 2015

HS/CN-code	Description
1701	Cane or beet sugar and chemically pure sucrose, in solid form
1702	Sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; suga syrups not containing added flavouring or colouring matter; artificial honey, whether or no mixed with natural honey; caramel (excl. cane or beet sugar and chemically pure sucrose)
ex 1704 90 corresponding to 1704 90 99	Sugar confectionery, not containing cocoa (excl. chewing gum; liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances; white chocolate; pastes, including marzipan, in immediate packings of a net content of 1 kg or more; throat pastilles and cough drops; sugar-coated (panned) goods; gum confectionery and jelly confectionery, including fruit pastes in the form of sugar confectionery; boiled sweets; toffees, caramels and similar sweet; compressed tablets)
ex 1806 10 corresponding to 1806 10 30	Cocoa powder, containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
ex 1806 10 corresponding to 1806 10 90	Cocoa powder, containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
ex 1806 20 corresponding to 1806 20 95	Food preparations containing cocoa in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, or a content exceeding 2 kg (excl. cocoa powder, preparations containing 18 % or more by weight of cocoa butter or containing a combined weight of 25 % or more of cocoa butter and milkfat; chocolate milk crumb; chocolate flavour coating; chocolate and chocolate products; sugar confectionery and substitutes therefor made from sugar substitution products containing cocoa; spreads containing cocoa; preparations containing cocoa for making beverages)
ex 1901 90 corresponding to 1901 90 99	Food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included (excl. food preparations containing no or less than 1,5 % milkfat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch; food preparations in powder form of goods of headings 0401 to 0404; preparations for infant use, put up for retail sale; mixes and doughs for the preparation of bakers' wares of heading 1905)
ex 2101 12 corresponding to 2101 12 98	Preparations with a basis of coffee (excl. extracts, essences and concentrates of coffee and preparations with a basis of these extracts, essences or concentrates)
ex 2101 20 corresponding to 2101 20 98	Preparations with a basis of tea or mate (excl. extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, essences or concentrates)
ex 2106 90 corresponding to 2106 90 59	Flavoured or coloured sugar syrups (excl. isoglucose syrups, lactose syrup, glucose syrup and maltodextrine syrup)

HS/CN-code	Description
ex 2106 90 corresponding to 2106 90 98	Food preparations not elsewhere specified or included (excl. protein concentrates and textured protein substances; compound alcoholic preparations, other than those based on odoriferous substances, of a kind used for the manufacture of beverages; flavoured or coloured sugar syrups; preparations containing no or less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch)
ex 3302 10 corresponding to 3302 10 29	Preparations based on odoriferous substances, of a kind used in the drink industries, containing all flavouring agents characterising a beverage and with an actual alcoholic strength by volume not exceeding 0,5 % (excl. preparations containing no or less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch)

ANNEX X

JOINT DECLARATION ON CAPACITY BUILDING FOR IMPLEMENTATION OF THE RULES OF ORIGIN OF THIS AGREEMENT

1. In accordance with Article 113 of this Agreement, the EU may provide to the SADC EPA States capacity building to help them prepare for the implementation of the rules of origin of this Agreement. The proposed activities may include seminars, project groups, experts' visits and training.
2. As for GSP cumulation, after capacity building is provided as above, assessment and recommendations for implementation can be made. Furthermore, when in EU's or SADC's view implementation difficulties arise, evaluations of the operational capacity of the SADC EPA States to administer and control the functioning of the relevant provisions will take place jointly between European Commission, EU Member State and SADC EPA State experts. The outcome of such evaluations will be raised at the Committee with a view to adopting any appropriate measures to improve the situation where necessary and to fine-tuning the capacity-building efforts provided by the EU.

ANNEX XI

JOINT DECLARATION

Concerning the Principality of Andorra

1. Products originating in the Principality of Andorra falling within Chapters 25 to 97 of the Harmonised System shall be accepted by the SADC EPA States as originating in the EU within the meaning of this Agreement.
2. Products originating in the SADC EPA States falling within Chapters 25 to 97 of the Harmonised System that are released into free circulation in the EU will enjoy the same status in the Principality of Andorra.
3. Protocol 1 shall apply *mutatis mutandis* for the purpose of defining the originating status of the above-mentioned products.

JOINT DECLARATION

Concerning the Republic of San Marino

1. Products originating in the Republic of San Marino shall be accepted by the SADC EPA States as originating in the EU within the meaning of this Agreement.
 2. Products originating in the SADC EPA States that are released into free circulation in the EU will enjoy the same status in the Republic of San Marino.
 3. Protocol 1 shall apply *mutatis mutandis* for the purpose of defining the originating status of the above-mentioned products.
-

PROTOCOL 2

Mutual administrative assistance in customs matters

Article 1

Definitions

For the purposes of this Protocol:

- (a) 'goods' means all goods falling within the scope of the Harmonized System, irrespective of the scope of this Agreement;
- (b) 'customs legislation' means any legal or regulatory provisions applicable in the territory of a Party, governing the import, export and transit of goods and their placing under any other customs regime or procedure, including measures of prohibition, restriction and control;
- (c) 'applicant Authority' means a competent administrative authority which has been designated by a Party, for the implementation of this Protocol and which makes a request for assistance on the basis of this Protocol;
- (d) 'requested Authority' means a competent administrative authority which has been designated by a Party for the implementation of this Protocol and which receives a request for assistance on the basis of this Protocol;
- (e) 'personal data' means all information relating to an identified or identifiable individual;
- (f) 'operation in breach of customs legislation' means any violation or attempted violation of customs legislation.

Article 2

Scope

1. The Parties shall assist each other, in the areas within their competence, in the manner and under the conditions laid down in this Protocol, to ensure the correct application of the customs legislation, in particular by preventing, investigating and combating operations in breach of that legislation.
2. Assistance in customs matters, as provided for in this Protocol, shall apply to any administrative authority of the Parties which is competent for the application of this Protocol. It shall not be to the detriment of the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of a judicial authority, except where communication of such information has the prior authorisation of that authority.
3. Assistance in recovery proceedings regarding duties, taxes or fines is not covered by this Protocol.

Article 3

Assistance on request

1. At the request of the Applicant Authority, the Requested Authority shall provide it with all relevant information which may enable it to ensure that customs legislation is correctly applied, including information regarding activities noted or planned which are or could be operations in breach of customs legislation.
2. At the request of the Applicant Authority, the Requested Authority shall inform it whether:
 - (a) goods exported from the territory of the Party have been lawfully imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to those goods;
 - (b) goods imported into the territory of the Party have been lawfully exported from the territory of the other Party, specifying, where appropriate, the customs procedure applied to those goods.

3. At the request of the Applicant Authority, the Requested Authority shall, within the framework of its legal or regulatory provisions, take the necessary steps to ensure special surveillance of:

- (a) natural or legal persons in respect of whom there are reasonable grounds to believe that they are or have been involved in operations in breach of customs legislation;
- (b) places where stocks of goods have been or may be assembled in such a way that there are reasonable grounds to believe that those goods are intended to be used in operations in breach of customs legislation;
- (c) goods that are or may be transported in such a way that there are reasonable grounds to believe that those goods are intended to be used in operations in breach of customs legislation; and
- (d) means of transport that are or may be used in such a way that there are reasonable grounds to believe that those means of transport are intended to be used in operations in breach of customs legislation.

Article 4

Spontaneous assistance

The Parties shall assist each other at their own initiative and in accordance with their legal or regulatory provisions, if they consider that to be necessary for the correct application of customs legislation, particularly by providing information obtained pertaining to:

- (a) operations which are or appear to be in breach of customs legislation and which may be of interest to the other Party,
- (b) new means or methods employed in carrying out operations in breach of customs legislation,
- (c) goods known to be subject to operations in breach of customs legislation,
- (d) natural or legal persons in respect of whom there are reasonable grounds to believe that they are or have been involved in operations in breach of customs legislation, and
- (e) means of transport in respect of which there are reasonable grounds to believe that they have been, are, or may be used in operations in breach of customs legislation.

Article 5

Delivery and notification

1. At the request of the Applicant Authority, the Requested Authority shall, in accordance with legal or regulatory provisions applicable to the latter, take all necessary measures in order to:

- (a) deliver any documents emanating from the Applicant Authority and falling within the scope of this Protocol, to an addressee residing or established in the territory of the Requested Authority, and, where appropriate;
- (b) notify any decisions emanating from the Applicant Authority and falling within the scope of this Protocol, to an addressee residing or established in the territory of the Requested Authority.

2. Requests for delivery of documents or notification of decisions shall be made in writing in an official language of the Requested Authority or in a language acceptable to that authority.

*Article 6***Form and substance of requests for assistance**

1. Requests pursuant to this Protocol shall be made in writing. They shall be accompanied by the documents necessary to enable compliance with the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately. Requests may also be communicated in electronic form.
2. Requests pursuant to paragraph 1 shall include the following information:
 - (a) the name of the Applicant Authority;
 - (b) the measure requested;
 - (c) the object of and the reason for the request;
 - (d) the legal or regulatory provisions and other legal elements involved;
 - (e) indications as exact and comprehensive as possible on the natural or legal persons who are the subject of the request; and
 - (f) a summary of the relevant facts and of the enquiries already carried out.
3. Requests shall be submitted in an official language of the Requested Authority or in a language acceptable to that authority. This requirement shall not apply to any documents that accompany the request under paragraph 1.
4. If a request does not meet the formal requirements set out above, its correction or completion may be requested. In the meantime, precautionary measures may be ordered.

*Article 7***Execution of requests**

1. In order to comply with a request for assistance, the Requested Authority shall proceed, within the limits of its competence and available resources, as though it were acting on its own account or at the request of other authorities of that same Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out. This provision shall also apply to any other authority to which the request has been addressed by the Requested Authority when the latter cannot act on its own.
2. Requests for assistance shall be executed in accordance with the legal or regulatory provisions of the requested Party.
3. Duly authorised officials of a Party, with the agreement of the other Party, and subject to the conditions laid down by the latter, may be present:
 - (a) to obtain in the offices of the Requested Authority or any other authority concerned in accordance with paragraph 1, information relating to activities that are or may be operations in breach of customs legislation which the Applicant Authority needs for the purposes of this Protocol;
 - (b) 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 writing together with relevant documents, certified copies or other items.

