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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2640/80

of 14 October 1980

concerning the beginning of the 1980/81 marketing year in the sheepmeat and goatmeat sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 3 (5) thereof,

By way of derogation from Article 3 (5) of Regulation (EEC) No 1837/80, the 1980/81 marketing year in the sheepmeat and goatmeat sector shall begin on 20 October 1980, the day on which that Regulation is to enter into force.

Whereas Regulation (EEC) No 1837/80 is applicable from the application of the Agreements resulting from the negotiating brief given to the Commission by the Council on 20 December 1979; whereas such application is envisaged for 20 October 1980; whereas that date should also be adopted as the beginning of the 1980/81 marketing year,

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 14 October 1980.

*For the Council**The President*

C. NEY

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

COUNCIL REGULATION (EEC) No 2641/80

of 14 October 1980

derogating from certain import rules laid down in Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 20 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 16 of Regulation (EEC) No 1837/80 provides for the introduction of a system of certificates enabling the development of imports and exports to be monitored; whereas the said certificates are issued to any interested party who makes application for them, provided that a security is lodged guaranteeing the undertaking to import during the period of validity of the certificate;

Whereas certain third countries have undertaken to restrict the volume of their exports to the Community and to communicate to the Commission statistics relating to such exports; whereas it is appropriate to limit the issue of import certificates to those quantities which are the subject of the voluntary restraint agreements;

Whereas, in the case of products falling within subheading 02.01 A IV of the Common Customs Tariff, Article 15 of Regulation (EEC) No 1837/80 provides for a limitation of the levy to the amount resulting from the voluntary restraint agreements;

Whereas it is necessary to adopt measures to prevent deflections of trade; whereas, in particular, it should be provided that the issue of the import certificate for the products in question shall be subject to the production of an export certificate issued by the exporting third country within the framework of an overall quantity fixed for a specified period; whereas such a measure renders superfluous the lodging of a security at the time of the submission of the application for the import certificate;

Whereas voluntary restraint agreements cannot, as from their implementation, eliminate differences in commercial policy measures; whereas this may lead to application of Article 115 of the Treaty; whereas, moreover, the authorities which are competent to issue certificates should be afforded the means of ensuring that the undertakings entered into by third country exporters concerning the restrictions on their exports to zones defined as sensitive zones should be complied with,

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding Article 16 of Regulation (EEC) No 1837/80:

- the issue of import certificates for products falling within subheadings 01.04 B and 02.01 A IV of the Common Customs Tariff, originating in a third country which has undertaken to restrict its exports to the Community, shall not exceed for each calendar year the overall quantity resulting from the voluntary restraint agreement signed with the Community;
- issue of the import certificate shall be subject to production of an 'export certificate to the European Economic Community' issued by the Government of the exporting third country or under its responsibility;
- in the case of products originating in a country which has agreed to restrict its exports to a sensitive marketing zone, imports into such a zone are subject to presentation of an import certificate issued on presentation of an export certificate stating that the goods are destined for said zone, always providing that the issue of the import certificates concerned shall be suspended when the quantities agreed upon for destination to such zone are exceeded;
- issue of an import certificate for the products referred to in the first indent shall not be subject to the lodging of a security.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

2. Detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 1837/80.

Article 2

This Regulation shall enter into force on 20 October 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 14 October 1980.

For the Council

The President

C. NEY

COUNCIL REGULATION (EEC) No 2642/80

of 14 October 1980

laying down conditions for the application of protective measures in the sheepmeat and goatmeat sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 21 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 21 (1) of Regulation (EEC) No 1837/80 provides for the possibility of taking appropriate measures if, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 experiences or is threatened with serious disturbance which may endanger the objectives set out in Article 39 of the Treaty; whereas such measures relate to trade with third countries and whereas the cessation of their application is determined by the disappearance of the disturbance or of the threat of disturbance;

Whereas it is consequently necessary to specify the main factors which make it possible to assess whether, in the Community, the market is seriously disturbed or is threatened with so being;

Whereas, since recourse to protective measures depends on the influence exerted by trade with third countries on the Community market, it is necessary to assess the situation on that market by taking account not only of factors peculiar to the market itself but also of factors relating to the trend of that trade;

Whereas the measures which may be taken pursuant to Article 21 of Regulation (EEC) No 1837/80 should be specified; whereas such measures must be of such a kind as to remedy serious market disturbances and to remove the threat of such disturbances; whereas they must be taken in conformity with the provisions of Article 18 of the aforementioned Regulation and must be tailored to the circumstances in order to prevent their having effects other than those desired;

