

ARTICLE XXVIII:5 NEGOTIATIONS

Schedule CXL – European Communities

Addendum

The following communication, dated 27 May 2009, has been received from the Permanent Delegation of the European Communities.

Pursuant to the negotiations and related consultations by the EC in respect of its proposal to modify existing bindings in relation to certain products in Schedule CXL through Article XXVIII of the GATT 1994 (notification circulated as document G/SECRET/25 dated 15 June 2006), enclosed are:

- (i) the joint letters¹, on the lines of Annex A, signed by the EC upon completion of each bilateral negotiation respectively with Thailand and Brazil; and
- (ii) the reports¹, on the lines of Annex B, attached with the respective joint letters.

Enclosed is also the final report¹, on the lines of Annex C attached to paragraph 6 of these Guidelines, due upon completion of all negotiations under Article XXVIII.

¹ In English only.

ANNEX A

To
the Director-General
World Trade Organization
Geneva

Date: _____

Negotiations relating to Schedule CXL European Communities

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

For Thailand

For the European Communities

Mr. Thawatchai Sophastienphong
Ambassador
Permanent Representative
of Thailand

Mr. Eckart Guth
Ambassador
Permanent Representative
of the European Commission

To
the Director-General
World Trade Organization
Geneva

Date: _____

Negotiations relating to Schedule CXL European Communities

Brazil and the EC have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule CXL EC as set out in the report attached.

For Brazil

For the European Communities

Mr. Roberto Carvalho de Azevedo
Ambassador
Permanent Representative
of Brazil

Mr. Eckart Guth
Ambassador
Permanent Representative
of the European Commission

ANNEX BRESULTS OF NEGOTIATIONS BETWEEN THE EUROPEAN COMMUNITIES AND
THAILAND UNDER ARTICLE XXVIII FOR THE MODIFICATION OF
WITHDRAWAL OF CONCESSIONS IN THE SCHEDULE OF THE EC

CHANGES IN SCHEDULE CXL EC

A. Concessions to be withdrawn

Nil.

B. Bound rates to be modified

CN code	Description	Current Binding %	Proposed Binding	Special remarks
0210 99 39	Salted poultry meat	15.4	1300 €/ton	A tariff quota of 264.245 tons, of which 92.610 tons allocated to Thailand, in quota rate 15.4%
1602 32 19	Cooked chicken meat	10.9	1024 €/ton	A tariff rate quota of 250.953 tons, of which 160.033 tons allocated to Thailand, in quota rate 8.0%

C. Reduction of rates bound in the existing schedules

Nil.

D. New concessions on items not in existing schedules

Nil.

RESULTS OF NEGOTIATIONS BETWEEN THE EUROPEAN COMMUNITIES AND BRAZIL
UNDER ARTICLE XXVIII FOR THE MODIFICATION OF WITHDRAWAL
OF CONCESSIONS IN THE SCHEDULE OF THE EC

CHANGES IN SCHEDULE CXL EC

A. Concessions to be withdrawn

Nil.

B. Bound rates to be modified

CN code	Description	Current Binding %	Proposed Binding	Special remarks
0210 99 39	Salted poultry meat	15.4	1300 €/ton	A tariff quota of 264.245 tons, of which 170.807 tons allocated to Brazil, in quota rate 15.4%
1602 31	Prepared turkey meat	8.5	1024 €/ton	A tariff quota of 103.896 tons, of which 92.300 tons allocated to Brazil, in quota rate 8.5%
1602 32 19	Cooked chicken meat	10.9	1024 €/ton	A tariff rate quota of 250.953 tons, of which 79.477 tons allocated to Brazil, in quota rate 8.0%

C. Reduction of rates bound in the existing schedules

Nil.

D. New concessions on items not in existing schedules

Nil.

ANNEX C

NEGOTIATIONS UNDER ARTICLE XVIII

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

1. Negotiations resulted in agreement with:

Thailand
Brazil

2. Agreement was not reached with:

Nil.

3. Consultations have been held with:

Consultations were held with Argentina. However, Argentina did not have either Initial Negotiating Rights, principal supplying interest or substantial interest in any of the products that the EC had notified in its proposal for modifying the existing bindings, there was no need to hold substantive Article XXVIII negotiations with Argentina.

Consultations were also held with China. However, China did not have either Initial Negotiating Rights, principal supplying interest or substantial interest in any of the products that the EC had notified in its proposal for modifying the existing bindings, there was no need to hold substantive Article XXVIII negotiations with China.

Consultations were also held with the US. However, the US did not have either Initial Negotiating Rights, principal supplying interest or substantial interest in any of the products that the EC had notified in its proposal for modifying the existing bindings, there was no need to hold substantive Article XXVIII negotiations with the US.

Since no other WTO Member expressed its interest to enter into negotiations, the EC considers its negotiations under Article XVIII to be completed.
