



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 April 2013

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COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 15 March 2013

to: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European
Union

No Cion doc.: C(2013) 1495 final

Subject: Commission Decision of 15.3.2013 approving, on behalf of the European
Union, an amendment to the Tables III and IV (b) of Protocol No 2 to the
Agreement between the European Economic Community and the Swiss
Confederation of 22 July 1972 as regards the provisions applicable to
processed agricultural products

Delegations will find attached Commission document C(2013) 1495 final.

Encl.: C(2013) 1495 final



Brussels, 15.3.2013
C(2013) 1495 final

COMMISSION DECISION

of 15.3.2013

approving, on behalf of the European Union, an amendment to the Tables III and IV (b) of Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products.

COMMISSION DECISION

of 15.3.2013

approving, on behalf of the European Union, an amendment to the Tables III and IV (b) of Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products.

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and the provisional application of the Agreement between the European Community and the Swiss Confederation amending the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products¹, and in particular Article 2 thereof,

Whereas:

- (1) The Agreement between the European Economic Community and the Swiss Confederation signed on 22 July 1972² (hereinafter referred to as the “Agreement”) was amended in 2004 by the Agreement between the European Community and the Swiss Confederation amending the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products³. The latter Agreement entered into force on 1 February 2005.
- (2) Article 7 of Protocol 2 to the Agreement provides for amendments regarding the tables, the appendices to the tables and the Appendix attached to the Protocol.
- (3) The Joint Committee set up pursuant to Article 29(1) of the Agreement is responsible for administering the Agreement and ensuring that it operates smoothly.
- (4) Pursuant to Article 7 of Protocol No 2 to the Agreement the Joint Committee has the power to amend the tables, the appendices to the tables and the Appendix attached to the Protocol to the Agreement.
- (5) Actual prices have changed on the domestic markets of the Contracting Parties of the Agreement as regards raw materials for which price compensation measures are applied. Therefore Tables III and IV (b) of Protocol No 2 to the Agreement should be amended accordingly.

¹ OJ L 23, 26.1.2005, p. 17.

² OJ L 300, 31.12.1972, p.189.

³ OJ L 23, 26.1.2005, p.19.

HAS DECIDED AS FOLLOWS:

Article 1

The amendment to Tables III and IV (b) to Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 is hereby approved on behalf of the European Union.

The text of the draft Decision of the EU-Switzerland Joint Committee, providing for the amendments to Tables III and IV(b), is attached to this Decision.

Article 2

The representative of the EU in the Joint Committee is hereby empowered to submit the draft Decision annexed to this Decision to the EU-Switzerland Joint Committee.

Article 3

The Decision of the Joint Committee shall be published in the *Official Journal of the European Union*, as well as the date of its entry into force.

Article 4

This decision shall enter into force on [...]

Done at Brussels, 15.3.2013

For the Commission

The President



Brussels, 15.3.2013
C(2013) 1495 final

ANNEX

to the COMMISSION DECISION approving, on behalf of the European Union, an amendment to the Tables III and IV (b) of Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products.

Draft Decision No of the EU Switzerland Joint Committee amending Tables III and IV (b) of Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products

ANNEX

to the COMMISSION DECISION approving, on behalf of the European Union, an amendment to the Tables III and IV (b) of Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products.

Draft Decision No of the EU Switzerland Joint Committee amending Tables III and IV (b) of Protocol No 2 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation signed in Brussels on 22 July 1972⁴ hereinafter referred to as ‘the Agreement’, as amended by the Agreement between the European Community and the Swiss Confederation amending the Agreement as regards the provisions applicable to processed agricultural products⁵ signed in Luxembourg on 26 October 2004, and its Protocol No 2, and in particular Article 7 of that Protocol,

Whereas:

- (1) For the implementation of Protocol No 2 to the Agreement, domestic reference prices have been fixed for the Contracting Parties.
- (2) Actual prices have changed on the domestic markets of the Contracting Parties as regards raw materials for which price compensation measures are applied.
- (3) It is therefore necessary to update the reference prices and amounts listed in Tables III and IV (b) of Protocol No 2 accordingly.

HAS ADOPTED THIS DECISION:

Article 1

Protocol No 2 to the Agreement is amended as follows:

- (a) Table III is replaced by the text set out in Annex I to this Decision;
- (b) In Table IV, point (b) is replaced by the text set out in Annex II to this Decision.

⁴ OJ L 300, 31.12.1972, p.189.

⁵ OJ L 23, 26.1.2005, p.19.

Article 2

This Decision enters into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 1 April 2013.

Done at Brussels...

*For the Joint Committee
The Chairman*

ANNEX I
'Table III

EU and Swiss domestic reference prices

Agricultural Raw material	Swiss domestic reference price	EU domestic reference price	Article 4(1) Applied on Swiss side Difference Swiss /EU reference price	Article 3(3) Applied on EU side Difference Swiss/EU reference price
	CHF per	CHF per	CHF per	€ per
	100 kg net	100 kg net	100 kg net	100 kg net
Common wheat	52,60	32,55	20,05	0,00
Durum wheat	-	-	1,20	0,00
Rye	44,50	27,65	16,85	0,00
Barley	-	-	-	-
Maize	-	-	-	-
Common wheat flour	95,50	57,15	38,35	0,00
Whole-milk powder	603,80	348,65	255,15	0,00
Skimmed-milk powder	419,50	316,45	103,05	0,00
Butter	1037,65	383,65	654,00	0,00
White sugar	-	-	-	-
Eggs	-	-	38,00	0,00
Fresh potatoes	42,10	31,35	10,75	0,00
Vegetable fat	-	-	170,00	0,00'

ANNEX II
'Table IV

(b) The basic amounts for agricultural raw materials taken into account for the calculation of the agricultural components:

Agricultural raw material	Applied basic amount on the Swiss side	Applied basic amount on the EU side
	Art 3(2)	Art 4(2)
	CHF per 100 kg net	€ per 100 kg net
Common wheat	17,00	0,00
Durum wheat	1,00	0,00
Rye	14,00	0,00
Barley	-	-
Maize	-	-
Common wheat flour	33,00	0,00
Whole-milk powder	217,00	0,00
Skimmed-milk powder	88,00	0,00
Butter	514,00	0,00
White sugar	-	-
Eggs	32,00	0,00
Fresh potatoes	9,00	0,00
Vegetable fat	145,00	0,00'