Whereas it is necessary to restrict the ability of a Member State to have recourse to interim protective measures where the market in that State, following an assessment based on the aforementioned factors, is regarded as fulfilling the conditions of the said Article; whereas the measures capable of being taken in such a case must be of such a kind as to prevent the market situation from deteriorating further; whereas, however, the interim protective nature of national measures justifies their application only until the entry into force of a Community decision has been taken on this matter;

Whereas the Commission is required to determine the Community protective measures to be taken following a request by a Member State within 24 hours of receipt of such a request; whereas, in order to enable the Commission to assess the market situation with the maximum efficiency, it is necessary to lay down provisions ensuring that the Commission will be informed as soon as possible of the application of interim protective measures by a Member State; whereas it should be stipulated, therefore, that such measures will be notified to the Commission as soon as they have been decided on and that such notification is to be regarded as a request within the meaning of Article 21 (2) of Regulation (EEC) No 1837/80,

HAS ADOPTED THIS REGULATION:

Article 1

For the purpose of assessing whether the Community market in one or more of the products referred to in Article 1 of Regulation (EEC) No 1837/80 is, by reason of imports or exports, experiencing or threatened with serious disturbance which may endanger the objectives set out in Article 39 of the Treaty, account shall be taken in particular of:

- (a) the volume of imports or exports actual or anticipated,
- (b) supplies of products on the Community market,
- (c) prices recorded on the Community market or the foreseeable trend of those prices and, in particular, of an excessive upward or downward trend thereof,
- (d) the quantities of products in respect of which intervention measures have been taken or may have to be taken on account of imports.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

Article 2

1. The measures which may be taken pursuant to Article 21 (2) and (3) of Regulation (EEC) No 1837/80, where the situation provided for in paragraph 1 of this Article arises, shall be the suspension of imports or exports or the levying of export charges.

2. Such measures may be taken only to the extent and for such period of time as is strictly necessary. They shall take account of the special situation of products on their way to the Community. They may relate only to products from or for third countries. They may be restricted to certain sources, origins, destinations or uses, qualities or forms of presentation. They may be restricted to imports intended for certain Community regions or to exports from those regions.

Article 3

1. Where a Member State deems, following an assessment based on the factors referred to in Article 1, that the situation referred to in Article 21 (1) of Regulation (EEC) No 1837/80 exists on its territory, it may take, on an interim protective basis, the following measures:

(a) the suspension of imports or exports,

(b) the requirement of the payment of deposits in respect of export charges or the securing of the amount thereof.

The measure referred to under (b) shall entail no levying of charges unless it has been so decided pursuant to Article 21 (2) or (3) of Regulation (EEC) No 1837/80.

Article 2 (2) shall apply.

2. The interim protective measures shall be notified to the Commission by telex as soon as they have been decided on. Such notification shall be treated as a request within the meaning of Article 21 (2) of Regulation (EEC) No 1837/80.

National measures shall apply only until the entry into force of Community measures or, in the event of a negative decision, until such a decision takes effect.

Article 4

This Regulation shall enter into force on 20 October 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 14 October 1980.

For the Council

The President

C. NEY

COUNCIL REGULATION (EEC) No 2643/80

of 14 October 1980

laying down general rules governing the granting of the premium for the benefit of
sheepmeat producers

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 5 (7) thereof,

Having regard to the proposal from the Commission,

Whereas Article 5 of Regulation (EEC) No 1837/80 provides that, in order to offset the loss of income which may result from the establishment of the common market organization, a premium shall be granted for the benefit of sheepmeat producers; whereas it is necessary, therefore, to specify who may be the beneficiaries of this measure;

Whereas calculation of the amount of the said premium depends on establishing certain Community statistics in the sheepmeat and goatmeat sector; whereas it is appropriate, therefore, to provide for a harmonization at Community level of statistics in this sector; whereas, however, it is advisable, for a transitional period, to provide for the use of existing official statistical data in the various Member States for this sector;

Whereas in certain cases it may turn out, in the course of a marketing year, that the advance on the premium paid in accordance with Article 5 (5) of the said Regulation is greater than the amount of the premium payable taking into account the review provided for at the end of the marketing year; whereas it is appropriate, therefore, to provide that in such circumstances the part of the premium which has been overpaid should be deducted from the premium to be paid during the following marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purposes of this Regulation:

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

(a) 'producer of sheepmeat' means a person, whether natural or legal, who engages in the rearing of animals of the ovine species on the territory of the Community; however, this definition may:

(i) be supplemented by additional criteria to be fixed by the Member States following approval by the Commission,

(ii) where Article 5 (6) of Regulation (EEC) No 1837/80 applies, be adapted in accordance with the procedure provided for in Article 26 of that Regulation;

(b) 'ewe' means the female animal of the ovine species which is over one year old or has lambed at least once; however, Member States may complete this definition by additional conditions laying down in particular a minimum age of the ewe;

(c) 'slaughtered lamb' means an animal of the ovine species slaughtered within the Community and born or reared for at least two months in the region, within the meaning of Article 3 (1) of Regulation (EEC) No 1837/80, in which the premium is granted; an animal exported live from the territory of the Community shall be treated as a slaughtered lamb.

