



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.02.2004
COM(2004) 94 final

2004/0030 (ACC)

Proposal for a

COUNCIL DECISION

on a Community position within the EU-Mexico Joint Council concerning the liberalisation of the tariff treatment of certain products listed in Annex II of Decision 2/2000 of the EU-Mexico Joint Council

(presented by the Commission)

EXPLANATORY MEMORANDUM

The EU Mexico FTA¹, within its Annex III implementing preferential rules of origins, foresees a limited number of *rendez vous* clauses with a view to extending (or evaluating the opportunity of extending) the application of temporary origins rules negotiated by the parties as an exception to standards preferential rules of origins².

By the initiative of Mexico, parties have examined the opportunity to extend the temporary rule of origin to certain chemicals products of heading 2914 and 2915 originating in Mexico, for three more years. Such discussion concluded with an extension of three more years of the temporary rule of origins from the EU while Mexico accepted to compensate such a concession with an acceleration of the phasing out of duties for certain chemicals products originating in the Community.

In practical terms, this agreement will permit, on the one hand, the maintaining of the preferential regime under the EU/Mexico FTA (that since 1 January 2003 grants duty free treatment to all industrial products originating in Mexico) for certain chemicals products of heading 2914 and 2915 originating in Mexico. The trade flow for those products had an estimated value of 62.000.000 € in 2002. On the other hand, the chemical products originating in the Community, listed in the annex to the proposed Joint Decision, will benefit from a duty free treatment before the agreed tariff dismantling schedule (2005 and 2007). The trade flows for those products have an estimated value of 40.000.000 € in 2002.

The Commission therefore recommends the Council to adopt the enclosed Council Decision as the EU Common position on the mentioned EU/Mexico Joint Council Decision as soon as possible so as to allow the EU exports to benefit from duty free treatment in Mexico.

¹ OJ L 157 of 30.6.2000, page 10

² OJ L 245 of 29.9.2000, page 953 (ANNEX III)

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on a Community position within the EU-Mexico Joint Council concerning the liberalisation of the tariff treatment of certain products listed in Annex II of Decision 2/2000 of the EU-Mexico Joint Council

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.

Done at Brussels, [...]

*For the Council
The President*

ANNEX

DRAFT

DECISION OF THE EUROPEAN UNION – MEXICO JOINT COUNCIL

No..../2004

of [...]

Accelerating the elimination of customs duties of certain products listed in Annex II of Decision 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 1997³;

Having regard to Decision 2/2000 of the EU-Mexico Joint Council of 23 March 2000 (hereinafter “Decision 2/2000”) and in particular Article 3 paragraph 5 thereof⁴;

Whereas:

- (1) Article 3 paragraph 5 of Decision 2/2000 empowers the Joint Council to take decisions in order 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) Such decisions supersede the terms established in Articles 4 to 10 for the product concerned,

HAS DECIDED AS FOLLOWS:

Article 1

Mexico shall accelerate the elimination of customs duties applicable to certain products contained in Annex II of Decision 2/2000 originating in the Community, as provided for in the Annex to this Decision.

Article 2

This Decision shall supersede the terms established in Articles 4 to 10 of Decision 2/2000 with respect to imports into Mexico of the products concerned.

³ OJ L 276 of 28.10.2000, page 45

⁴ OJ L 157 of 30.6.2000, page 10

Article 3

This Decision shall enter into force sixty days after the day of its adoption.

Done at [...]

For the Joint Council

ANNEX

Products for which Mexico eliminates customs duties on goods originating in the Community on the date of entry into force of this Decision⁵

Fracción mexicana	Descripción
2833.29.01	Sulfato de cobalto.
2833.29.02	Sulfato ferroso anhidro, grado farmacéutico.
2909.19.02	Éter butílico.
2909.19.99	Los demás.
2909.49.02	3-(2-Metilfenoxi)-1,2-propanodiol (mefenesina).
2909.49.05	Alcohol 3-fenoxibencílico.
2909.49.07	Tetraetilenglicol.
2915.60.01	Ácido butanoico (Ácido butírico).
2915.60.02	Butanoato de etilo (Butirato de etilo).
2915.60.03	Diisobutanoato de 2,2,4-trimetilpentanodiol.
2918.14.01	Ácido cítrico.
2918.15.01	Citrato de sodio.
2918.15.99	Los demás.
2918.22.01	Ácido O-acetilsalicílico.
2918.22.99	Los demás.
2918.23.01	Salicilato de metilo.
2929.10.03	Difenilmetan-4,4'-diisocianato.
2929.10.99	Los demás.
3006.80.01	Desechos farmacéuticos.
3503.00.01	Gelatina, excepto lo comprendido en las fracciones 3503.00.03 y 04.
3503.00.02	Colas de huesos o de pieles.
3503.00.03	Gelatina grado fotográfico.
3503.00.04	Gelatina grado farmacéutico.
3503.00.99	Los demás.
3809.92.01	Preparaciones de polietileno con cera, con el 40% o más de sólidos, con una viscosidad de 200 a 250 centipoises a 25° C, y con un pH de 7.0 a 8.5.
3809.92.02	Preparación constituida por fibrilas de polipropileno y pasta de celulosa, en placas.
3811.21.02	Derivados de ácido y/o anhídrido poliisobutenil succínico, incluyendo amida, imida o ésteres.
3811.21.06	Sales de O,O-dihexil ditiofosfato de alquilaminas primarias con radicales alquilo de C10 a C14.
3811.29.02	Derivados de ácido y/o anhídrido poliisobutenil succínico, incluyendo amida, imida o ésteres.