2. If requested, the information provided for in paragraph 1 may be in electronic form.
3. Original documents shall be transmitted only upon request in cases where certified copies would be insufficient. These originals shall be returned at the earliest opportunity.

Article 9

Exceptions to the obligation to provide assistance

1. Assistance may be refused or may be subject to the satisfaction of certain conditions or requirements, in cases where a Party concerned is of the opinion that assistance under this Protocol would:
 - (a) be likely to prejudice the sovereignty of a SADC EPA State or that of a Member State of the European Union which has been requested to provide assistance under this Protocol; or
 - (b) be likely to prejudice public policy, security or other essential interests, in particular in the cases referred to under Article 10(2) of this Protocol; or
 - (c) violate an industrial, commercial or professional secret.
2. Assistance may be postponed by the Requested Authority on the ground that it will interfere with an ongoing investigation, prosecution or proceeding. In such a case, the Requested Authority shall consult with the Applicant Authority to determine if assistance can be given subject to such terms or conditions as the Requested Authority may require.
3. Where the Applicant Authority seeks assistance which it would itself be unable to provide if so requested, it shall draw attention to that fact in its request. It shall then be for the Requested Authority to decide how to respond to such a request.
4. For the cases referred to in paragraphs 1 and 2, the decision of the Requested Authority and the reasons thereof, must be communicated to the Applicant Authority without delay.

Article 10

Information exchange and confidentiality

1. Any information communicated in any form pursuant to this Protocol shall be of a confidential or restricted nature, depending on the rules applicable in each of the Parties. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to similar information under the relevant laws of the Party that received it and the corresponding provisions applying to the EU authorities.
2. Personal data may be exchanged only where the Party which may receive them agrees to ensure an adequate level of protection of such data. To that end, the Parties shall communicate to each other information on their applicable rules, including, where appropriate, legal provisions in force in the Member States of the European Union.
3. The use, in judicial or administrative proceedings instituted in respect of operations in breach of customs legislation, of information obtained under this Protocol, is considered to be for the purposes of this Protocol. Therefore, the 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. The competent authority which supplied that information or gave access to those documents shall be notified of such use.

4. Information obtained shall be used solely for the purposes of this Protocol. Where one of the Parties wishes to use such information for other purposes, it shall obtain the prior written consent of the authority which provided the information. Such use shall then be subject to any restrictions laid down by that authority.

Article 11

Experts and witnesses

An official of a Requested Authority may be authorised to appear, within the limitations of the authorisation granted, as an expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol, and produce such objects, documents or certified copies thereof, as may be needed for the proceedings. The request for appearance must indicate specifically before which judicial or administrative authority the official will have to appear, on what matters and by virtue of what title or qualification the official will be questioned.

Article 12

Assistance expenses

The 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 those to interpreters and translators who are not public service employees.

Article 13

Implementation

1. The implementation of this Protocol shall be entrusted, on the one hand, to the customs authorities of the SADC EPA States and, on the other hand, to the competent services of the European Commission and the customs authorities of the Member States of the European Union as appropriate. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration the rules in force in particular in the field of data protection.

2. The 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 Protocol.

Article 14

Amendments

The Parties may recommend to the Trade and Development Committee amendments which they consider should be made to this Protocol.

Article 15

Final Provisions

1. This Protocol shall complement and not impede application of any agreements on mutual administrative assistance which have been concluded or may be concluded between the Parties, nor shall it preclude more extensive mutual assistance granted under such agreements.

2. The provisions of this Protocol shall not affect the obligations of the Parties under any other international agreement or convention.
 3. The provisions of this Protocol shall not affect the EU provisions governing the communication between the competent services of the European Commission and the customs authorities of the Member States of the European Union of any information obtained under this Protocol which could be of interest to the EU.
 4. Notwithstanding the provisions of paragraph 1, the provisions of this Protocol shall take precedence over the provisions of any bilateral Agreement on mutual assistance which has been or may be concluded between individual Member States of the European Union and any SADC EPA State in so far as the provisions of the latter are incompatible with those of this Protocol.
 5. In respect of questions relating to the applicability of this Protocol, the Parties shall consult each other to resolve the matter in the framework of the Special Committee on Customs and Trade Facilitation set up under Article 50 of this Agreement.
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PROTOCOL 3

Geographical indications and trade in wines and spirits

RECALLING the Agreement between the European Community and the Republic of South Africa on trade in wine signed at Paarl on 28 January 2002 and the Agreement between the European Community and the Republic of South Africa on trade in spirits signed at Paarl on 28 January 2002;

BEING PARTY TO the Agreement on Trade, Development and Cooperation Between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part signed in Pretoria on 11 October 1999, the Agreement in the Form of an Exchange of Letters providing for the provisional application of the Agreement between the European Community and the Republic of South Africa on trade in wine as from 28 January 2002, and the Agreement in the Form of an Exchange of Letters providing for the Provisional Application of the Agreement Between the European Community and the Republic of South Africa on Trade in Spirits as from 28 January 2002;

DESIRING to promote the development of GIs defined as indications which identify a good as originating in the territory of a Party, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin, within the meaning of Article 22(1) of the TRIPs Agreement;

ACKNOWLEDGING the importance to their economies of the beverages sector and the need to facilitate trade in wine products and spirits between them,

Article 1

Application of the Protocol

1. The provisions of this Protocol apply to South Africa and to the EU ('the Parties').
2. Any other SADC EPA State may adhere to this Protocol in relation only to GIs by lodging an application with the Special Committee on GIs and trade in wines and spirits referred to in Article 13 of this Protocol ('the Special Committee').
3. This Committee may submit proposals for amendments to the Joint Council for consideration and approval of the accession of the SADC EPA State concerned to this Protocol pursuant to Article 117 of this Agreement.

PART 1

Geographical indications

Article 2

Scope

1. This Part applies to the recognition and protection of GIs designating products falling under the categories of products indicated in the section headings of Annex I to this Protocol and originating in the territories of the Parties.
2. The provisions of this Part shall complement and specify the rights and obligations of the Parties under the TRIPS Agreement and other existing multilateral agreements to which the Parties are party, and therefore, no provision of this Part will contradict or be detrimental to the provisions of such multilateral agreement.
3. For the purposes of this Part, the definition of 'geographical indication' is compatible with that laid down in Article 22.1 of the TRIPS Agreement.

*Article 3***Protection of established geographical indications**

1. The EU shall protect the GIs of South Africa listed in Annex I to this Protocol according to the level of protection laid down in this Protocol.
2. South Africa shall protect the GIs of the EU listed in Annex I to this Protocol according to the level of protection laid down in this Protocol.
3. When all the GIs respectively of the EU or of South Africa listed in Annex I to this Protocol and identified therein as GIs for which the priority date is indicated as 'date of entry into force' have been protected according to paragraphs 1 or 2, each Party shall notify the other that the protection has been applied.

*Article 4***Right of use of geographical indications**

1. A geographical indication protected under this Part may be used by any operator marketing the product concerned conforming to the corresponding product specification.
2. Once a geographical indication is protected under this Part, the use of such protected name shall not be subject to any registration of users, or further charges.

*Article 5***Scope of protection**

1. GIs referred to in Article 3 and listed in Annex I to this Protocol as well as those added pursuant to Article 7 of this Protocol shall be protected against:
 - (a) any direct or indirect commercial use of a protected name:
 - for comparable products not compliant with the product specification of the protected name, or
 - in so far as such use exploits the reputation of a geographical indication;
 - (b) any misuse, imitation or evocation including:
 - use in connection with an indication of the true origin of the product in question;
 - use in translation, transcription or transliteration;
 - use together with words such as 'kind', 'type', 'style', 'imitation', 'method', or similar words or expressions;
 - (c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of a like product, on the inner or outer packaging, advertising material or documents relating to that product, and the packing of the product in a container liable to convey a false impression as to its origin;
 - (d) any other practice liable to mislead the consumer as to the true origin of a like product.
2. Protected GIs shall not be deemed to become generic in the territories of the Parties.
3. This Protocol shall in no way prejudice the right of any person to use, in the course of trade, that person's name or the name of that person's predecessor in business, except where such name is used in such a manner as to mislead consumers.

4. Where South Africa or the EU, in the context of negotiations with a third party, proposes to protect a geographical indication of the third party, and the name is wholly or partially homonymous with a geographical indication of the other Party, the latter shall be informed and be given the opportunity to comment before the name becomes protected.

5. Nothing in this Part shall oblige South Africa or the EU to protect a geographical indication which is not or ceases to be protected in its country of origin. South Africa and the EU shall notify each other if a geographical indication ceases to be protected in its country of origin.

Article 6

Relation between geographical indications and trade marks

1. The Parties shall refuse to register or shall invalidate a trade mark that corresponds to any of the situations referred to in Article 5(1) of this Protocol and which relates to same type of product, provided an application to register the trade mark is submitted after the date of application for protection of the geographical indication in the territory concerned. In the case of invalidation, a competent authority of a Party may provide that invalidation shall only be effected pursuant to an application duly lodged by an interested party and brought in a manner prescribed in applicable legislation.

2. For the GIs listed in Annex I to this Protocol at the date of entry into force of this Protocol, the date of application for protection referred to in paragraph 1 shall be the priority date indicated in Annex I of this Protocol, without prejudice to the continued validity, in respect of a trade mark that was earlier in time than the said date, of priority rights that applied in the territory of a Party immediately before the date of entry into force of this Protocol.

3. For GIs referred to in Article 7 of this Protocol, the date of application for protection referred to in paragraph 1 shall be the date of a Party's receipt of a request by the other Party to protect a geographical indication, provided the said geographical indication is subsequently protected by the receiving Party.

4. The protection of a geographical indication under Article 5 of this Protocol is without prejudice to the continued use of a trade mark which has been applied for, registered or established by use in good faith, in the territory of a Party before the date of the application for protection of the geographical indication provided that no grounds for the trade mark's invalidity or revocation exist in the legislation of the Party concerned. The date of application for protection of the geographical indication is determined in accordance with the provisions of paragraphs 2 and 3.

