

EUROPEAN FREE TRADE ASSOCIATION

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1 Annex
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Distribution List B (IL)

DECISION OF THE JOINT EFTA-ISRAEL COMMITTEE No. 1 of 1999

(Adopted at the fourth meeting on 24 June 1999)

AMENDMENT TO ANNEX II

CONCERNING TRADE IN FISH AND OTHER MARINE PRODUCTS

THE JOINT COMMITTEE,

Noting that Liechtenstein and Switzerland will eliminate their customs duties on freshwater fish originating in Israel,

Noting that Israel has replaced its quantitative import restrictions with customs duties,

Noting that the Tables in Annex II have been updated to HS 96,

Having regard to Article 30 of the Agreement,

DECIDES:

1. The contents of Annex II to the Agreement shall be replaced by the text set out at Annex to this Decision.
 2. This Decision shall enter into force on 1 January 2000.
 3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depositary.
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ANNEX II

REFERRED TO IN SUB-PARAGRAPH 1(c) OF ARTICLE 2

FISH AND OTHER MARINE PRODUCTS

ANNEX II

REFERRED TO IN SUB-PARAGRAPH 1 (c) OF ARTICLE 2

FISH AND OTHER MARINE PRODUCTS

Article 1

1. Fish and other marine products are covered by the provisions of the Agreement to the extent laid down in Tables 1 and 2, unless otherwise provided for in this Annex.

Table 1

Fish and other marine products covered so far as trade relations between, on the one side, Iceland and Norway and, on the other side, Israel, are concerned

HS heading No.	Description of products
02.08	Other meat and edible meat offal, fresh, chilled or frozen
ex 0208.90	- Other: -- Of whale ¹
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates
15.04	Fats and oils and their fractions, of fish or marine mammals¹, whether or not refined, but not chemically modified
15.16	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared
ex 1516.10	- Animal fats and oils and their fractions: -- Obtained entirely from fish or marine mammals ¹

¹ Import ban for whale products is applied by Liechtenstein and Switzerland on the basis of the CITES Convention.

HS heading No.	Description of products
16.03	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
ex 1603.00	- Extracts and juices of whale meat ¹ , fish or crustaceans, molluscs or other aquatic invertebrates
16.04	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
16.05	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved
23.01	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves
ex 2301.10	- Flours, meals and pellets, of meat or meat offal; greaves: -- Whale meal ¹
2301.20	- Flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates
23.09	Preparations of a kind used in animal feeding
ex 2309.90	- Other: -- Fish solubles

Table 2

Fish and other marine products covered so far as trade relations between, on the one side, Liechtenstein and Switzerland and, on the other side, Israel, are concerned

HS heading No.	Description of products
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates
16.05	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.

¹ Import ban for whale products is applied by Liechtenstein and Switzerland on the basis of the CITES Convention.

Article 2

1. Unless otherwise mentioned herein, aid measures to the fishing sector fall under the disciplines of Article 18 of the Agreement and its agreed interpretation in Annex VI.
2. The following aid measures to the fishing sector are considered normally not to be in accordance with the Agreement:
 - General aid measures concerning the sector as a whole and which are not fully directed towards structural measures in accordance with the provisions of paragraph (c)(iv) of Annex VI.
 - tax concessions other than those that directly offset cost disadvantages clearly linked to special conditions prevailing in the fishing sector.
 - social measures if the subsidy element of such measures exceeds what is generally applied in other sectors, taking into account the special conditions prevailing in the fishing sector.
3. The following aid measures shall normally be considered to be in accordance with the provisions of Article 18 of the Agreement:
 - Aid measures in the form of lowest permitted domestic first hand sales prices for fish and the purchase of surpluses that are applied in order to offset serious market disturbances.
 - regional aid measures to the extent that they are necessary for maintaining fishing activities in regions that are to an above-average degree dependent on such activities and where income from fishing is clearly below the national average in the fishing sector. Such regional measures shall not more than offset cost disadvantages in relation to other locations for fisheries. States Parties to the Agreement introducing or maintaining such measures shall, in accordance with the provisions of the agreed interpretation of Article 18, provide sufficient information on the regional situation leading to the introduction or maintenance of such measures.
4. The following aid measures are considered not to be in accordance with the Agreement:
 - Aid in accordance with paragraph (c)(viii) of Annex VI, as concerns the fishing sector.
 - Aid in accordance with paragraph (c)(x) of Annex VI, as concerns fishing activities.

Article 3

- A. Israel may maintain customs duties during a transitional period ending on 31 December 2003 for products listed in Table 3.
- (i) Israel shall establish an annual duty-free import quota for the products listed in Table 3 originating in an EFTA State. For the year 1999 the quota will be 300 tons. As from 1 January 2000 the quota will be increased annually by an additional quantity of 300 tons until it is phased out together with the customs duties on 31 December 2003.
 - (ii) Should concessions with regard to any fish species listed in Table 3 lead to serious disturbances in the sector concerned, causing serious injury to domestic producers of like or directly competitive products, Israel may apply safeguard measures, under the conditions and in accordance with the procedures laid down in Article 23. In particular Israel may, during a period of five years after the expiry of the transition period provided for in Table 3, prolong for a period of one year, renewable, the import regime applicable at that time to the fish species in question.

