



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 4 April 2012  
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2012/0046 (NLE)**

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**WTO 111  
AGRI 161  
UD 83  
OC 146**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: Agreement in the form of an Exchange of Letters between the European Union and Brazil pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994  
**COMMON GUIDELINES**  
**Consultation deadline for Croatia: 17.4.2012**

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AGREEMENT  
IN THE FORM OF AN EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN UNION  
AND BRAZIL  
PURSUANT TO ARTICLE XXVIII OF THE GENERAL AGREEMENT  
ON TARIFFS AND TRADE (GATT) 1994 RELATING TO  
THE MODIFICATION OF CONCESSIONS WITH RESPECT TO  
PROCESSED POULTRY MEAT PROVIDED FOR IN THE EU SCHEDULE  
ANNEXED TO GATT 1994

A. Letter from the European Union

Sir,

Following negotiations under Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994, relating to the modification of EU concessions with respect to processed poultry meat, I have the honour to propose the following:

1. The European Union shall incorporate in its Schedule the following modifications:

The bound rate of duty for items 1602 3211, 1602 3230 and 1602 3290 shall be 2 765 €/tonne.

For item 1602 3211 a tariff rate quota of 16 140 tonnes is opened, of which 15 800 tonnes shall be allocated to Brazil. The in-quota rate shall be 630€/tonne.

For item 1602 3230 a tariff rate quota of 79 705 tonnes is opened, of which 62 905 tonnes shall be allocated to Brazil. The in-quota rate shall be 10,9 %.

For item 1602 3290 a tariff rate quota of 2 865 tonnes is opened, of which 295 tonnes shall be allocated to Brazil. The in-quota rate shall be 10,9 %.

2. Imports under the tariff rate quotas referred to in paragraph 1 shall take place on the basis of certificates of origin issued in a non-discriminatory way by the competent authorities in Brazil.

3. Consultations may be held at any time with regard to any of the above matters at the request of either Party.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter. Should this be the case, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and Brazil.

The European Union and Brazil shall notify each other the completion of their internal procedures for the entry into force of the agreement. The agreement shall enter into force 14 (fourteen) days after the date of the latest notification.

Please accept, Sir, the assurance of my highest consideration.

For the European Union

B. Letter from Brazil

Sir,

I have the honour to acknowledge the receipt of your letter of ..., which reads as follows:

"Following negotiations under Article XXVIII of the General Agreement on Tariffs and Trade 1994 (GATT), relating to the modification of EU concessions with respect to processed poultry meat, I have the honour to propose the following:

1. The European Union shall incorporate in its Schedule the following modifications:

The bound rate of duty for items 1602 3211, 1602 3230 and 1602 3290 shall be 2 765 €/tonne.

For item 1602 3211 a tariff rate quota of 16 140 tonnes is opened, of which 15 800 tonnes shall be allocated to Brazil. The in-quota rate shall be 630€/tonne.

For item 1602 3230 a tariff rate quota of 79 705 tonnes is opened, of which 62 905 tonnes shall be allocated to Brazil. The in-quota rate shall be 10,9 %.

For item 1602 3290 a tariff rate quota of 2 865 tonnes is opened, of which 295 tonnes shall be allocated to Brazil. The in-quota rate shall be 10,9 %.

2. Imports under the tariff rate quotas referred to in paragraph 1 shall take place on the basis of certificates of origin issued in a non-discriminatory way by the competent authorities in Brazil.

3. Consultations may be held at any time with regard to any of the above matters at the request of either Party.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter. Should this be the case, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and Brazil.

The European Union and Brazil shall notify each other the completion of their internal procedures for the entry into force of the agreement. The agreement shall enter into force 14 (fourteen) days after the date of the latest notification."

I hereby have the honour to express my Government's agreement with the above letter.

For Brazil