5. In respect of the GIs listed in Annex I to this Protocol and identified therein as GIs for which the priority date is indicated as 'date of entry into force', a trade mark applied for between the date of publication for comments or opposition of the said GIs and the date of entry into force of this Protocol that corresponds to any of the situations referred to in Article 5(1) of this Protocol shall be presumed to have been applied for in bad faith.

Article 7

Addition of Geographical Indications for protection

1. South Africa and the EU may add GIs to the lists in Annex I to this Protocol in accordance with the procedures set out in Article 13 of this Protocol.

2. A name may not be added to the list in Annex I to this Protocol where, in the territory of a Party, it conflicts with the name of a plant variety, including a grape variety, or an animal breed and as a result is likely to mislead the consumer as to the true origin of the product, or if it wholly comprises a generic term for similar product.

3. If a geographical indication referred to in Articles 3 or 7(1) of this Protocol is wholly or partially homonymous with a geographical indication protected or proposed for protection in the territory of the Party concerned:
 - (a) protection shall be granted to each indication provided that it has been used in good faith and with due regard for local and traditional usage and the actual risk of confusion;
 - (b) without prejudice to Article 23 of the TRIPS Agreement, South Africa and the EU shall mutually decide the practical conditions of usage under which the wholly or partially homonymous GIs will be differentiated from each other, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled;
 - (c) a wholly or partially homonymous name which misleads the consumer into believing that products come from another territory shall not be protected even if the name is accurate as far as the actual territory, region or place of origin of the product in question is concerned.
4. South Africa and the EU shall have no obligation to protect a geographical indication where, in the light of a reputed or well-known trade mark, protection is liable to mislead consumers as to the true identity of the product concerned.
5. Without prejudice to paragraph 4, the Parties shall protect a geographical indication also where a prior trade mark in the sense of Article 6(4) of this Protocol exists.
6. With a view to the development of GIs in South Africa, South Africa may present up to thirty (30) names with priority for protection pursuant to Article 13 of this Protocol. The EU shall submit these applications to its internal procedures without delay.

Article 8

Enforcement of protection

1. The Parties shall enforce the protection provided for in Articles 3 to 7 of this Protocol by appropriate administrative action by public authorities and available juridical instances established under each Party's domestic or regional legislation. They shall also enforce such protection at the request of an interested party.
2. In so far as domestic and regional laws provide for enforcement mechanisms that are equivalent to those in application for comparable labelling, production, and intellectual property enforcement purposes, they are considered to meet the requirements of paragraph 1.

Article 9

Cooperation in management of geographical indications

1. The EU and South Africa shall notify each other, and may make publicly available, the product specifications or summaries thereof and the contact points for control provisions corresponding to GIs of the other Party protected pursuant to this Part.
2. GIs protected under this Part may only be cancelled by the Party in the territory of which the product originates.
3. Any matter arising from a product specification of a protected name shall be dealt with in the Special Committee. A product specification referred to in this Part shall be the one approved, including any amendments also approved, by the authorities of the Party in the territory of which the product originates.
4. The provisions of this Part are without prejudice to the right to seek recognition and protection of a geographical indication under the relevant legislation of South Africa or the EU.

PART 2

Trade in wine products and spirits*Article 10***Scope and coverage**

This Part applies to wine products and spirits falling under headings 2204 and 2208 of the International Convention on the Harmonised Commodity, Description and Coding System, hereinafter referred to as the 'Harmonised System', signed at Brussels on 14 June 1983.

*Article 11***Winemaking practices**

1. The EU shall authorise the importation and marketing in its territory for human consumption of wine products originating in South Africa and produced in accordance with:

- (a) product definitions authorised in South Africa by laws and regulations referred to in Section A1(a) of Annex II to this Protocol,
- (b) oenological practices and restrictions authorised in South Africa under laws and regulations referred to in Section A1(b) of Annex II to this Protocol or otherwise approved for use in wines for export by the competent authority, in so far as they are recommended and published by the International Organisation of the Vine and Wine, hereafter referred to as the 'OIV', and
- (c) additional oenological practices and restrictions jointly accepted by the Parties under the conditions provided for in Section A1(c) of Annex II to this Protocol.

2. South Africa shall authorise the importation and marketing in its territory for human consumption of wine products originating in the EU and produced in accordance with:

- (a) product definitions authorised in the EU by laws and regulations referred to in Section B1(a) of Annex II to this Protocol,
- (b) oenological practices and restrictions authorised in the European Union by laws and regulations referred to in Section B1(b) of Annex II to this Protocol, in so far as they are recommended and published by the OIV, and
- (c) additional oenological practices and restrictions jointly accepted by the Parties under the conditions provided for in Section B1(c) of Annex II to this Protocol.

3. The Parties may jointly decide, by way of amendment to Annex II to this Protocol, to add, delete or modify references to product definitions, and oenological practices and restrictions. Such decisions shall be adopted by the Special Committee according to its procedures.

4. In respect of oenological practices, the Parties reconfirm their WTO undertakings in relation to national treatment and the most favoured nation principle, having regard in particular to their undertakings in Article 40 of this Agreement.

*Article 12***Certification of wines and spirits**

1. For wine products and spirit drinks imported from South Africa and placed on the market in the EU, the documentation and certification that may be required by the European Union shall be limited to that set out in Section A2 of Annex II to this Protocol.

2. For wine products and spirit drinks imported from the EU and placed on the market in South Africa, the documentation and certification that may be required by South Africa shall be limited to that set out in Section B2 of Annex II to this Protocol.

PART 3

General provisions

Article 13

Special Committee

1. The Parties hereby establish a Special Committee on geographical indications and trade in wines and spirits with the purpose of monitoring the development of this Protocol, intensifying their cooperation, exchanging information, notably product specifications or summaries thereof, and improving their dialogue on GIs.
2. The Parties shall, through the Special Committee, maintain contact on all matters relating to the implementation and the functioning of this Protocol. In particular, the Parties shall ensure timely notification to each other of amendments to laws and regulations on matters covered by this Protocol that have an impact on products traded between them.
3. The Special Committee shall see to the proper functioning of this Protocol and may make recommendations and adopt decisions by consensus.
4. By derogation from Article 117 of this Agreement, the Special Committee may decide to modify the Annexes of this Protocol, including matters of cooperation under Article 14(1) of this Protocol.
5. The Special Committee shall determine its own rules of procedure.

Article 14

Cooperation and dispute avoidance

1. The Parties shall cooperate on matters related to GIs and trade in wines and spirits, and in particular:
 - (a) product definitions, certification and labelling of wines;
 - (b) use of grape varieties in winemaking and labelling thereof;
 - (c) use of traditional terms on labelling of wines;
 - (d) product definitions, certification and labelling of spirit drinks;
 - (e) issues of mutual concern relating to products classified under HS 2205; and
 - (f) matters related to the attachment to the exchange of letters in Annex X to the TDCA as referred to in Article 17(2) of this Protocol.
2. The provisions laid down in Part III of this Agreement shall apply to any relevant matter arising under this Protocol, subject to references to Parties being limited to the Parties to this Protocol and references to the Trade and Development Committee being read to refer to the Special Committee.

*Article 15***Applicable rules**

Unless otherwise provided for in this Protocol or in the Agreement, importation and marketing of products covered by this Protocol, traded between the Parties shall be conducted in compliance with the laws and regulations applying in the territory of the Party of importation.

*Article 16***Application of certain market access concessions**

Subject to Article 113(5) of this Agreement, and pursuant to Article 113(6) of this Agreement, the agricultural market access concessions referred to in Article 24(2) and Article 25(1) of this Agreement that are denoted by an asterisk (*) in the tariff schedules as set out in ANNEXES I and II of this Agreement, shall only be granted to the Party that lodges the notification pursuant to Article 3(3) of this Protocol from the first day of the month following receipt by the other Party of such notification.

*Article 17***Relation to other agreements**

1. The Agreements of 2002 in the Form of Exchanges of Letters Concerning the Provisional Application of Certain Agreements between the European Community and South Africa on Trade in Wine and on Trade in Spirits are hereby terminated.
2. In respect of the attachment to the exchange of letters in Annex X to the TDCA:
 - (a) the provisions of this Protocol relating to the protection of the names Port and Sherry in this Protocol are without prejudice to the application of paragraphs 1 to 4 inclusive of that Attachment;
 - (b) in paragraph 6 of that Attachment, the sentence 'Such assistance will commence at the entry into force of the Wines and Spirits Agreement' is replaced by 'Such assistance will commence at the date of entry into force of Protocol 3 on geographical indications and trade in wines and spirits to the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part'.

*Article 18***Transitional measures**

Product which, at the date of entry into force, has been produced, described and presented in accordance with the internal laws and regulations of the Parties and their bilateral obligations to each other, but in a manner prohibited by this Protocol may be marketed,

- (a) by wholesalers or producers, for a period of three (3) years; and
- (b) by retailers, until stocks are exhausted.

*Article 19***Final provisions**

1. The annexes to this Protocol shall form an integral part hereof.

2. If pursuant to Article 113 of this Agreement, this Protocol is applied provisionally, references to the date of entry into force shall be deemed to refer to the date the provisional application of this Agreement takes effect between South Africa and the EU.
3. This Protocol is of indefinite duration. It may be terminated by common agreement of the Parties or pursuant to termination of this Agreement.

*Annex I to Protocol 3***List geographical indications of South Africa and the EU**

Note (i):

In this Annex different versions of each entry for a geographical indication are separated by an oblique with a space before and after ('/').

Note (ii):

1. The Parties shall cooperate in the provision of information about protected GIs. Documentation may be requested in order to allow a Party to complete its obligations of due diligence or for information purposes only. Subject to paragraphs 2 and 3, the obligation to supply summary documentation shall not affect the protection of a geographical indication.
2. The documentation submitted shall show that the names meet the criteria to be a geographical indication within the meaning of the third recital of this Protocol, namely that the indication identifies a good as originating in the territory of a Party, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin, within the meaning of Article 22(1) of the TRIPs Agreement, and that the name is protected in its country of origin.
3. In view of the need to complete the documentation necessary for a Party's due diligence requirements to be discharged, the Parties shall cooperate and assist each other in the production, submission and acceptance of the documentation. The Parties commit to carry out these due diligence requirements expeditiously and objectively.