2. Only producers of sheepmeat rearing a minimum number of ewes fixed by each Member State shall be eligible for the premium provided for in Article 5 of Regulation (EEC) No 1837/80.

Article 2

1. The total amount of the premium referred to in Article 5 (2) of Regulation (EEC) No 1837/80 shall be calculated by taking the gross indigenous production of sheepmeat as the reference factor in each region concerned.

2. Until a Council Directive on the surveys of sheep and goatmeat production to be conducted by the Member States has been implemented, the data to be used in applying paragraph 1 shall be the official data at present available in the various Member States. Where separate statistics for sheepmeat on one hand, and goatmeat on the other are not available, the gross indigenous production of sheepmeat shall be estimated

on the basis of statistics relating to sheep livestock on one hand and goat livestock on the other.

Article 3

1. Where it is found at the end of the marketing year that the total amount of the advance paid in a particular region in accordance with Article 5 (5) of Regulation (EEC) No 1837/80 is greater than the total amount of the premiums payable in that region taking into account the review provided for in paragraphs 2 and 3 of that Article, an amount equal to that difference shall be deducted from the total amount of the premiums to be paid for the following marketing year in that region as

would have been obtained under paragraph 2 of that Article.

2. The advance and balance provided for in Article 5 (5) of Regulation (EEC) No 1837/80 shall not be paid unless they exceed an amount to be determined under the procedure laid down in Article 26 of that Regulation.

Article 4

This Regulation shall enter into force on 20 October 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 14 October 1980.

For the Council

The President

C. NEY

COUNCIL REGULATION (EEC) No 2644/80

of 14 October 1980

laying down general rules for intervention with regard to the sheepmeat and goatmeat sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 7 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1837/80 provides for the possibility of intervention in the sheepmeat and goatmeat sector by the granting of private storage aid;

Whereas the functioning of such a system of aid may be facilitated by the conclusion of contracts with intervention agencies;

Whereas, to attain the objects of the aid, as defined in Regulation (EEC) No 1837/80, the level of aid must be fixed with regard to the costs incurred in storage; whereas, for this purpose, it is appropriate to provide for two methods for determining the said level; whereas, in both cases, the aid must be granted without discrimination among interested parties established in the Community;

Whereas appropriate measures should be laid down for cases where the market situation for the products in question necessitates amendment of the terms of contracts about to be concluded or alteration of the period of storage provided for in contracts already concluded;

Whereas Regulation (EEC) No 1837/80 provides for the possibility of intervention in the sheepmeat sector by means of buying-in by the intervention agencies;

Whereas general criteria governing such buying-in should be laid down, having regard both to the objectives of the intervention system, in particular the balance between the market in question and that of competing animal products, and to the Community's financial liabilities in this connection;

Whereas, to attain the objects pursued by the grant of the variable slaughter premium for sheep referred to in Article 9 of Regulation (EEC) No 1837/80, provision shall be made that, during a given marketing year, intervention purchases, as provided for in Article 6 (1) (b) of that Regulation, may not be decided on in the Member States which apply the said premium, during that marketing year, and vice versa;

Whereas appropriate measures should be taken in relation to the application of intervention buying-in to ensure that such buying-in relates only to qualities of sheepmeat carcasses in respect of which there exist prices sufficiently representative of the true market situation, pending harmonization of the systems for classifying such qualities by means of a Community classification scale;

Whereas it is necessary to provide that the buying-in prices for the various qualities must be determined on the basis of the relative value normally existing in respect of each of those qualities in each Member State where such buying-in is carried out;

Whereas provision should be made, where the measures laid down in Article 8 of Regulation (EEC) No 1837/80 are applied, the buying-in prices should be determined in the same way as those specified above,

HAS ADOPTED THIS REGULATION:

TITLE I

Private storage aid

Article 1

1. Private storage within the meaning of Article 6 (1) (a) of Regulation (EEC) No 1837/80 shall mean the storing, in a warehouse, of products falling within the sheepmeat and goatmeat sector where this operation is carried out on their own account and at their own risk by natural or legal persons established in the Community other than the intervention agencies referred to in Article 6 (1) (b) of that Regulation.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

2. Private storage aid may only be granted in respect of products derived from animals originating in the Community which are stored under conditions to be determined.

