



19 June 2013

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## ARTICLE XXVIII:5 NEGOTIATIONS

### SCHEDULE CXL – EUROPEAN UNION

#### *Addendum*

The following communication, dated 13 June 2013, is being circulated at the request of the delegation of The European Union.

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With reference to the negotiations held by the European Union in connection with its notification, circulated in documents G/SECRET/18 of 31 July 2003, in which it notified its intent to modify its concession on tariff items 1006 20 (husked rice) and 1006 30 (milled rice) included in Schedule CXL of the European Communities, in accordance with the provisions of Article XXVIII GATT 1994, and pursuant to paragraph 5 of the Guidelines on Procedures for Negotiations under Article XXVIII (documents C/113 and Corr.1 of 10 November 1980, hereinafter referred to as the Guidelines), the European Union has the honour to submit herewith the following documents<sup>1</sup>:

- (i) The joint letters, according to Annex A&B referred to in paragraph 5 of the Guidelines, signed by the EU and India, Pakistan, Thailand and the US respectively upon completion of each bilateral negotiation; and
- (ii) The reports "*Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of the European Union*" setting out the results of those negotiations drafted according to the model in Annex B referred to in paragraph 5 of the Guidelines;
- (iii) A final report entitled "*Report on Negotiations under Article XXVIII*", drafted according to model in Annex C referred to in paragraph 6 of the Guidelines, as required upon completion of all the negotiations under paragraph 1 of Article XXVIII.

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<sup>1</sup> In English only.

NEGOTIATIONS RELATING TO THE SCHEDULE OF the EUROPEAN UNION

The delegations of the European Union and of the Republic of India have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in the Schedule CXL of the European Union as set out in the report attached.

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signed for the delegation of the  
European Union

Mr José Manuel SOUSA UVA  
Director,  
DG Agriculture  
Commission of the European Union

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signed for the delegation of India

H.E. Rajendra Madhukar ABHYANKAR  
Ambassador

Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of  
Concessions in the Schedule of the European Union

A. Concession to be withdrawn

**Headnotes**

7. The Community undertakes in respect of husked rice falling within subheading 1006 20 55 to apply a duty at a level and in a manner so that the duty-paid import price will not be greater than the effective intervention price (or in the event of a modification of the current system, the effective support price) increased by

- 88 % for Japonica rice, and
- 80 % for Indica rice.

In respect of milled rice, the percentages referred to above will be increased according to the existing method of calculation of the threshold price for milled rice.

The duty applied shall in no case exceed the duty established according to this schedule.

B. Bound rate to be increased

Nil.

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Current binding	Proposed binding
1006	Rice		
1006 20 55	- Husked (brown) rice	264 Euro/T	65 Euro/T

With respect to the import regime of husked rice (EU combined nomenclature CN codes 1006 20 17 and CN 1006 20 98) of the varieties Basmati 370, Basmati 386, Type-3 (Dehradum), Taraori Basmati (HBC-19), Basmati 217, Ranbir Basmati, Pusa Basmati and Super Basmati, the EU's specific bound rate of duty shall be reduced to zero according to the procedure agreed between the EU and India.

The EU recognises that India has initial negotiating rights with respect to the concessions on tariff item number 1006 20 husked (brown) rice.

D. New concessions on items not existing schedules

Nil.

NEGOTIATIONS RELATING TO THE SCHEDULE OF the EUROPEAN UNION

The delegations of the European Union and of the Islamic Republic of Pakistan have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in the Schedule CXL of the European Union as set out in the report attached.

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signed for the delegation of the  
European Union

Mr José Manuel SOUSA UVA  
Director,  
DG Agriculture  
Commission of the European Union

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signed for the delegation of Pakistan

Mr Tariq PURI  
Economics Minister  
Deputy Head of Mission,  
Embassy of Pakistan

Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of  
Concessions in the Schedule of the European Union

A. Concession to be withdrawn

**Headnotes**

7. The Community undertakes in respect of husked rice falling within subheading 1006 20 55 to apply a duty at a level and in a manner so that the duty-paid import price will not be greater than the effective intervention price (or in the event of a modification of the current system, the effective support price) increased by

- 88 % for Japonica rice, and
- 80 % for Indica rice.

In respect of milled rice, the percentages referred to above will be increased according to the existing method of calculation of the threshold price for milled rice.

The duty applied shall in no case exceed the duty established according to this schedule.

B. Bound rate to be increased

Nil.