Section A

Geographical indications of South Africa

Section A.1. Agricultural products and foodstuffs

	Country	Product category	Geographical indication	Priority date
1	South Africa	Infusion	Honeybush/Heuningbos/Honeybush tea/Heuningbos tee	date of entry into force
2	South Africa	Infusion	Rooibos/Red Bush/Rooibostee/Rooibos tea/Rooitee/Rooibosch	date of entry into force
3	South Africa	Meat	Karoo meat of origin	date of entry into force

Section A.2. Beers

	Country	Geographical indication	Priority date
	—	—	—

Section A.3. Wines

	Country	Geographical indication	Priority date
1	South Africa	Agterkliphoogte	1.2.2002
2	South Africa	Bamboesbaai/Bamboo Bay	1.2.2002

	Country	Geographical indication	Priority date
3	South Africa	Banghoek	date of entry into force
4	South Africa	Boberg	1.2.2002
5	South Africa	Boesmansrivier/Boesmans River	1.2.2002
6	South Africa	Bonnievale	1.2.2002
7	South Africa	Bot River	date of entry into force
8	South Africa	Bottelary	1.2.2002
9	South Africa	Breede River Valley	1.2.2002
10	South Africa	Breedekloof	date of entry into force
11	South Africa	Buffeljags	1.2.2002
12	South Africa	Calitzdorp	1.2.2002
13	South Africa	Cape Agulhas	date of entry into force
14	South Africa	Cape Point	1.2.2002
15	South Africa	Cape South Coast	date of entry into force
16	South Africa	Cederberg	1.2.2002
17	South Africa	Lower Orange River/Central Orange River	1.2.2002
18	South Africa	Ceres Plateau	date of entry into force
19	South Africa	Citrusdal Mountain	date of entry into force
20	South Africa	Citrusdal Valley	date of entry into force
21	South Africa	Coastal Region	1.2.2002
22	South Africa	Constantia	1.2.2002
23	South Africa	Darling	1.2.2002
24	South Africa	Devon Valley	1.2.2002
25	South Africa	Douglas	1.2.2002
26	South Africa	Durbanville	1.2.2002
27	South Africa	Eastern Cape	date of entry into force

	Country	Geographical indication	Priority date
28	South Africa	Eilandia	1.2.2002
29	South Africa	Elandskloof	date of entry into force
30	South Africa	Elgin	1.2.2002
31	South Africa	Elim	1.2.2002
32	South Africa	Franschhoek Valley/Franschhoek	1.2.2002
33	South Africa	Goudini	1.2.2002
34	South Africa	Greyton	date of entry into force
35	South Africa	Groenekloof	1.2.2002
36	South Africa	Hartswater	1.2.2002
37	South Africa	Hemel-en-Aarde Ridge	date of entry into force
38	South Africa	Hemel-en-Aarde Valley	date of entry into force
39	South Africa	Herbertsdale	1.2.2002
40	South Africa	Hex River Valley	date of entry into force
41	South Africa	Hoopsrivier/Hoops River	1.2.2002
42	South Africa	Hout Bay	date of entry into force
43	South Africa	Jonkershoek Valley	1.2.2002
44	South Africa	Klaasvoogds	1.2.2002
45	South Africa	Klein Karoo	1.2.2002
46	South Africa	Klein River	date of entry into force
47	South Africa	Koekenaap	1.2.2002
48	South Africa	Kwazulu-Natal	date of entry into force
49	South Africa	Lamberts Bay	date of entry into force
50	South Africa	Langeberg-Garcia	date of entry into force
51	South Africa	Le Chasseur	1.2.2002
52	South Africa	Limpopo	date of entry into force

	Country	Geographical indication	Priority date
53	South Africa	Lutzville Valley	1.2.2002
54	South Africa	Malgas	date of entry into force
55	South Africa	Malmesbury	1.2.2002
56	South Africa	McGregor	1.2.2002
57	South Africa	Montagu	1.2.2002
58	South Africa	Napier	date of entry into force
59	South Africa	Northern Cape	date of entry into force
60	South Africa	Nuy	1.2.2002
61	South Africa	Olifants River	1.2.2002
62	South Africa	Outeniqua	date of entry into force
63	South Africa	Overberg	1.2.2002
64	South Africa	Paarl	1.2.2002
65	South Africa	Papegaaiberg	1.2.2002
66	South Africa	Philadelphia	date of entry into force
67	South Africa	Piekenierskloof	1.2.2002
68	South Africa	Plettenberg Bay	date of entry into force
69	South Africa	Polkadraai Hills	date of entry into force
70	South Africa	Prince Albert Valley	1.2.2002
71	South Africa	Riebeekberg	1.2.2002
72	South Africa	Rietrivier FS	1.2.2002
73	South Africa	Robertson	1.2.2002
74	South Africa	Scherpenheuvel	1.2.2002
75	South Africa	Simonsberg-Paarl	1.2.2002
76	South Africa	Simonsberg-Stellenbosch	1.2.2002
77	South Africa	Slanghoek	1.2.2002

	Country	Geographical indication	Priority date
78	South Africa	Spruitdrift	1.2.2002
79	South Africa	St Francis Bay	date of entry into force
80	South Africa	Stanford Foothills	date of entry into force
81	South Africa	Stellenbosch	1.2.2002
82	South Africa	Stilbaai East	date of entry into force
83	South Africa	Stormsvlei	1.2.2002
84	South Africa	Sunday's Glen	date of entry into force
85	South Africa	Sutherland-Karoo	date of entry into force
86	South Africa	Swartberg	1.2.2002
87	South Africa	Swartland	1.2.2002
88	South Africa	Swellendam	1.2.2002
89	South Africa	Theewater	date of entry into force
90	South Africa	Tradouw	1.2.2002
91	South Africa	Tradouw Highlands	date of entry into force
92	South Africa	Tulbagh	1.2.2002
93	South Africa	Tygerberg	1.2.2002
94	South Africa	Upper Hemel-en-Aarde Valley	date of entry into force
95	South Africa	Upper Langkloof	date of entry into force
96	South Africa	Vinkrivier/Vink River	1.2.2002
97	South Africa	Voor Paardeberg	date of entry into force
98	South Africa	Vredendal	1.2.2002
99	South Africa	Walker Bay	1.2.2002
100	South Africa	Wellington	1.2.2002
101	South Africa	Western Cape	date of entry into force
102	South Africa	Worcester	1.2.2002

Section A.4. Spirits

	Country	Geographical indication	Priority date
	—	—	—

Section B

Geographical indications of the European Union

Section B.1. Agricultural products and foodstuffs

	Country	Product category	Geographical indication	Priority date
1	Czech Republic	Fruit, vegetables and cereals fresh or processed	Žatecký chmel	date of entry into force
2	Denmark	Cheeses	Danablu	date of entry into force
3	Germany	Fruit, vegetables and cereals fresh or processed	Hopfen aus der Hallertau	date of entry into force
4	Germany	Fruit, vegetables and cereals fresh or processed	Tettlinger Hopfen	date of entry into force
5	Germany	Meat products	Nürnberger Bratwürste/Nürnberger Rostbratwürste	date of entry into force
6 ⁽¹⁾	Greece	Fruit, vegetables and cereals fresh or processed	Ελιά Καλαμάτας/Elia Kalamatas	date of entry into force
7	Greece	Fruit, vegetables and cereals fresh or processed	Φασόλια Γίγαντες Ελέφαντες Καστοριάς/Fassolia Gigantes Elefantas Kastorias	date of entry into force
8 ⁽²⁾	Greece	Cheeses	Φέτα/Feta	date of entry into force
9	Greece	Cheeses	Γραβιέρα Κρήτης/Graviera Kritis	date of entry into force
10	Greece	Olive oil	Καλαμάτα/Kalamata	date of entry into force
11	Greece	Cheeses	Κασέρι/Kasseri	date of entry into force
12	Greece	Cheeses	Κεφαλογραβιέρα/Kefalograviera	date of entry into force
13	Greece	Olive oil	Κολυμβάρι Χανίων Κρήτης/Kolymvari Chanion Kritis	date of entry into force

	Country	Product category	Geographical indication	Priority date
14	Greece	Fruit, vegetables and cereals fresh or processed	Κονσερβολιά Αμφίσσης/Konservolia Amfissis	date of entry into force
15	Greece	Fruit, vegetables and cereals fresh or processed	Κορινθιακή Σταφίδα Βοστίτσα/Korinthiaki Stafida Vostitsa	date of entry into force
16	Greece	Other products (spices etc.)	Κρόκος Κοζάνης/Krokos Kozanis	date of entry into force
17	Greece	Olive Oil	Λακωνία/Lakonia	date of entry into force
18	Greece	Natural gums and resins	Μαστίχα Χίου/Masticha Chiou	date of entry into force
19	Greece	Olive Oil	Σητεία Λασιθίου Κρήτης/Sitia Lassithiou Kritis	date of entry into force
20	Spain	Olive oil	Aceite de Terra Alta/Oli de Terra Alta	date of entry into force
21	Spain	Olive oil	Aceite del Baix Ebre-Montsià/Oli del Baix Ebre-Montsià	date of entry into force
22	Spain	Olive oil	Aceite del Bajo Aragón	date of entry into force
23	Spain	Cheeses	Arzúa-Ulloa	date of entry into force
24	Spain	Fruit, vegetables and cereals fresh or processed	Azafrán de la Mancha	date of entry into force
25	Spain	Olive oil	Baena	date of entry into force
26 ⁽³⁾	Spain	Fruit, vegetables and cereals fresh or processed	Cítricos Valencianos/Cítrics Valencians	date of entry into force
27	Spain	Meat products	Dehesa de Extremadura	date of entry into force
28	Spain	Meat products	Guijuelo	date of entry into force
29	Spain	Cheeses	Idiazábal	date of entry into force
30	Spain	Meat products	Jamón de Huelva	date of entry into force
31	Spain	Meat products	Jamón de Teruel	date of entry into force
32	Spain	Confectionary	Ijona	date of entry into force
33	Spain	Olive oil	Les Garrigues	date of entry into force