3. The aid shall be granted in accordance with the terms and conditions of contracts concluded with the intervention agencies; such contracts shall lay down the reciprocal obligations of the contracting parties under standard conditions for each product.

Article 2

Unless specially authorized, applications for private storage aid may be made only in the Member State where the product is to be stored.

Article 3

If the market situation so requires, the storage period specified in the contract may be reduced or extended under conditions to be determined.

Article 4

1. The amount of aid shall be:

— either determined by means of an invitation to tender published in the *Official Journal of the European Communities*,

— or fixed in advance at a flat rate.

2. Equal treatment shall be given to all applicants as to the admissibility of their tender whatever their place of establishment in the Community.

Only applicants who have guaranteed the fulfilment of their obligations by lodging a security, which shall be forfeited in whole or in part if the obligations specified in the contract are not or are only partially fulfilled, shall be permitted to tender and to conclude contracts.

3. The time limit for the entry of the products into store and the length of the storage period shall be specified.

4. The amount of the aid may not normally exceed an amount equal to the costs which would be incurred if the storage were effected by the intervention agencies.

Article 5

1. In the selection of the successful tenderers, priority shall be given to those tenders which are most advantageous to the Community.

2. It may be decided, in any event, to make no award of contract.

Article 6

Where a flat rate of aid is fixed in advance:

- (a) a single rate shall be fixed for each product taking into account storage costs, normal deterioration in quality and, as far as possible, the foreseeable increase in the price of the product in question;
- (b) applications for aid shall be granted under conditions to be determined, in particular with regard to the time between the submission of the application and the conclusion of the contract;
- (c) the conclusion of storage contracts may be suspended or the terms of contracts about to be concluded may be revised if examination of the market situation, of the quantities covered by contracts and of the contract applications in hand render one of those measures necessary.

TITLE II

Buying-in by the intervention agencies

Article 7

1. The qualities and presentations of the sheep carcasses bought in by the intervention agencies must be determined with regard to the need to ensure adequate market support and to facilitate sale of the goods when storage ends.

2. In cases where Article 8 of Regulation (EEC) No 1837/80 is applied, the intervention measures and the products to which those measures apply must be selected with regard to the need to limit the financial burden on the Community.

Article 8

The intervention measures referred to in Article 6 (1) (b) of Regulation (EEC) No 1837/80 may be implemented only in Member States which do not at any time during a given marketing year pay the variable slaughter premium provided for in Article 9 of that Regulation.

Article 9

The intervention measures referred to in Article 6 (1) (b) of Regulation (EEC) No 1837/80 may be implemented only in Member States which apply a national carcase classification system which permits identification of the qualities which will best give market support and a representative survey of the prices fetched by those qualities.

Article 10

1. For each Member State where it has been decided to apply the intervention measures referred to in Article

6 (1) (b) of Regulation (EEC) No 1837/80, the buying-in prices for the qualities referred to in Article 7 (1) shall be fixed on the basis of the relative value normally existing in respect of each of those qualities.

2. If the measures provided for in Article 8 of Regulation (EEC) No 1837/80 are applied, the buying-in prices shall be those determined under paragraph 1.

Article 11

This Regulation shall enter into force on 20 October 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 14 October 1980.

For the Council

The President

C. NEY

COUNCIL REGULATION (EEC) No 2645/80

of 14 October 1980

concerning the collection of the levy applicable to certain live animals in the sheepmeat and goatmeat sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

For products falling within subheading 01.04 B of the Common Customs Tariff, collection of the levy shall be limited to 10 %, *ad valorem*, within the limit of quantities to be determined, according to country of origin.

Having regard to the proposal from the Commission,

Article 2

Whereas Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾ laid down arrangements for trade with third countries for this sector; whereas these arrangements cover in particular the collection of a levy on import of live sheep and goats;

The detailed rules for applying this Regulation shall be adopted according to the procedure provided for in Article 26 of Regulation (EEC) No 1837/80.

Article 3

Whereas, until the arrangements with certain third countries which traditionally export live sheep and goats to the Community can be concluded, collection of the levy on these products should be limited to quantities to be determined according to country of origin,

This Regulation shall enter into force on 20 October 1980.

It shall apply until the implementation of voluntary restraint agreements with the third countries concerned and until 31 December 1981 at the latest.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 14 October 1980.

