

# WORLD TRADE ORGANIZATION

No. \_\_\_\_\_

**G/SECRET/11/Add.1**

19 June 2001

(01-3236)

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Original: English

## **ARTICLE XXVIII:5 NEGOTIATIONS**

### Schedule CXL – European Communities

#### Addendum

The following communication, dated 18 June 2001, has been received from the Permanent Delegation of the European Communities.

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Please find enclosed a joint communication from the European Communities and Argentina concerning the conclusion of negotiations pursuant to Article XXVIII of GATT 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL.

The Agreement in question is applicable from 1 June 2001.

To Mr. M. Moore  
The Director-General  
World Trade Organization  
Geneva

Negotiations relating to Schedule CXL European Communities

The Delegations of the Commission of the European Communities and Argentina have concluded their negotiations under Article XXVIII of GATT 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the General Agreement, as set out in the attached exchange of letters.

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Signed for the Commission of  
the European Communities

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Signed for the Delegation of  
Argentina

## AGREEMENT

in the form of an Exchange of Letters between the European Community and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT.

### Letter No. 1 from the Community

Brussels, 28 May 2001

Sir,

Following negotiations between the European Community (EC) and the Argentine Republic under Article XXVIII of GATT 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT, the EC agrees to the conclusions as outlined below and in the Annex.

1. The EC establishes a tariff quota for garlic where the quota quantity is equal to 38 370 tonnes and the in-quota tariff rate is equal to 9.6%.

The out-of-quota rate of duty is set at EUR 1 200/t + 9,6% *ad valorem*.

2. The tariff quota is allocated among supplying countries as follows:

- Argentina: 19 147t;
- China: 13 200t;
- Other countries: 6 023t.

3. The tariff quota opens on 1 June each year and is managed through subdivision in four quarterly sub-quotas as set out in the Annex.

4. The tariff quota is managed using the historical/newcomers system, the shares being 70% for historical importers and 30% for newcomers.

This Agreement shall be approved by the Parties in accordance with their own procedures. The provisions of this Agreement shall be applicable from 1 June 2001.

## ANNEX

	Yearly tariff quota (t)	1 <sup>st</sup> quarter (t)	2 <sup>nd</sup> quarter (t)	3 <sup>rd</sup> quarter (t)	4 <sup>th</sup> quarter (t)
Argentina	19 147	0	0	13 700	5 447
China	13 200	3 600	3 600	3 000	3 000
Other countries	6 023	1 344	2 800	1 327	552
<b>TOTAL</b>	<b>38 370</b>	<b>4 944</b>	<b>6 400</b>	<b>18 027</b>	<b>8 999</b>

Letter No.2: Letter from the Argentine Republic

Geneva, 28 May 2001

Sir,

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

"Following negotiations between the European Community (EC) and the Argentine Republic under Article XXVIII of GATT 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT, the EC agrees to the conclusions as outlined below and in the Annex.

1. The EC establishes a tariff quota for garlic where the quota quantity is equal to 38 370 tonnes and the in-quota tariff rate is equal to 9,6%.

The out-of-quota rate of duty is set at EUR 1 200/t + 9,6% *ad valorem*.

2. The tariff quota is allocated among supplying countries as follows:

- Argentina: 19 147t;
- China: 13 200t;
- Other countries: 6 023t.

3. The tariff quota opens on 1 June each year and is managed through subdivision in four quarterly sub-quotas as set out in the Annex.

4. The tariff quota is managed using the historical/newcomers system, the shares being 70% for historical importers and 30% for newcomers.

This Agreement shall be approved by the Parties in accordance with their own procedures. The provisions of this Agreement shall be applicable from 1 June 2001".

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

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