	Country	Product category	Geographical indication	Priority date
34	Spain	Cheeses	Mahón-Menorca	date of entry into force
35	Spain	Olive oil	Priego de Córdoba	date of entry into force
36	Spain	Cheeses	Queso Manchego	date of entry into force
37	Spain	Meat products	Salchichón de Vic/Llonganissa de Vic	date of entry into force
38	Spain	Olive oil	Sierra de Cádiz	date of entry into force
39	Spain	Olive oil	Sierra de Cazorla	date of entry into force
40	Spain	Olive oil	Sierra de Segura	date of entry into force
41	Spain	Olive oil	Sierra Mágina	date of entry into force
42	Spain	Olive oil	Siurana	date of entry into force
43	Spain	Meat products	Sobrasada de Mallorca	date of entry into force
44	Spain	Baker's wares	Turrón de Alicante	date of entry into force
45	France	Cheeses	Brie de Meaux	date of entry into force
46	France	Cheeses	Camembert de Normandie	date of entry into force
47	France	Meat products	Canard à foie gras du Sud-Ouest (Chalosse, Gascogne, Gers, Landes, Périgord, Quercy)	date of entry into force
48	France	Cheeses	Comté	date of entry into force
49	France	Cheeses	Emmental de Savoie	date of entry into force
50	France	Olive oil	Huile d'olive de Haute-Provence	date of entry into force
51	France	Essential oil	Huile essentielle de lavande de Haute-Provence	date of entry into force
52	France	Fisheries product	Huîtres Marennes Oléron	date of entry into force
53	France	Meat products	Jambon de Bayonne	date of entry into force
54	France	Cheeses	Mont d'Or/Vacherin du Haut-Doubs	date of entry into force
55	France	Fruit, vegetables and cereals fresh or processed	Pruneaux d'Agen/Pruneaux d'Agen mi-cuits	date of entry into force

	Country	Product category	Geographical indication	Priority date
56	France	Cheeses	Reblochon/Reblochon de Savoie	date of entry into force
57	France	Cheeses	Roquefort	date of entry into force
58	Italy	Sauces	Aceto Balsamico di Modena	date of entry into force
59	Italy	Sauces	Aceto balsamico tradizionale di Modena	date of entry into force
60	Italy	Fruit, vegetables and cereals fresh or processed	Arancia Rossa di Sicilia	date of entry into force
61	Italy	Cheeses	Asiago	date of entry into force
62	Italy	Meat products	Bresaola della Valtellina	date of entry into force
63	Italy	Fruit, vegetables and cereals fresh or processed	Cappero di Pantelleria	date of entry into force
64	Italy	Meat products	Cotechino Modena	date of entry into force
65	Italy	Cheeses	Fontina	date of entry into force
66	Italy	Cheeses	Gorgonzola	date of entry into force
67	Italy	Cheeses	Grana Padano	date of entry into force
68	Italy	Fruit, vegetables and cereals fresh or processed	Mela Alto Adige/Südtiroler Apfel	date of entry into force
69	Italy	Meat products	Mortadella Bologna	date of entry into force
70	Italy	Cheeses	Mozzarella di Bufala Campana	date of entry into force
71	Italy	Cheeses	Parmigiano Reggiano	date of entry into force
72	Italy	Cheeses	Pecorino Romano	date of entry into force
73	Italy	Cheeses	Pecorino Sardo	date of entry into force
74	Italy	Cheeses	Pecorino Toscano	date of entry into force
75	Italy	Fruit, vegetables and cereals fresh or processed	Pomodoro di Pachino	date of entry into force

	Country	Product category	Geographical indication	Priority date
76	Italy	Meat products	Prosciutto di Modena	date of entry into force
77	Italy	Meat products	Prosciutto di Parma	date of entry into force
78	Italy	Meat products	Prosciutto di San Daniele	date of entry into force
79	Italy	Meat products	Prosciutto Toscano	date of entry into force
80	Italy	Cheeses	Provolone Valpadana	date of entry into force
81	Italy	Meat products	Speck Alto Adige/Südtiroler Markenspeck/Südtiroler Speck	date of entry into force
82	Italy	Cheeses	Taleggio	date of entry into force
83	Italy	Olive oil	Toscano	date of entry into force
84	Italy	Olive oil	Veneto Valpolicella/Veneto Euganei e Berici/Veneto del Grappa	date of entry into force
85	Italy	Meat products	Zampone Modena	date of entry into force
86	Cyprus	Baker's wares	Λουκούμι Γεροσκίπου/Loukoumi Geroskipou	date of entry into force
87	Hungary	Meat products	Szegedi szalámi/Szegedi téliszalámi	date of entry into force
88	Netherlands	Cheeses	Edam Holland	date of entry into force
89	Netherlands	Cheeses	Gouda Holland	date of entry into force
90	Austria	Cheeses	Tiroler Bergkäse	date of entry into force
91	Austria	Meat products	Tiroler Speck	date of entry into force
92	Portugal	Fruit, vegetables and cereals fresh or processed	Ananás dos Açores/São Miguel	date of entry into force
93	Portugal	Olive oil	Azeite de Moura	date of entry into force
94	Portugal	Olive oil	Azeite do Alentejo Interior	date of entry into force
95	Portugal	Olive oil	Azeites da Beira Interior (Azeite da Beira Alta, Azeite da Beira Baixa)	date of entry into force
96	Portugal	Olive oil	Azeite de Trás-os-Montes	date of entry into force
97	Portugal	Olive oil	Azeites do Norte Alentejano	date of entry into force

	Country	Product category	Geographical indication	Priority date
98	Portugal	Olive oil	Azeites do Ribatejo	date of entry into force
99	Portugal	Meat products	Chouriça de Carne de Vinhais/Linguíça de Vinhais	date of entry into force
100	Portugal	Fruit, vegetables and cereals fresh or processed	Pêra Rocha do Oeste	date of entry into force
101	Portugal	Meat products	Presunto de Barrancos	date of entry into force
102	Portugal	Cheeses	Queijo S. Jorge	date of entry into force
103	Portugal	Cheeses	Queijo Serra da Estrela	date of entry into force
104	Portugal	Meat products	Salpicão de Vinhais	date of entry into force
105	United Kingdom	Cheeses	White Stilton cheese/Blue Stilton cheese	date of entry into force

- (1) The varietal names 'Kalamon' and 'Kalamata' may continue to be used on similar product, provided the consumer is not misled on the nature of such term or the precise origin of product.
- (2) Cheese bearing the name 'Feta' used in compliance with this Protocol shall be placed on the market of South Africa under the following conditions:
- Protection of Greek origin Feta;
 - Coexistence for prior trade marks established by prior use, or under common law, or registered in accordance with South African law;
 - For other users, designate South African Feta or Feta-Style, or Feta-Type;
 - The phase in within five (5) years of labelling requirements affecting all uses of 'Feta' to comply with: i) country of origin requirements; ii) milk animal source labelling requirements; and iii) designation of non-GI products, except those identified for coexistence, as South African Feta or Feta-Style, or Feta-Type and equivalents in other South African languages.
- (3) Varietal names containing or consisting of 'Valencia' may continue to be used on similar product, provided the consumer is not misled on the nature of such term or the precise origin of product.

Section B.2. Beers

	Country	Geographical indication	Priority date
1	Czech Republic	České pivo	date of entry into force
2	Czech Republic	Českobudějovické pivo	date of entry into force
3	Germany	Bayerisches Bier	date of entry into force
4	Germany	Bremer Bier	date of entry into force
5	Germany	Münchener Bier	date of entry into force

Section B.3. Wines

	Country	Geographical indication	Priority date
1	Germany	Franken	1.2.2002
2	Germany	Mittelrhein	1.2.2002

	Country	Geographical indication	Priority date
3	Germany	Mosel	1.2.2002
4	Germany	Rheingau	1.2.2002
5	Germany	Rheinhessen	1.2.2002
6	Greece	Αμύνταιο/Amynteo	date of entry into force
7	Greece	Κρήτη/Crete	date of entry into force
8	Greece	Μακεδονία/Macedonia	date of entry into force
9	Greece	Μαντινεία/Mantinia	date of entry into force
10	Greece	Νάουσα/Naoussa	date of entry into force
11	Greece	Νεμέα/Nemea	date of entry into force
12	Greece	Πελοπόννησος/Peloponnese	date of entry into force
13 (*)	Greece	Ρετσίνα Αττικής/Retsina of Attiki	date of entry into force
14	Greece	Ρόδος/Rhodes	date of entry into force
15	Greece	Σάμος/Samos	date of entry into force
16	Greece	Σαντορίνη/Santorini	date of entry into force
17	Greece	Στερεά Ελλάδα/Stereá Ellada	date of entry into force
18	Greece	Θράκη/Thrace	date of entry into force
19	Spain	Cataluña	date of entry into force
20	Spain	Cava	1.2.2002
21	Spain	Empordà	date of entry into force
22	Spain	Jerez-Xérès-Sherry/Jerez/Xérès/Sherry	2.2.1659
23	Spain	Jumilla	1.2.2002
24	Spain	La Mancha	1.2.2002
25	Spain	Málaga	1.2.2002
26	Spain	Manzanilla-Sanlúcar de Barrameda/Manzanilla	1.2.2002
27	Spain	Navarra	1.2.2002

	Country	Geographical indication	Priority date
28	Spain	Penedès	1.2.2002
29	Spain	Priorat	1.2.2002
30	Spain	Rías Baixas	1.2.2002
31	Spain	Ribera del Duero	1.2.2002
32	Spain	Rioja	1.2.2002
33	Spain	Rueda	1.2.2002
34	Spain	Somontano	1.2.2002
35	Spain	Toro	1.2.2002
36	Spain	Utiel-Requena	1.2.2002
37	Spain	Valdepeñas	1.2.2002
38	Spain	Valencia	1.2.2002
39	France	Alsace	1.2.2002
40	France	Anjou	1.2.2002
41	France	Beaujolais	1.2.2002
42	France	Beaune/Côte de Beaune	1.2.2002
43	France	Bordeaux	1.2.2002
44	France	Bourgogne	1.2.2002
45	France	Cahors	1.2.2002
46	France	Chablis	1.2.2002
47	France	Chambertin	1.2.2002
48	France	Champagne	26.6.1935
49	France	Châteauneuf-du-Pape	1.2.2002
50	France	Clos de Vougeot	1.2.2002
51	France	Corton	1.2.2002
52	France	Côte Rôtie	1.2.2002