For the Council

The President

C. NEY

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

Information on the entry into force of Regulation (EEC) No 1837/80

Since the Agreements mentioned in Article 35 of Council Regulation (EEC) No 1837/80 of 27 June 1980 came into force on 20 October 1980, Regulation (EEC) No 1837/80 became applicable from the same date.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 October 1980

on the conclusion of voluntary restraint Agreements with Argentina, Australia, New Zealand and Uruguay in the sheepmeat and goatmeat sector

(80/982/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Commission has opened negotiations with non-member countries which supply sheepmeat and goatmeat or live sheep and goats, with a view to reaching Agreements for voluntary restraint on their exports to the Community;

Whereas the Commission has reached agreement with Argentina, Australia, New Zealand and Uruguay;

Whereas the said Agreements allow trade to be carried on in a manner compatible with the common organization of the markets in the sector in question,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreements drawn up in the form of exchanges of letters on trade in the sheepmeat and goatmeat sector

with the countries listed hereafter are hereby approved on behalf of the European Economic Community;

- Argentina,
- Australia,
- New Zealand,
- Uruguay.

2. The texts of the Agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1, in order to bind the Community.

Done at Luxembourg, 14 October 1980.

For the Council

The President

C. NEY

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Argentine Republic on trade in mutton and lamb

Letter No 1

Sir,

I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Argentina, on connection with implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (02.01 A IV a)),
 - frozen mutton, lamb and goatmeat (02.01 A IV b)).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Argentina to the Community are fixed at the following annual quantity: 20 000 tonnes expressed in carcass weight ⁽¹⁾.

In order to ensure the proper functioning of the arrangement, Argentina undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

3. Should the Community have recourse to the safeguard clause, it undertakes that Argentina's access into the Community as provided for in this arrangement will not be affected.
4. If imports in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Argentina for the remainder of that year. The quantity overshipped shall be offset against Argentina's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10 %, *ad valorem*.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

6. At the time of accession of new Member States, the Community, in consultation with Argentina, will alter the quantities set out in paragraph 2, in accordance with Argentina's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with rules in the Treaty of Accession; the maximum level of the levy specified in point 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 23 000 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Argentina's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Argentina's mutton and lamb.
8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.
9. Argentina shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in paragraph 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Argentina, subject to the presentation of an export certificate, issued by the competent authority designated by the Argentine Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Argentine authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A consultative committee shall be set up composed of representatives from the Community and from Argentina. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.
13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Argentine Republic.
14. The Agreement shall enter into force on 20 October 1980.

It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I should be obliged if you would kindly confirm the agreement of your Government to the foregoing.

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

*For the Council
of the European Communities*

Letter No 2

Sir,

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

'I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Argentina, in connection with implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (02.01 A IV a)),
 - frozen mutton, lamb and goatmeat (02.01 A IV b)).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Argentina to the Community are fixed at the following annual quantity: 20 000 tonnes expressed in carcass weight ⁽¹⁾.

In order to ensure the proper functioning of the arrangement, Argentina undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

3. Should the Community have recourse to the safeguard clause, it undertakes that Argentina's access into the Community as provided for in this arrangement will not be affected.
4. If imports from Argentina in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Argentina for the remainder of that year. The quantity overshipped shall be offset against Argentina's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10 %, *ad valorem*.
6. At the time of accession of new Member States, the Community, in consultation with Argentina, will alter the quantities set out in paragraph 2, in accordance with Argentina's trade with each new Member State.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in point 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 23 000 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Argentina's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Argentina's mutton and lamb.
8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.
9. Argentina shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in paragraph 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Argentina, subject to the presentation of an export certificate, issued by the competent authority designated by the Argentine Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Argentine authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A consultative committee shall be set up composed of representatives from the Community and from Argentina. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.
13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Argentine Republic.
14. The Agreement shall enter into force on 20 October 1980.
It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I should be obliged if you would kindly confirm the agreement of your Government to the foregoing.'

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

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

For the Government of the Argentine Republic

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Australia on trade in mutton, lamb and goatmeat

Letter No 1

Sir,

The respective delegations of the European Economic Community and Australia have held negotiations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from Australia, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Both parties recognize the need to avoid any action which might disrupt or prejudice international trade in sheepmeat. Accordingly they have agreed that:

*Clause 1***Products included**

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

*Clause 2***Access and quantity**

In order to ensure the proper functioning of the Agreement, Australia and the Community undertake to implement the appropriation procedures to ensure respectively that the annual quantity actually exported does not exceed the quantity agreed and that imports will be allowed up to this quantity according to the provisions of clause 9 below. This quantity is fixed at 15 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentation (frozen or chilled). Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

*Clause 3***Safeguard clause**

Should the Community have recourse to the safeguard clause, it undertakes that Australia's access into the Community as provided for in the Agreement shall not be affected.

*Clause 4***Exceeding limit**

If imports from Australia in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Australia for the remainder of that year. The quantity overshipped shall be offset against Australian export entitlement for the following year.

*Clause 5***Tariff**

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10 %, *ad valorem*.

