

Proposal for a Council Decision on a Community position within the EU-Mexico Joint Council concerning the tariff treatment of certain products listed in Annex I and II to Decision No 2/2000 of the EU-Mexico Joint Council

(2002/C 262 E/07)

COM(2002) 125 final — 2002/0054(ACC)

(Submitted by the Commission on 11 March 2002)

EXPLANATORY MEMORANDUM

Decision 2/2000 of the EU-Mexico Joint Council, establishing the liberalisation of trade between the EU and Mexico, lays down in Articles 4 to 10 the rules for elimination of customs duties between the parties. However, Article 3(5) allows the parties to reduce customs duties more rapidly than provided for in Articles 4 to 10 and establishes that a Decision by the Joint Council is the legal basis to do so.

The request to proceed to an immediate elimination on duties for certain industrial products first came from Mexico with the exception of codes 8702 to 8706 (motor cars) which were requested by the EU, to achieve parity of treatment with Mexican NAFTA partners. The products involved are used by domestic industry and not domestically produced (in some cases, the Mexican industry is mainly constituted by EU companies). They have requested in exchange the elimination of EU duties on products on a reciprocal basis (products already liberalised in Mexico or included in the present exercise).

The products involved on both sides are listed in Annexes I and II of the enclosed Joint Council Decision.

The proposal is very advantageous for the EU. This is because, for industrial products, the EU will in any case eliminate all tariffs by 1 January 2003 while Mexico will only complete its liberalisation in 2007 and has therefore much more room for reduction. The EU duties which it is hereby proposed to eliminate range between 1,1 and 3,3 %. The Mexican duties to be eliminated vary between 2,2 and 8 %. Imports of the products affected by this proposal were EUR 659 Mio in the first year of operation of the FTA, of which EUR 644 Mio were cars; exports were above EUR 1 billion (estimates from Mexican figures), of which EUR 852 Mio of cars, in the same period.

The 133 Committee has been consulted on a preliminary basis and has given its agreement.

The enclosed proposal is therefore submitted for approval.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

HAS DECIDED AS FOLLOWS:

Sole Article

To adopt, as a Community position within the EU-Mexico Joint Council, the annexed draft decision.

DECISION No .../2002 OF THE EUROPEAN UNION-MEXICO JOINT COUNCIL**of ...****Accelerating the elimination of customs duties of certain products listed in Annexes I and II to Decision No 2/2000 of the EU-Mexico Joint Council**

THE JOINT COUNCIL,

Having regard to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, signed in Brussels on 8 December 1997;

Having regard to Decision No 2/2000 of the EU-Mexico Joint Council of 23 March 2000 (hereinafter 'Decision No 2/2000') and in particular Article 3 paragraph 5 thereof;

Whereas:

- (1) Article 3 paragraph 5 of Decision No 2/2000 gives the Joint Council the capacity to accelerate the reduction of customs duties more rapidly than is provided for in Articles 4 to 10, or otherwise improve the conditions of access under such Articles;
- (2) A Decision by the Joint Council to accelerate the elimination of a custom duty or otherwise improve conditions of access shall supersede the terms established in Articles 4 to 10 for the product concerned,

HAS DECIDED AS FOLLOWS:

Article 1

The Parties shall accelerate the elimination of customs duties applicable to certain originating products contained in Annexes I and II to Decision No 2/2000, as provided for in Articles 2 to 5 of this Decision.

Article 2

Mexico shall accelerate the elimination of customs duties for originating goods of the European Community as established in Annex I.

Article 3

The European Community shall accelerate the elimination of customs duties for originating goods of Mexico as established in Annex II.

Article 4

This Decision by the Joint Council shall supersede the terms established in Articles 4 to 10 of Decision No 2/2000 for the product concerned.

Article 5

This Decision shall enter into force on ...