	Country	Geographical indication	Priority date
53	France	Côtes de Provence	1.2.2002
54	France	Côtes du Rhône	1.2.2002
55	France	Côtes du Roussillon	1.2.2002
56	France	Graves/Graves de Vayres	1.2.2002
57	France	Crozes-Hermitage/Crozes-Ermitage/Hermitage/l'Hermitage/ Ermitage/l'Ermitage	1.2.2002
58	France	Languedoc	1.2.2002
59	France	Margaux	1.2.2002
60	France	Médoc/Haut-Médoc	1.2.2002
61	France	Meursault	1.2.2002
62	France	Montrachet	1.2.2002
63	France	Moselle	1.2.2002
64	France	Musigny	1.2.2002
65	France	Nuits/Nuits-Saint-Georges/Côte de Nuits-Villages	1.2.2002
66	France	Pays d'Oc	1.2.2002
67	France	Pessac-Léognan	1.2.2002
68	France	Pomerol	1.2.2002
69	France	Pommard	1.2.2002
70	France	Quincy	1.2.2002
71	France	Romanée Conti	1.2.2002
72	France	Saint-Estèphe	1.2.2002
73	France	Saint-Émilion	1.2.2002
74	France	Saint-Julien	1.2.2002
75	France	Sancerre	1.2.2002
76	France	Sauternes	1.2.2002
77	France	Touraine	1.2.2002

	Country	Geographical indication	Priority date
78	France	Val de Loire	1.2.2002
79	France	Volnay	1.2.2002
80	Italy	Asti	1.2.2002
81	Italy	Barbaresco	1.2.2002
82	Italy	Bardolino/Bardolino Superiore	1.2.2002
83	Italy	Barolo	1.2.2002
84	Italy	Brachetto d'Acqui/Acqui	1.2.2002
85	Italy	Brunello di Montalcino	1.2.2002
86	Italy	Campania	1.2.2002
87	Italy	Chianti	1.2.2002
88	Italy	Conegliano Valdobbiadene — Prosecco/Conegliano — Prosecco/Valdobbiadene — Prosecco	date of entry into force
89	Italy	Alba	1.2.2002
90	Italy	Franciacorta	1.2.2002
91	Italy	Lambrusco di Sorbara	1.2.2002
92	Italy	Lambrusco Grasparossa di Castelvetro	1.2.2002
93	Italy	Marsala	1.2.2002
94	Italy	Montepulciano d'Abruzzo	1.2.2002
95	Italy	Sicilia	1.2.2002
96	Italy	Soave	1.2.2002
97	Italy	Toscana/Toscana	1.2.2002
98	Italy	Valpolicella	1.2.2002
99	Italy	Veneto	1.2.2002
100	Italy	Vino Nobile di Montepulciano	1.2.2002
101	Cyprus	Κομμανδάρια/Commandaria	date of entry into force

	Country	Geographical indication	Priority date
102	Cyprus	Πάφος/Pafos	date of entry into force
103	Hungary	Tokaj/Tokaji	date of entry into force
104	Portugal	Alentejo	1.2.2002
105	Portugal	Algarve	1.2.2002
106	Portugal	Bairrada	1.2.2002
107	Portugal	Dão	1.2.2002
108	Portugal	Douro	1.2.2002
109	Portugal	Lisboa	date of entry into force
110	Portugal	Madeira/Madera/Vinho da Madeira/Madeira Wein/Madeira Wine/Vin de Madère/Vino di Madera/Madeira Wijn	1.2.2002
111	Portugal	Moscatel de Setúbal	1.2.2002
112	Portugal	Porto/Oporto/Vinho do Porto/Vin de Porto/Port/Port Wine/Portwein/Portvin/Portwijn	2.2.1659
113	Portugal	Tejo	date of entry into force
114	Portugal	Vinho Verde	1.2.2002
115	Romania	Cotești	date of entry into force
116	Romania	Cotnari	date of entry into force
117	Romania	Dealul Mare	date of entry into force
118	Romania	Murfatlar	date of entry into force
119	Romania	Târnavă	date of entry into force
120	Slovakia	Vinohradnícka oblasť Tokaj	date of entry into force

(¹) In South Africa this product is classified as 'flavoured grape liquor'.

Section B.4. Spirits

	Country	Geographical indication	Priority date
1	Ireland	Irish Cream	1.2.2002
2	Ireland	Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky	1.2.2002

	Country	Geographical indication	Priority date
3	Greece	Τσίπουρο/Tsipouro	1.2.2002
4	Spain	Brandy de Jerez	1.2.2002
5	Spain	Pacharán Navarro	1.2.2002
6	France	Armagnac	1.2.2002
7	France	Calvados	1.2.2002
8	France	Cognac	1.2.2002
9	France	Rhum de la Martinique	1.2.2002
10	Italy	Grappa	1.2.2002
11	Cyprus	Ζιβανία/Τζιβανία/Ζιβάνα/Zivania	date of entry into force
12	More than one (1) country: Hungary and Austria	Pálinka	date of entry into force
13	Hungary	Törkölypálinka	date of entry into force
14	Austria	Inländerrum	date of entry into force
15	Austria	Jägertee/Jagertee/Jagatee	1.2.2002
16	Poland	Polska Wódka/Polish Vodka	date of entry into force
17	Finland	Vodka of Finland/Suomalainen Vodka/Finsk Vodka	1.2.2002
18	Sweden	Svensk Vodka/Swedish Vodka	1.2.2002
19	United Kingdom	Scotch Whisky	1.2.2002
20	More than one country: Belgium, Germany, Austria	Korn/Kornbrand	1.2.2002
21	More than one country: Greece, Cyprus	Ούζο/Ouzo	1.2.2002

*Annex II to Protocol 3***Importation and marketing of wine products and spirits originating in South Africa and the EU**

Section A

Products originating in South Africa

Section A.1 Oenological practices and restrictions and product definitions referred to in Article 11(1) of this Protocol

For the purposes of Article 11 and Annex II, Section A.1(a) of this Protocol, the term ‘product definitions’ does not cover production methods or oenological practices and restrictions, which are covered by paragraphs (b) and (c).

The addition of alcohol spirit is excluded for all wines other than liqueur wines, to which only grape spirit may be added.

(a) Laws and regulations concerning product definitions:

Statute: Liquor Products Act 60 (No 60 of 1989) as last amended by the Liquor Products Amendment Act 32 (No 32 of 2008):

— Sections 1 and 5.

Regulations: Liquor Products Act 60 (No 60 of 1989) — Regulations, GG 12558 of 29.6.1990, as last amended by GN R525, GG 35501 of 13.7.2012:

— Sections 1, 3, 4 and 5,

— Table 2.

Wine of origin scheme: Liquor Products Act 60 (No 60 of 1989) — Wine of origin scheme, GG 12558 of 29 June 1990 as last amended by GN R526, GG 35501 of 13.7.2012:

— Section 1,

— Sections 8 to 14 N inclusive,

— Section 20.

(b) Laws and regulations concerning oenological practices and restrictions:

Statute: Liquor Products Act 60 (No 60 of 1989) as last amended by the Liquor Products Amendment Act 32 (No 32 of 2008), including subsequent modifications:

— Sections 1 and 5.

Regulations: Liquor Products Act 60 (No 60 of 1989) — Regulations, GG 12558 of 29.6.1990, as last amended by GN R525, GG 35501 of 13.7.2012, including subsequent modifications:

— Sections 1, 2, 3, 4, 5, 30, 31 and 32,

— Tables 1, 2, 6, 7, and 13.

Wine of origin scheme: Liquor Products Act 60 (No 60 of 1989) — Wine of origin scheme, GG 12558 of 29 June 1990 as last amended by GN R526, GG 35501 of 13.7.2012, including subsequent modifications:

— Sections 17 and 20,

— Tables 1, 2 and 4.

(c) Additional oenological practices and restrictions:

1. Agar–agar.

Agar–agar may be used on a temporary basis, pending a determination by the OIV of its admissibility in wine making (Table 6 of Liquor Products Act 60 (No 60 of 1989) — Regulations).

2. Concentrated grape must and rectified concentrated grape must.

Concentrated grape must and rectified concentrated grape must may be used for enrichment and sweetening under specific and limited conditions laid down in South African regulations, subject to the exclusion of use of these products in a reconstituted form in wines covered by this protocol. (Table 6 of Liquor Products Act 60 (No 60 of 1989) — Regulations).

3. Addition of water

The addition of water in winemaking is excluded, except where required on account of a specific technical necessity.

4. Hydrogen peroxide

The use of hydrogen peroxide as referred to in South African regulations (Table 6 of Liquor Products Act 60 (No 60 of 1989) — Regulations) is limited to use in grape juice, grape concentrate or grape must.

5. Tartaric acid

The use of tartaric acid, for acidification purposes as referred to in South African regulations (Table 6 of Liquor Products Act 60 (No 60 of 1989) — Regulations), is authorised provided that the initial acidity content is not raised by more than 4,0 grams per litre expressed as tartaric acid.

Section A.2. Documentation and certification referred to in Article 12(1) of this Protocol

Certification documents and analysis report

- (a) The European Union shall authorise the importation in its territory of wines in accordance with the rules governing the import certification documents and analysis reports as provided for according to the terms of the Appendix hereto.
- (b) The European Union agrees not to submit the import of wine originating in the territory of South Africa to more restrictive import certification requirements than any of those laid down in this Protocol.
- (c) The European Union shall authorise the importation in its territory of spirits in accordance with the rules governing the import certification document and analysis reports as provided for in its internal legislation.

Section B

Products originating in the European Union

Section B.1. Oenological practices and restrictions and product definitions referred to in Article 11(2) of this Protocol

The addition of alcohol spirit is excluded for all wines other than fortified wines, to which only grape spirit may be added.

(a) Laws and regulations concerning product definitions:

- (i) Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671), in particular production rules in the wine sector, in accordance with Articles 75, 78 80, 81, 83 and 91 and Annex VII, Part II of that Regulation.