*Clause 6***Accession of new members**

At the time of accession of new Member States, the Community, in consultation with Australia, shall alter the quantities set out in clause 2, in accordance with Australia's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 17 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

*Clause 7***Disposal of intervention stocks**

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of Australian mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Australian mutton and lamb.

*Clause 8***Export restitutions**

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to

exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.

Clause 9

Export and import certificates

Australia shall ensure that this Agreement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this Agreement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Australia, subject to the presentation of an export certificate, issued by the competent authority designated by the Australian Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Australian authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

Clause 10

Consultative Committee

A Consultative Committee shall be set up composed of representatives from the Community and from Australia. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss all questions which could arise in applying the Agreement and shall recommend appropriate solutions to the competent authorities.

Clause 11

GATT obligations

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

*Clause 12***V. R. period**

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present Agreement and until 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity and shall take into account the seasonality of the trade.

Clause 13

The Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Australia.

*Clause 14***Commencement and review**

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that, if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and Australia on the matter.

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

*For the Council
of the European Communities*

Letter No 2

Sir,

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

'The respective delegations of the European Economic Community and Australia have held negotiations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from Australia, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Both parties recognize the need to avoid any action which might disrupt or prejudice international trade in sheepmeat. Accordingly they have agreed that:

*Clause 1***Products included**

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

*Clause 2***Access and quantity**

In order to ensure the proper functioning of the Agreement, Australia and the Community undertake to implement the appropriate procedures to ensure respectively that the annual quantity actually exported does not exceed the quantity agreed and that imports will be allowed up to this quantity according to the provisions of clause 9 below. This quantity is fixed at 15 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentation (frozen or chilled). Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

*Clause 3***Safeguard clause**

Should the Community have recourse to the safeguard clause, it undertakes that Australia's access into the Community as provided for in the Agreement shall not be affected.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

*Clause 4***Exceeding limit**

If imports from Australia in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Australia for the remainder of that year. The quantity overshipped shall be offset against Australian export entitlement for the following year.

*Clause 5***Tariff**

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10 %, *ad valorem*.

*Clause 6***Accession of new members**

At the time of accession of new Member States, the Community, in consultation with Australia, shall alter the quantities set out in clause 2, in accordance with Australia's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in Clause 2 above is fixed at 17 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

*Clause 7***Disposal of intervention stocks**

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of Australian mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Australian mutton and lamb.

*Clause 8***Export restitutions**

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.

*Clause 9***Export and import certificates**

Australia shall ensure that this Agreement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this Agreement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Australia, subject to the presentation of an export certificate, issued by the competent authority designated by the Australian Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Australian authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

*Clause 10***Consultative Committee**

A Consultative Committee shall be set up composed of representatives from the Community and from Australia. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss all questions which could arise in applying the Agreement and shall recommend appropriate solutions to the competent authorities.

*Clause 11***GATT obligations**

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

*Clause 12***V. R. period**

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present Agreement and until 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity and shall take into account the seasonality of the trade.

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Australia.

Commencement and review

For the Government of Australia

AGREEMENT

in the form of an exchange of letters between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat

Letter No 1

Sir,

I have the honour to refer to negotiations held between our respective delegations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from New Zealand, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Recognizing the vital dependence of the New Zealand economy on the sheep industry and on the export of mutton and lamb to world markets, particularly to the Community, and the importance of ensuring that the normal marketing of its mutton and lamb on these markets should not be prejudiced, I have the honour to propose an Agreement on the following terms:

*Clause 1***Products included**

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

*Clause 2***Access and quantity**

Under this Agreement New Zealand is guaranteed for its mutton and lamb and goatmeat access possibilities to the Community up to the quantity provided by the Agreement. New Zealand is assured that the normal marketing of its mutton and lamb shall not be prejudiced by the operation of the regulation.

In order to ensure the proper functioning of the Agreement, New Zealand undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity fixed. This quantity is fixed at 234 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentations (frozen or chilled). The Community confirms that it is not a purpose of this

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

Agreement to prevent New Zealand from taking advantage of new technological developments or from maintaining its competitive position in the market place within the Community. Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

Clause 3

Safeguard clause

Should the Community have recourse to the safeguard clause, it undertakes to protect the interests of New Zealand as they result from this Agreement.

Clause 4

Exceeding limit

If imports from New Zealand exceed the quantities agreed, the Community reserves the right to suspend imports from that country.

Clause 5

Tariff

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10 %, *ad valorem*.

Clause 6

Accession of new members

At the time of accession of new Member States, the Community, in consultation with New Zealand, shall alter the quantities set out in clause 2, in accordance with New Zealand's trade with each new Member State. The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 245 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

Clause 7

Disposal of intervention stocks

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of New Zealand mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine this objective. Moreover the two parties shall undertake all possible efforts in order to encourage sheepmeat consumption in the Community without affecting the stability of the market.