ANNEX I

TARIFF ITEMS IN WHICH MEXICO ACCELERATES THE ELIMINATION OF CUSTOMS DUTIES FOR ORIGINATING GOODS OF THE EUROPEAN COMMUNITY

(a) Products for which Mexico eliminates customs duties for originating goods of the European Community at the date of entry into force of this Decision ⁽¹⁾

Tariff item (*) — indicative description

2909.50.04	Eugenol o isoeugenol, excepto en grado farmacéutico
2922.50.17	Clorhidrato de 1-isopropilamino-3-(1-naftoxi)-propan-2-ol
2923.10.99	Los demás
2924.29.13	N-Acetil-p-aminofenol
3002.10.99	Unicamente: medicamento a base de etanercept
3002.10.99	Unicamente: medicamento a base de basiliximab
3002.90.99	Unicamente: toxina botulínica tipo 'A'
3003.90.99	Unicamente: medicamento a granel a base de vitamina E 50 %
3004.20.99	Unicamente: medicamento a base de fosfato sódico de dexametasona y sulfato de neomicina
3004.20.99	Unicamente: Antiséptico glucocorticoide y antiinflamatorio de uso oftálmico con principio activo fluorometolona y sulfato de neomicina
3004.20.99	Unicamente: medicamento a base de ertapenem sódico
3004.39.99	Unicamente: medicamento a base de estradiol
3004.39.99	Unicamente: medicamento a base de gestodeno y etinil estradiol
3004.39.99	Unicamente: medicamento a base de levonorgestrel y etinilestradiol
3004.39.99	Unicamente: medicamento a base de estrógenos conjugados
3004.40.99	Unicamente: medicamento a base de tropisetron
3004.50.99	Unicamente: medicamento a base de fitomenadiona
3004.90.99	Unicamente: medicamento a base de Clorhidrato de Moxifloxacino (tabletas y solución inyectable)
3004.90.99	Unicamente: medicamento a base de Atenolol-nifedipina (cápsulas)
3004.90.99	Unicamente: medicamento a base de isosorbide dinitrato (cápsulas)
3004.90.99	Unicamente: medicamento a base de Glucomannano (cápsulas)
3004.90.99	Unicamente: medicamento a base de rufloxacino mononitrato (tabletas)
3004.90.99	Unicamente: medicamento a base de clorhidrato de Dorzolamida y Maleato de Timolol
3004.90.99	Unicamente: medicamento a base de fosfato sódico de Dexametasona
3004.90.99	Unicamente: medicamento a base de Losartán Potásico e Hidroclorotiazida
3004.90.99	Unicamente: medicamento a base de Maleato de Timolol
3004.90.99	Unicamente: medicamento a base de Cardidopa y Levodopa
3004.90.99	Unicamente: medicamento a base de benseramida y levodopa
3004.90.99	Unicamente: medicamento a base de moxifloxacino
3004.90.99	Unicamente: medicamento a base de ácido pamidrónico
3004.90.99	Unicamente: medicamento a base de isradipino
3004.90.99	Unicamente: medicamento a base de valsartán
3004.90.99	Unicamente: medicamento a base de rivastigmina
3004.90.99	Unicamente: medicamento a base de letrozol
3004.90.99	Unicamente: medicamento a base de formoterol
3004.90.99	Unicamente: medicamento a base de terbinafina
3004.90.99	Unicamente: medicamento a base de fluvastatina

⁽¹⁾ (The word 'Unicamente' indicates that the description refers only to the modality of the good being accelerated within the tariff item. It is equivalent to an 'ex out' in WTO terminology.)