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Current binding	Proposed binding
1006	Rice		
1006 20 55	- Husked (brown) rice	264 Euro/T	65 Euro/T

With respect to the import regime of husked rice (EU combined nomenclature CN codes 1006 20 17 and CN 1006 20 98) of the varieties Kernel (Basmati), Basmati 370, Pusa Basmati and Super Basmati, the EU's specific bound rate of duty shall be reduced to zero according to the procedure agreed between the EU and Pakistan.

The EU recognises that Pakistan has initial negotiating rights with respect to the concessions on tariff item number 1006 20 husked (brown) rice.

D. New concessions on items not existing schedules

Nil.

NEGOTIATIONS RELATING TO THE SCHEDULE OF the EUROPEAN UNION

The delegations of the European Union and of the Kingdom of Thailand have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in the Schedule CXL of the European Union as set out in the report attached.

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signed for the delegation of the  
European Union

Sir John GRANT K.C.M.G.  
Ambassador  
Permanent Representative of the United  
Kingdom

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signed for the delegation of Thailand

Mrs Apiradi TANTRAPORN  
Director-General  
Department of Trade Negotiations  
Ministry of Commerce  
Kingdom of Thailand

Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of  
Concessions in the Schedule of the European Union

A. Concession to be withdrawn

**Headnotes**

7. The Community undertakes in respect of husked rice falling within subheading 1006 20 55 to apply a duty at a level and in a manner so that the duty-paid import price will not be greater than the effective intervention price (or in the event of a modification of the current system, the effective support price) increased by

- 88 % for Japonica rice, and
- 80 % for Indica rice.

In respect of milled rice, the percentages referred to above will be increased according to the existing method of calculation of the threshold price for milled rice.

The duty applied shall in no case exceed the duty established according to this schedule.

B. Bound rate to be increased

Nil.

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Current binding	Proposed binding
1006	Rice		
1006 20 55	- Husked (brown) rice	264 Euro/T	65 Euro/T
1006 30 00	- Semi-milled or wholly milled rice, whether polished or glazed	416 Euro/T	175 Euro/T

D. New concessions on items not existing in the schedules

A new annual tariff rate quota of 13 500 tonnes of semi-milled or milled rice (tariff item number 1006 30 00) of which 4 313 tonnes shall be allocated to Thailand. The in-quota rate shall be zero.

Create a new annual tariff rate quota *erga omnes* of broken rice (tariff item number 1006 40 00) of 100 000 tonnes. The in-quota rate shall be 45 Euro/T.

NEGOTIATIONS RELATING TO THE SCHEDULE OF the EUROPEAN UNION

The delegations of the European Union and of the United States of America have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in the Schedule CXL of the European Union as set out in the report attached.

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signed for the delegation of the  
European Union

H.E. Martine SCHOMMER  
Ambassador  
Permanent Representative of  
Luxembourg

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signed for the delegation of the United  
State of America

Mr Allen JOHNSON  
Chief US Agricultural Negotiator



Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of  
Concessions in the Schedule of the European Union

A. Concession to be withdrawn

**Headnotes**

7. The Community undertakes in respect of husked rice falling within subheading 1006 20 55 to apply a duty at a level and in a manner so that the duty-paid import price will not be greater than the effective intervention price (or in the event of a modification of the current system, the effective support price) increased by

- 88 % for Japonica rice, and
- 80 % for Indica rice.

In respect of milled rice, the percentages referred to above will be increased according to the existing method of calculation of the threshold price for milled rice.

The duty applied shall in no case exceed the duty established according to this schedule.

B. Bound rate to be increased

Nil.

C. Reduction of rates bound in the existing schedules

Tariff item number	Description of products	Current binding	Proposed binding
1006	Rice		
1006 20 55	- Husked (brown) rice	264 Euro/T	65 Euro/T

Subject to the conditions on extension of the deadline for exercise of any rights arising from Article XXVIII (3) (a).

D. New concessions on items not existing in the schedules

Nil.

Report on Negotiations under Article XXVIII

Report by the delegation of the European Union relating to negotiations under Article XXVIII with respect to Schedule CXL of the European Union.

1. Negotiations resulted in agreement with:

India

Pakistan

Thailand

USA - Subject to the conditions in the agreement on extension of any rights arising from Article XXVIII (3) (a).

2. Agreement was not reached with:

Nil.

3. Consultations have been held with:

Nil.

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