*Clause 8***Export restitutions**

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.

*Clause 9***Export and import certificates**

New Zealand shall ensure that the annual quantities referred to in clause 2 do not exceed the limits specified therein by ensuring, in particular, that export certificates are not issued for any amount beyond such limits.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import licence for the products referred to above, originating in New Zealand, subject to the production of an export certificate, issued by the competent authority designated by the New Zealand Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import licence in respect of the products in question.

Also, such detailed rules of application shall provide that the competent New Zealand authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

*Clause 10***Consultative Committee**

A Consultative Committee shall be set up composed of representatives from the Community and from New Zealand. The Committee shall ensure that the Agreement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss any matter relating to the application of this Agreement that may be put before it by either party and shall recommend appropriate solutions to the competent authorities.

*Clause 11***GATT obligations**

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

*Clause 12***V. R. period**

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable in the period between the entry into force of this Agreement and 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity.

Clause 13

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the metropolitan territory of New Zealand.

*Clause 14***Commencement and review**

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984 and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement shall be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and New Zealand on the matter.

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

*For the Council
of the European Communities*

Letter No 2

Sir,

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

'I have the honour to refer to negotiations held between our respective delegations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from New Zealand, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Recognizing the vital dependence of the New Zealand economy on the sheep industry and on the export of mutton and lamb to world markets, particularly to the Community, and the importance of ensuring that the normal marketing of its mutton and lamb on these markets should not be prejudiced, I have the honour to propose an Agreement on the following terms:

*Clause 1***Products included**

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

*Clause 2***Access and quantity**

Under this Agreement New Zealand is guaranteed for its mutton and lamb and goatmeat access possibilities to the Community up to the quantity provided by the Agreement. New Zealand is assured that the normal marketing of its mutton and lamb shall not be prejudiced by the operation of the regulation.

In order to ensure the proper functioning of the Agreement, New Zealand undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity fixed. This quantity is fixed at 234 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentations (frozen or chilled). The Community confirms that it is not a purpose of this Agreement to prevent New Zealand from taking advantage of new technological developments or from maintaining its competitive position in the market place within the Community. Should changes in technology and trade make it possible to modify the

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

Clause 3

Safeguard clause

Should the Community have recourse to the safeguard clause, it undertakes to protect the interests of New Zealand as they result from this Agreement.

Clause 4

Exceeding limit

If imports from New Zealand exceed the quantities agreed, the Community reserves the right to suspend imports from that country.

Clause 5

Tariff

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10 %, *ad valorem*.

Clause 6

Accession of new members

At the time of accession of new Member States, the Community, in consultation with New Zealand, shall alter the quantities set out in clause 2, in accordance with New Zealand's trade with each new Member State. The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 245 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

Clause 7

Disposal of intervention stocks

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of New Zealand mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine this objective. Moreover the two parties shall undertake all possible efforts in order to encourage sheepmeat consumption in the Community without affecting the stability of the market.

*Clause 8***Export restitutions**

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.

*Clause 9***Export and import certificates**

New Zealand shall ensure that the annual quantities referred to in clause 2 do not exceed the limits specified therein by ensuring, in particular, that export certificates are not issued for any amount beyond such limits.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import licence for the products referred to above, originating in New Zealand, subject to the production of an export certificate, issued by the competent authority designated by the New Zealand Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import licence in respect of the products in question.

Also, such detailed rules of application shall provide that the competent New Zealand authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

*Clause 10***Consultative Committee**

A Consultative Committee shall be set up composed of representatives from the Community and from New Zealand. The Committee shall ensure that the Agreement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss any matter relating to the application of this Agreement that may be put before it by either party and shall recommend appropriate solutions to the competent authorities.

*Clause 11***GATT obligations**

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

*Clause 12***V. R. period**

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable in the period between the entry into force of this Agreement and 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity.

Clause 13

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the metropolitan territory of New Zealand.

*Clause 14***Commencement and review**

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984 and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement shall be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and New Zealand on the matter.'

I have the honour to confirm the foregoing is acceptable to my Government and that your letter together with this reply shall constitute an Agreement in accordance with your proposal.