- 3004.90.99 Únicamente: medicamento a base de nicotina
- 3004.90.99 Únicamente: medicamento a base de nitroglicerina
- 3004.90.99 Únicamente: medicamento a base de quinagolida
- 3004.90.99 Únicamente: medicamento a base de tizanidina
- 3004.90.99 Únicamente: medicamento a base de amiprenavir
- 3004.90.99 Únicamente: medicamento oftálmico a base de aceite de silicona
- 3004.90.99 Únicamente: medicamento oftálmico a base de perfluorodecalina
- 3004.90.99 Únicamente: medicamento a base de tirofiban clorhidrato
- 3004.90.99 Únicamente: medicamento a base de losartán potásico
- 3004.90.99 Únicamente: medicamento a base de simvastatina
- 3004.90.99 Únicamente: medicamento a base de acitretino
- 3004.90.99 Únicamente: medicamento a base de carvedilol
- 3004.90.99 Únicamente: medicamento a base de filgastrim
- 3004.90.99 Únicamente: medicamento a base de flunitrazepam
- 3004.90.99 Únicamente: medicamento a base de mesilato de nelfinavir
- 3004.90.99 Únicamente: medicamento a base de tolcapone
- 3004.90.99 Únicamente: medicamento a base de benzoato de rizatriptán
- 3004.90.99 Únicamente: medicamento a base de tenoxicam
- 3004.90.99 Únicamente: Antiglaucomatos o antihipertensivo ocular con principio activo clorhidrato de levobunolol y alcohol polivinílico
- 3004.90.99 Únicamente: Alternativa terapéutica para mantenimiento de midriasis transoperatoria de extracción de catarata extracapsular con principio activo flurbiprofeno sódico
- 3004.90.99 Únicamente: Solución de uso oftálmico para conjuntivitis infecciosa, úlceras corneales e infecciones oculares con principio activo de ofloxacina
- 3004.90.99 Únicamente: Subtilisina a microangular tabletas para limpieza de lentes de contacto
- 3004.90.99 Únicamente: medicamento a base de lamivudina y zidovudina (tabletas)
- 3004.90.99 Únicamente: medicamento a base de abacavir (tabletas)
- 3004.90.99 Únicamente: medicamento a base de lamivudina (tabletas)
- 3004.90.99 Únicamente: medicamentos a base de abacavir, lamivudina y zidovudina (tabletas)
- 3302.90.99 Los demás
- 3822.00.99 Únicamente: Medicamento oftálmico a base de tira de papel filtro whatman prueba para evaluar la cantidad de lágrima producida en el ojo humano
- 3822.00.99 Únicamente: Reactivo para detección de embarazo en tira reactiva, contenida en un estuche o dispositivo de plástico para su venta en farmacias presentación prueba individual
- 3907.91.02 2,2,4-Trimetil-1,2-dihidro-quinolina polimerizada
- 8426.91.02 Grúas con acondicionamiento hidráulico de brazos articulados o rígidos con capacidad hasta 9.9 toneladas a un radio de 1 m
- 8426.91.04 Grúas con brazo (aguilón) articulado, de acondicionamiento hidráulico con capacidad superior a 9.9 toneladas a un radio de 1 m
- 8506.10.01 Secas, utilizadas en audífonos, para sordera
- 8506.10.02 Secas, rectangulares, cuyas medidas en milímetros sean: longitud de 40 a 55, ancho de 22 a 28 y espesor de 12 a 18, excepto lo comprendido en las fracciones 8506.10.01 y 04