- (ii) Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions (OJ L 193, 24.7.2009, p. 1), in particular Article 2 and Annex II and III of that Regulation.
- (iii) Commission regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (OJ L 193, 24.7.2009, p. 60), in particular Articles 7, 57, 58, 64 and 66 and Annexes XIII, XIV and XVI of that Regulation.

(b) Laws and regulations concerning oenological practices and restrictions:

- (i) Council Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671), in particular production rules in the wine sector, in accordance with Articles 75, 80, 83 and 91 and Annex VIII, Part I and II of that Regulation, including subsequent modifications.
- (ii) Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions (OJ L 193, 24.7.2009, p. 1), including subsequent modifications.

(c) Additional oenological practices and restrictions:

1. Calcium sulphate.

Calcium sulphate may be used for 'vino generoso (de licor)', limits of 2,5 g/l as potassium sulphate in the final product (point A(2)(b) of Annex III of Regulation (EC) No 606/2009).

2. Carboxymethylcellulose (CMC)

Carboxymethylcellulose (CMC) may be used for red wine for tartaric stabilisation, up to a limit of 100 mg/l, pending a determination by the OIV of its admissibility in wine making.

3. Concentrated grape must, rectified concentrated grape must and sucrose.

Concentrated grape must, rectified concentrated grape must and sucrose, may be used for enrichment and sweetening under specific and limited conditions (Annex VIII, Part I of Regulation (EU) No 1308/2013), subject to the exclusion of use of these products in a reconstituted form in wines covered by this Protocol.

4. Addition of water

The addition of water in winemaking is excluded, except where required on account of a specific technical necessity.

5. Fresh lees

Fresh lees may be used under specific and limited conditions (point 21 of annex I A of Regulation (EC) No 606/2009).

6. Tannin

Tannins may be used on a temporary basis (point 25 of Annex I A of Regulation (EC) No 606/2009), pending a determination by the OIV of its admissibility in wine making as antioxidant and stabilizer.

Section B.2. Documentation and certification referred to in Article 12(2) of this Protocol

Certification documents and analysis report

- (a) South Africa shall authorise the importation in its territory of wines in accordance with the rules governing the import certification documents and analysis reports as provided for according to the terms of the Appendix hereto.

- (b) South Africa agrees not to submit the import of wine originating in the territory of the European Union to more restrictive import certification requirements than any of those laid down in this Protocol.
- (c) South Africa shall authorise the importation in its territory of spirits in accordance with the rules governing the import certification document and analysis reports as provided for in its internal legislation.

Section C

Specific rules on importation, labelling and marketing applicable to products of either Party imported into the other Party

1. Retsina

Nothing in this Protocol shall prevent the marketing in South Africa of 'Retsina' originating in Greece and produced in accordance with European Union rules. It shall be regarded, for the purpose of importing and marketing in South Africa, as 'flavoured grape liquor' in terms of South African legislation.

2. Gold Flakes

Nothing in this Protocol shall prevent the marketing in the European Union of alcoholic beverages (whether or not effervescent) derived from grapes to which food grade gold flakes have been added, but such alcoholic beverage cannot be labelled or otherwise marketed as any type of wine.

3. Vine varieties

Vine varieties that may be used in wines imported and marketed in the territory of the Parties are varieties of plants of *Vitis vinifera* and hybrids of *Vitis vinifera* without prejudice to any more restrictive legislation which a Party may have in respect of wine produced on its territory. The import and marketing of wine obtained from the varieties Clinton, Herbemont, Isabelle, Jacques, Noah and Othello shall be prohibited.

4. Environmentally harmonious production methods on labels

The Parties agree to allow terms that indicate environmentally harmonious production methods on labels for wine if the use of those terms is regulated in the country of origin. Labels referring to organic production are not covered by this paragraph.

5. Names of States

The following names are protected with regard to wines and spirits:

- (a) references to the name of a Member State of the European Union for wines and spirits originating in the Member State concerned,
- (b) the name South Africa or other names used to indicate South Africa for wines and spirits originating therein.

6. Mutual assistance between enforcement authorities

Each Party shall designate the bodies and authorities to be responsible for the application of this Protocol. Where a Party designates more than one competent body, it shall ensure the coordination of the work of those bodies. For this purpose, a single liaison authority shall be designated.

The Parties shall inform one another of the names and addresses of the bodies and authorities referred to in the first paragraph not later than six (6) months after the date of entry into force of this Protocol. There shall be close and direct cooperation between those bodies.

The bodies and authorities referred to in the first paragraph shall seek ways of improving assistance to each other in the application of this Protocol in order to combat fraudulent practices.

7. Safeguard provisions

The Parties reserve the right to introduce temporary additional import certification requirements for wines and spirits imported from the other Party in response to legitimate public policy concerns, such as health or consumer protection or in order to act against fraud. In this case, the other Party shall be given adequate information in sufficient time to permit the fulfilment of the additional requirements.

The Parties agree that such requirements shall not extend beyond the period of time necessary to respond to the particular public policy concern in response to which they were introduced.

8. Labelling terms and traditional terms

The Parties recognise the importance attached to the use of labelling terms and traditional terms to describe wines placed on their respective markets. The Parties agree to continue to work together on this issue pursuant to Article 14 of this Protocol. The Parties agree to examine the objectives, principles and application to certain specific cases, with a view to reaching agreement within two (2) years of entry into force that shall be incorporated into this Protocol. Pending such agreement, the use of these terms on product imported from the other Party shall be subject to the rules, procedures and practices of the importing Party whether or not these terms constitute classes of wine or terms provided for in the legislation of the exporting Party referred to under Article 11 of this Protocol.

Within the European Union, with regard to the provisions of Regulation (EC) No 261/2006, the traditional terms 'Ruby', 'Tawny' and 'Vintage' therein specified may be used in labelling of fortified wines concerned, in line with their definition as laid down in South African law, in combination with any of the GIs listed in Annex I Section A.3 for which the fortified wine qualifies and for which the geographical indication is located in the Eastern, Northern or Western Cape Provinces. That fortified wine shall be labelled with the relevant geographical indication and with the traditional term hyphenated or otherwise in visual combination with the term 'Cape'.

*Appendix to Annex II***Import certification and analysis documentation**

1. Pursuant to Sections A.2 (a) and B.2 (a) of this Annex, the evidence that the requirements for the importation of wine in the territory of a Party have been fulfilled shall be supplied to the competent authorities of the importing Party by the production:
 - (a) of a certificate issued by a mutually recognised official authority of the country of origin; and
 - (b) if the wine is intended for direct human consumption, of an analysis report drawn up by a laboratory officially recognised by the country of origin. The analysis report shall include the following information:
 - total alcoholic strength by volume
 - actual alcoholic strength by volume
 - total dry extract
 - total acidity, expressed as tartaric acid
 - volatile acidity, expressed as acetic acid
 - citric acidity
 - residual sugar
 - total sulphur dioxide.
2. The Parties shall mutually determine the specific details of these rules referred to in paragraph 1, in particular the forms to be used and the information to be given ⁽¹⁾.
3. In applying paragraph 6 of Section C of Annex II, the Parties agree that the methods of analysis recognised as reference methods by the OIV and published by that Organization or, where an appropriate method does not appear in this publication, a method of analysis complying with the standards recommended by the International Organisation for Standardisation (ISO), shall prevail as reference methods for the determination of the analytical composition of the wine in the context of control operations.

⁽¹⁾ To be done through a decision of the Special Committee established under Article 13 of this Protocol.

DECLARATIONS

JOINT DECLARATION BY EU AND SOUTH AFRICA ON BOTTLE SIZES AND ALCOHOLIC STRENGTHS OF SPIRITS

The Parties hereby declare that bottle sizes and minimum alcoholic strengths by volume for release for human consumption of spirit drinks should not unnecessarily burden exporters in both Parties. They further declare that they will encourage further harmonisation.

JOINT DECLARATION BY EU AND SOUTH AFRICA ON CERTIFICATION AND ANALYSIS

The Parties hereby declare that the following parameters are subject to analysis for spirit import certification procedures provided for under South Africa's rules on spirit importation procedures:

(a) Spirits other than those referred to points (b) and (c):

% of alcoholic strength by volume,
content of methyl alcohol per hectolitre of 100 % vol alcohol,
quantity of volatile substances per hectolitre of 100 % vol alcohol.

(b) Blended whisky:

% of alcoholic strength by volume,
content of methyl alcohol per hectolitre of 100 % vol alcohol,
quantity of volatile substances per hectolitre of 100 % vol alcohol,
higher alcohols amyl alcohol per hectolitre absolute alcohol.

(c) Spirit based beverages:

(i) Liqueur, spirit cocktail:

% of alcoholic strength by volume,
content of methyl alcohol per hectolitre of 100 % vol alcohol,
residual sugar g/litre

(ii) Spirit cooler:

% of alcoholic strength by volume,
content of methyl alcohol per hectolitre of 100 % vol alcohol,
total sulphur dioxide,
volatile acidity, expressed as acetic acid

(iii) Cream liqueur:

% of alcoholic strength by volume,
content of methyl alcohol per hectolitre of 100 % vol alcohol,
residual sugar,
butterfat

(iv) Other:

% of alcoholic strength by volume,
content of methyl alcohol per hectolitre of 100 % vol alcohol.

DECLARATION BY THE EU ON THE USE OF THE GEOGRAPHICAL INDICATION SYMBOL

The EU hereby declares that it may consider duly motivated requests from South Africa for the names protected under Annex I Section A.1 of this Protocol, to be eligible to be marketed in the EU accompanied by the symbol designating protected GIs.

DECLARATION BY SOUTH AFRICA ON CHEESE STANDARDS

South Africa declares that in a forthcoming amendment of its labelling provisions for cheese products, and within ten (10) years of the entry into force of this Protocol, South Africa shall take into account the product specifications of cheese products designated by GIs listed in Annex I, Section B.1 of this Protocol to ensure that they can be marketed in South Africa under the appropriate designations.