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

*For the Government
of New Zealand*

EXCHANGE OF LETTERS

comprising an understanding relevant to clause 2 of the exchange of letters comprising an Agreement between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat

Letter No 1

Sir,

Taking account of the new circumstances within the markets of the European Community as a consequence of the adoption of the European Community sheepmeat regime, New Zealand affirms its intention that the marketing of New Zealand products within the European Community will be conducted on an orderly basis. In particular, for a period from the implementation of the Agreement until 31 March 1984, New Zealand will ensure that exports to particular market areas determined as sensitive will be subject to administrative restraints avoiding any change in the trends of traditional trade flows to these markets and thus providing a sound basis for market development in the future. The Consultative Committee will consider the necessary arrangements to this effect. Both parties confirm that after 31 March 1984 no restrictions other than those stipulated in the exchange of letters establishing the Agreement will be applied to New Zealand exports of sheepmeat to the European Economic Community.

I should be obliged if you would kindly acknowledge receipt of this letter.

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

*For the Government
of New Zealand*

Letter No 2

Sir,

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

'Taking account of the new circumstances within the markets of the European Community as a consequence of the adoption of the European Community sheepmeat regime, New Zealand affirms its intention that the marketing of New Zealand products within the European Community will be conducted on an orderly basis. In particular, for a period from the implementation of the Agreement until 31 March 1984, New Zealand will ensure that exports to particular market areas determined as sensitive will be subject to administrative restraints avoiding any change in the trends of traditional trade flows to these markets and thus providing a sound basis for market development in the future. The Consultative Committee will consider the necessary arrangements to this effect. Both parties confirm that after 31 March 1984 no restrictions other than those stipulated in the exchange of letters establishing the Agreement will be applied to New Zealand exports of sheepmeat to the European Economic Community.'

I should be obliged if you would kindly acknowledge receipt of this letter.'

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

*For the Council
of the European Communities*

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb

Letter No 1

Sir,

I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Uruguay in connection with the implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (subheading 02.01 A IV a)) of the Common Customs Tariff),
 - frozen mutton, lamb and goatmeat (subheading 02.01 A IV b)) of the Common Customs Tariff).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Uruguay to the Community are fixed at the following annual quantity:

5 100 tonnes expressed in carcass weight ⁽¹⁾.

In order to ensure the proper functioning of the arrangement, Uruguay undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.
3. Should the Community have recourse to the safeguard clause, it undertakes that Uruguay's access to the Community as provided for in this arrangement will not be affected.
4. If imports from Uruguay in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Uruguay for the remainder of that year. The quantity overshipped shall be offset against Uruguay's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10 %, *ad valorem*.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

6. At the time of accession of new Member States, the Community, in consultation with Uruguay, will alter the quantities set out in clause 2, in accordance with Uruguay's trade with each new Member State. The charges applicable to imports for the said new Member State shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in clause 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 5 800 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Uruguay's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Uruguay's mutton and lamb.
8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds of any other form of assistance with respect to exports of mutton, lamb and live sheep and lambs intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of the General Agreement on tariffs and trade and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.
9. Uruguay shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Uruguay, subject to the presentation of an export certificate, issued by the competent authority designated by the Uruguay Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Uruguay authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A Consultative Committee shall be set up composed of representatives from the Community and from Uruguay. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.
13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Eastern Republic of Uruguay.
14. The arrangement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I should be obliged if you would kindly confirm the agreement of your Government to the foregoing.

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

*For the Council
of the European Communities*

Letter No 2

Sir,

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

'I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Uruguay in connection with the implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (subheading 02.01 A IV a)) of the Common Customs Tariff),
 - frozen mutton, lamb and goatmeat (subheading 02.01 A IV b)) of the Common Customs Tariff).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Uruguay to the Community are fixed at the following annual quantity:

5 100 tonnes expressed in carcass weight ⁽¹⁾.

In order to ensure the proper functioning of the arrangement, Uruguay undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.
3. Should the Community have recourse to the safeguard clause, it undertakes that Uruguay's access to the Community as provided for in this arrangement will not be affected.
4. If imports from Uruguay in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Uruguay for the remainder of that year. The quantity overshipped shall be offset against Uruguay's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10 %, *ad valorem*.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

6. At the time of accession of new Member States, the Community, in consultation with Uruguay, will alter the quantities set out in clause 2, in accordance with Uruguay's trade with each new Member State. The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession; the maximum level of the levy specified in clause 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 5 800 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Uruguay's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Uruguay's mutton and lamb.
8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lambs intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of the General Agreement on tariffs and trade and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on tariffs and trade.
9. Uruguay shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Uruguay, subject to the presentation of an export certificate, issued by the competent authority designated by the Uruguay Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Uruguay authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A Consultative Committee shall be set up composed of representatives from the Community and from Uruguay. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
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13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Eastern Republic of Uruguay.
14. The arrangement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I should be obliged if you would kindly confirm the agreement of your Government to the foregoing.'

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

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

*For the Government
of the Eastern Republic of Uruguay*