8506.10.03	Secas, cilíndricas, cuyo diámetro sea mayor de 12 sin exceder de 39 mm. Con longitud de 45 a 65 mm, excepto lo comprendido en las fracciones 8506.10.01 y 04
8506.10.04	Alcalinas, excepto lo comprendido en las fracciones 8506.10.01,02 y 03
8506.10.99	Los demás
8506.30.01	Secas, utilizadas en audífonos, para sordera
8506.30.02	Secas, rectangulares, cuyas medidas en milímetros sean: longitud de 40 a 55, ancho de 22 a 28 y espesor de 12 a 18, excepto lo comprendido en las fracciones 8506.30.01 y 04
8506.30.03	Secas, cilíndricas, cuyo diámetro sea mayor de 12 sin exceder de 39 mm. Con longitud de 45 a 65 mm, excepto lo comprendido en las fracciones 8506.30.01 y 04
8506.30.04	Alcalinas, excepto lo comprendido en las fracciones 8506.30.01,02 y 03
8506.30.99	Los demás
8506.40.01	Secas, utilizadas en audífonos, para sordera
8506.40.02	Secas, rectangulares, cuyas medidas en milímetros sean: longitud de 40 a 55, ancho de 22 a 28 y espesor de 12 a 18, excepto lo comprendido en las fracciones 8506.40.01 y 04
8506.40.03	Secas, cilíndricas, cuyo diámetro sea mayor de 12 sin exceder de 39 mm, con longitud de 45 a 65 mm, excepto lo comprendido en las fracciones 8506.40.01 y 04
8506.40.04	Alcalinas, excepto lo comprendido en las fracciones 8506.40.01, 02 y 03
8506.40.99	Los demás
8506.50.01	Secas, utilizadas en audífonos, para sordera
8506.50.02	Secas, rectangulares, cuyas medidas en milímetros sean: longitud de 40 a 55, ancho de 22 a 28 y espesor de 12 a 18, excepto lo comprendido en las fracciones 8506.50.01 y 04
8506.50.03	Secas, cilíndricas, cuyo diámetro sea mayor de 12 sin exceder de 39 mm, con longitud de 45 a 65 mm, excepto lo comprendido en las fracciones 8506.50.01 y 04
8506.50.04	Alcalinas, excepto lo comprendido en las fracciones 8506.50.01, 02 y 03
8506.50.99	Los demás
8506.60.01	De aire,cinc
8506.80.01	Secas, utilizadas en audífonos, para sordera
8506.80.02	Secas, rectangulares, cuyas medidas en milímetros sean: longitud de 40 a 55, ancho de 22 a 28 y espesor de 12 a 18, excepto lo comprendido en las fracciones 8506.80.01 y 04
8506.80.03	Secas, cilíndricas, cuyo diámetro sea mayor de 12 sin exceder de 39 mm, con longitud de 45 a 65 mm, excepto lo comprendido en las fracciones 8506.80.01 y 04
8506.80.04	Alcalinas, excepto lo comprendido en las fracciones 8506.80.01,02 y 03
8506.80.99	Los demás
8506.90.01	Partes
8703.10.01	Con motor eléctrico
8703.10.02	Vehículos especiales para el transporte de personas en terreno de golf
8703.10.03	Motociclos de cuatro ruedas (cuadrimotos) o de tres ruedas equipados con diferencial y reversa

(*) Subject to correlation to 2002 HS nomenclature.

(b) Mexico eliminates the customs duties within the automotive quota established in Section 'C', paragraph 2.1 of Annex II (Tariff Elimination Schedule of Mexico) for originating goods of the European Community at the date of entry into force of this Decision.

ANNEX II

TARIFF ITEMS IN WHICH THE EUROPEAN COMMUNITY ACCELERATES THE ELIMINATION OF CUSTOMS DUTIES FOR ORIGINATING GOODS OF MEXICO

Products for which the European Community eliminates customs duties for originating goods of Mexico at the date of entry into force of this Decision:

ex 2905.19.00	Metal alcoholates
2915.31.00	Ethyl acetate
2915.32.00	Vinyl acetate
2916.12.10	Methyl acrylate
2922.50.00	Amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function
8712.00.10	Bicycles and other cycles (including delivery tricycles), not motorised, without ball bearings
8712.00.30	Bicycles
8712.00.80	Other
ex 8702	Motor vehicles for the transport of ten or more persons, including the driver — with a weight less than 8 864 kg
8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars
ex 8704	Motor vehicles for the transport of goods — with a weight less than 8 864 kg
8706	Chassis fitted with engines, for the motor vehicles of headings Nos 8701 to 8705