Table 3

Heading No.	H.S. Code	Description of products
03.02		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No. 03.04.
ex	0302.29	- Flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae), excluding livers and roes :
	90	-- Other
		--- Other
ex	0302.31	- Tunas (of the genus Thunnus), skipjack or stripe-bellied bonito (Euthynnus (Katsuwonus) pelamis), excluding livers and roes :
	90	-- Albacore or longfinned tunas (Thunnus alalunga)
		--- Other
ex	0302.32	-- Yellowfin tunas (Thunnus albacares)
	90	--- Other

Heading No.	H.S. Code	Description of products
ex	0302.33	-- Skipjack or stripe-bellied bonito
	90	--- Other
	0302.50	- Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), excluding livers and roes
		- Other fish, excluding livers and roes :
	0302.61	-- Sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>)
	0302.62	-- Haddock (<i>Melanogrammus aeglefinus</i>)
	0302.63	-- Coalfish (<i>Pollachius virens</i>)
	ex 0302.69	-- Other
		--- Saltwater fish:
		---- Fish of the genus <i>Euthynnus</i> , other than the skipjack or stripebellied bonitos (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>) mentioned in subheading 0302.33:
03.06	21	----- For the industrial manufacture of products falling within heading No. 1604
	25	----- Other
	35	---- Fish of the species <i>Boreogadus saida</i>
	55	---- Anchovies (<i>Engraulis</i> spp.)
	98	---- Other: Capelin
		Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption.
		- Frozen :
ex	0306.12	-- Lobsters (<i>Homarus</i> spp.)

Heading No.	H.S. Code	Description of products
	90	--- Other
ex	0306.19	-- Other, including flours, meals and pellets of crustaceans, fit for human consumption.
	30	--- Norway lobsters (<i>Nephrops norvegicus</i>)
		- Not frozen :
ex	0306.22	-- Lobsters (<i>Homarus</i> spp.)
		--- Other: (than live)
	99	---- Other (than whole)
ex	0306.29	-- Other, including flours, meals and pellets of crustaceans, fit for human consumption.
	30	--- Norway lobsters (<i>Nephrops norvegicus</i>)

- B. For products listed in Table 4, the provisions of the Agreement will not apply and Israel will maintain its present import regime.

Table 4

Heading No.	H.S. Code	Description of products
03.01		Live fish.
		- Other live fish :
	0301.91	-- Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aguabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus apache</i> and <i>Oncorhynchus chrysogaster</i>)
	0301.93	-- Carp
ex	0301.99	-- Other:
	11	--- Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)

Heading No.	H.S. Code	Description of products
03.02	19	--- Other
		Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No. 03.04.
		- Salmonidae, excluding livers and roes :
	0302.11	-- Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)
		- Flat fish (Pleuronectidae, Bothidae, Cynoglossidae, Soleidae, Scophthalmidae and Citharidae), excluding livers and roes :
	ex 0302.29	-- Other:
	10	--- Megrim (Lepidorhombus spp.)
		- Other fish, excluding livers and roes :
	0302.65	-- Dogfish and other sharks
	ex 0302.69	-- Other:
03.03		--- Freshwater fish:
	11	---- Carp
	19	---- Other
		--- Saltwater fish:
	51	---- Alaska pollack (Theragra chalcogramma) and pollack (Pollachius pollachius)
		Fish, frozen, excluding fish fillets and other fish meat of heading No. 03.04.
		- Other salmonidae, excluding livers and roes :
	0303.21	-- Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)

Heading No.	H.S. Code	Description of products
03.04	ex 0303.79	-- Other
		--- Freshwater fish:
		11 ---- Carp
		19 ---- Other
		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen.
	ex 0304.10	- Fresh or chilled
		-- Fillets:
		--- Of freshwater fish:
		11 ---- Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>) except <i>salmo trutta</i> and <i>salmo gairdneri</i>
		19 ---- Of other freshwater fish
		-- Other fish meat (whether or not minced)
03.06	ex 0304.20	91 --- Freshwater fish
		- Frozen fillets:
		-- Of freshwater fish:
		11 ---- Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>) except <i>Salmo trutta</i> and <i>salmo gairdneri</i>
		19 ---- Of other freshwater fish
		- Other
	ex 0304.90	10 -- Of freshwater fish
		Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption.

Heading No.	H.S. Code	Description of products
03.07	0306.13 ²	- Frozen :
		-- Shrimps and prawns
	0306.23 ²	- Not frozen :
		-- Shrimps and prawns
		Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption.
16.05	ex 0307.51 ²	- Octopus (Octopus spp.):
		-- Live, fresh or chilled:
		--- Calamary, fresh or chilled
	ex 0307.59 ²	-- Other:
		--- Calamary, frozen
		Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.
	1605.20	- Shrimps and prawns
	ex 1605.90	- Other:
		-- Calamary

NOTE :

Israel undertakes to ensure that the licensing system presently applied to trade in fish and other marine products, originating in the EFTA States, does not affect trade with these States.

² Including mixtures of these products with other products of HS Chapter 3.