PROTOCOL 4**Concerning the relationship between the TDCA and this Agreement**

1. As of the date of entry into force of this Agreement pursuant to Article 113 of this Agreement:
 - (a) the following provisions of TDCA are hereby repealed:
 - (i) Articles contained in Titles II (Trade) and III (Trade-Related Issues) and its corresponding annexes and Protocols, with the exception of Article 31 (Maritime transport) which remains applicable in relations between the Parties to the TDCA;
 - (ii) Paragraphs 9 and 10 of Article 104;
 - (iii) Paragraphs 5 and 7 of the attachment to the exchange of letters contained in Annex X to the TDCA.
 - (b) the Cooperation Council established under Article 97 of the TDCA shall no longer have the power to take any legally binding decisions in respect of the matters covered by the provisions repealed pursuant to paragraph (a)
 - (c) the dispute settlement mechanism established under Article 104 of the TDCA shall no longer be available to the TDCA Parties for disputes relating to the application or interpretation of provisions repealed pursuant to paragraph (a)
 2. In case of provisional application of this Agreement by the EU and ratification by South Africa pursuant to Article 113 of this Agreement:
 - (a) the application of Articles to be repealed under paragraph 1 shall be suspended.
 - (b) the Cooperation Council established under Article 97 of the TDCA shall not have the power to take any legally binding decisions in respect of the matters covered by the provisions suspended pursuant to paragraph 2(a).
 - (c) the dispute settlement mechanism established under Article 104 of the TDCA shall not be available to the TDCA Parties for disputes relating to the application or interpretation of provisions suspended pursuant to paragraph 2(a).
 3. In the event of any inconsistency between the TDCA and this Agreement, this Agreement shall prevail to the extent of the inconsistency.
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FINAL ACT

The representatives of:

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the functioning of the European Union, hereinafter referred to as the 'Member States of the European Union'

and

THE EUROPEAN UNION,

of the one part, and

THE REPUBLIC OF BOTSWANA,

THE KINGDOM OF LESOTHO,

THE REPUBLIC OF MOZAMBIQUE,
THE REPUBLIC OF NAMIBIA,
THE REPUBLIC OF SOUTH AFRICA,
THE KINGDOM OF SWAZILAND

hereinafter referred to as the ‘Southern African Development Community Economic Partnership Agreement States’ (‘the SADC EPA States’),

of the other part,

meeting at Kasane on the tenth day of June in the year two thousand and sixteen for the signature of the Economic Partnership Agreement between the European Union and its Member States, of the one part,

and the SADC EPA States, of the other part, have at the time of signature of the Agreement:

— adopted the following Annexes, Protocols and Declarations:

- ANNEX I: Customs duties of the EU on products originating in the SADC EPA States
- ANNEX II: Customs duties of SACU on products originating in the EU
- ANNEX III: Customs duties of Mozambique on products originating in the EU
- ANNEX IV: Agricultural safeguards ANNEX V:
BLNS transitional safeguards
- ANNEX VI: SPS priority products and sectors
- PROTOCOL 1: Concerning the Definition of the Concept of ‘Originating Products’ and Methods of Administrative Cooperation
- PROTOCOL 2: Mutual Administrative Assistance in Customs Matters
- PROTOCOL 3: Geographical Indications and Trade in Wines and Spirits
- PROTOCOL 4: Concerning the relationship between the TDCA and this Agreement

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Final Act.

Съставено в Казан на десети юни две хиляди и шестнадесета година.
 Hecho en Kasane el diez de junio de dos mil dieciséis.
 V Kasane dne desátého června dva tisíce šestnáct.
 Udfærdiget i Kasane, den tiende juni to tusind og seksten.
 Geschehen zu Kasane am zehnten Juni zweitausendundsechzehn.
 Kahe tuhande kuueteistkümnenda aasta juunikuu kümnendal päeval Kasanes.
 Έγινε στο Κασάνε, στις δέκα Ιουνίου δύο χιλιάδες δεκαέξι.
 Done at Kasane on the tenth day of June in the year two thousand and sixteen.
 Fait à Kasane, le dix juin deux mille seize.
 Sastavljeno u Kasaneu desetog lipnja godine dvije tisuće šesnaeste.
 Fatto a Kasane, addì dieci giugno duemilasedici.
 Kasanē, divi tūkstoši sešpadsmiņā gada desmitajā jūnijā.
 Priimta du tūkstančiai šešioliktų metų birželio dešimtą dieną Kasanėje.
 Kelt Kasanében, a kétezer-tizenhatodik év június havának tizedik napján.
 Magħmul f'Kasane fl-ghaxar jum ta' Ġunju fis-sena elfejn u sittax.
 Gedaan te Kasane, tien juni tweeduizend zestien.
 Sporządzono w Kasane dnia dziesiątego czerwca roku dwa tysiące szesnastego.
 Feito em Kasane, em dez de junho de dois mil e dezasseis.
 Íntocmit la Kasane, la zece iunie două mii șaisprezece.
 V Kasane desiateho júna roku dvetisíc šestnást'.
 V Kasaneju, deseti dan junija leta dva tisoč šestnajst.
 Tehty Kasanessa kymmenentenä päivänä kesäkuuta vuonna kaksituhattakuusitoista.
 Som skedde i Kasane den tionde juni år tjugohundrasexton.

Voor het Koninkrijk België
 Pour le Royaume de Belgique
 Für das Königreich Belgien



Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.
 Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.
 Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

За Република България



Za Českou republiku



For Kongeriget Danmark



Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel



Thar cheann Na hÉireann

For Ireland



Για την Ελληνική Δημοκρατία



Por el Reino de España



Pour la République française



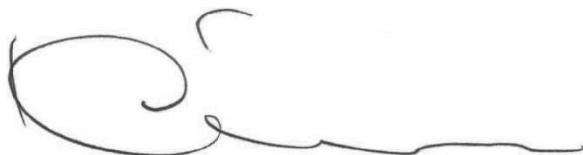
Za Republiku Hrvatsku



Per la Repubblica italiana



Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā –



Lietuvos Respublikos vardu



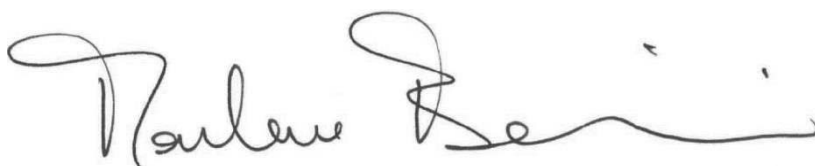
Pour le Grand-Duché de Luxembourg



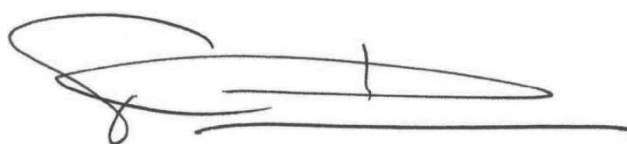
Magyarország részéről



Għar-Repubblika ta' Malta



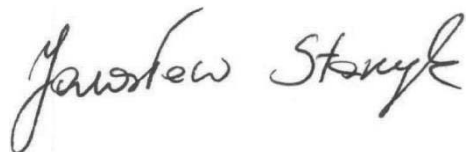
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



Pela República Portuguesa



Pentru România



Za Republiko Slovenijo

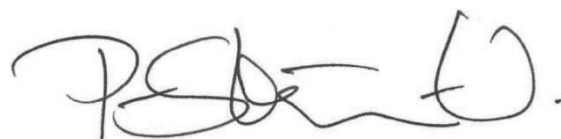


Za Slovenskú republiku

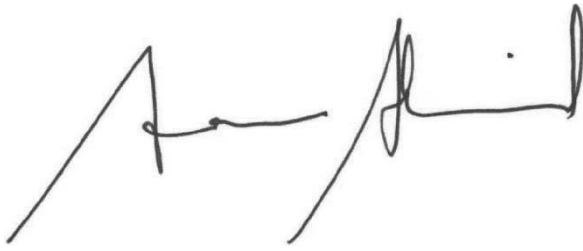


Suomen tasavallan puolesta

För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu Za
 Evropsko unijo Euroopan
 unionin puolesta För
 Europeiska unionen



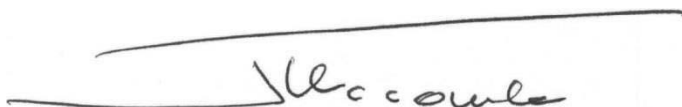

For the Republic of Botswana



For the Kingdom of Lesotho

A handwritten signature in black ink, appearing to be 'Jefpa'.

Pela República de Moçambique

A handwritten signature in black ink, appearing to be 'Mecowle'.

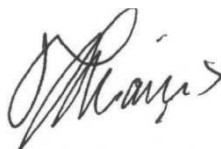
For the Republic of Namibia

A handwritten signature in black ink, appearing to be 'Ngatzen'.

For the Republic of South Africa

A handwritten signature in black ink, appearing to be 'Ranga'.

For the Kingdom of Swaziland

A handwritten signature in black ink, appearing to be 'Mazis'.

DECLARATIONS

DECLARATION BY NAMIBIA ON THE ORIGIN OF FISHERIES PRODUCTS

Namibia reaffirms her point of view expressed throughout the EPA negotiations on the rules of origin in respect of fishery products and consequently maintains that following the exercise of her sovereign rights over fishery resources in the waters within her national jurisdiction, including the Exclusive Economic Zone, as defined in the United Nations Convention on the Law of the Sea, all catches effected in those waters and obligatory landed in ports of Namibia for processing shall enjoy originating status.

DECLARATION BY THE EU RELATING TO PROTOCOL 1 ON THE EXTENT OF TERRITORIAL WATERS

The EU, recalling that the relevant acknowledged principles of international law, in particular the United Nations Convention on the Law of the Sea, restrict the maximum extent of territorial waters to 12 nautical miles, declares that this limit shall be taken into account in applying the provisions of the Protocol whenever the latter refers to this concept.

DECLARATION OF THE COUNCIL REGARDING ARTICLE 74(1) OF THE ECONOMIC PARTNERSHIP AGREEMENT
BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF ONE PART, AND THE SADC EPA STATES, OF
THE OTHER PART

The Council considers that the wording of Article 74(1) of the SADC EPA does not and cannot derogate from the division of competences between the Union and its Member States under the Treaties, including for investment.

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