⁵ 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.

3811.29.06	Sales de O,O-dihexil ditiofosfato de alquilaminas primarias con radicales alquilo de C10 a C14.
3823.70.99	Los demás.
3824.90.01	Preparaciones borra tinta.
3824.90.03	Desincrustantes para calderas, a base de materias minerales, aún cuando contengan productos orgánicos.
3824.90.06	Soluciones anticoagulantes para sangre humana en envases iguales o menores a 500 cm ³ .
3824.90.07	Preparaciones para impedir que resbalen las poleas.
3824.90.08	Aceites minerales sulfonados, insolubles en agua.
3824.90.09	Indicadores de temperatura por fusión.
3824.90.10	Conservadores de forrajes a base de formiato de calcio y nitrato de sodio.
3824.90.13	Composiciones a base de materias minerales para el sellado y limpieza de radiadores.
3824.90.15	Composiciones a base de materias vegetales para sellado y limpieza de radiadores.
3824.90.34	Preparación antiincrustante o desincrustante del concreto.
3824.90.35	Preparación a base de carbón activado y óxido de cobre.
3824.90.38	Preparación a base de alúmina, silicatos y carbonatos alcalinos y carbono.
3824.90.45	Mezcla a base de politetrafluoroetileno y sílica gel.
3824.90.51	Esteres metílicos de ácidos grasos de 16 a 18 átomos de carbono; ésteres acéticos y tartáricos de monoglicéridos de ácidos grasos; mezclas de ésteres dimetílicos de los ácidos adípico, glutárico y succínico.
3824.90.59	Mezclas orgánicas, extractantes a base de dodecilsalicilaldoxima, con alcohol tridecílico y keroseno.
3824.90.61	Ácidos bencensulfónicos mono o polisustituidos por radicales alquilo de C10 a C28.
3824.90.62	Mezcla de alcoholes conteniendo, en promedio, isobutanol 61%, n-pentanol 24%, metil-2-butanol 12% y metil-3-butanol 1-3%.
3824.90.72	Preparación selladora de ponchaduras de neumáticos automotrices, a base de etilenglicol.
3824.90.99	Los demás. Únicamente: Mezclas de aditivos para proceso. Preparaciones antiestáticas. Modificantes de superficie.
3825.30.01	Desechos clínicos.
3825.41.01	Halogenados.
3825.61.03	Que contengan principalmente caucho sintético, o materias plásticas.
3825.61.99	Los demás.
3825.69.99	Los demás.

FINANCIAL STATEMENT			
			DATE: [1 December 2003]
1. BUDGET HEADING:		APPROPRIATIONS:	
2. TITLE: Inter service consultation on accelerating the elimination of Mexican customs duties on certain chemicals products originating in the Community, listed in Annex II of Decision 2/2000 of the EU-Mexico Joint Council (EU/Mexico FTA)			
3. LEGAL BASIS: Art. 133 of the EC Treaty			
4. AIMS: Under this EU/ Mexico Joint Council Decision, Mexico will accelerate the elimination of imports duties on certain chemicals products originating in the Community.			
5. FINANCIAL IMPLICATIONS	12 MONTH PERIOD (EUR million)	CURRENT FINANCIAL YEAR [n] (EUR million)	FOLLOWING FINANCIAL YEAR [n+1] (EUR million)
5.0 EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL AUTHORITIES - OTHER			
5.1 REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL			
	[n+2]	[n+3]	[n+4]
5.0.1 ESTIMATED EXPENDITURE			
5.1.1 ESTIMATED REVENUE			
5.2 METHOD OF CALCULATION:			
6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?			YES NO
6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?			YES NO
6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY?			YES NO
6.3 WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS?			YES NO
OBSERVATIONS: The tariff acceleration of concerned products refers to EU originating products imported into Mexico; therefore it has no implication with the Community budget.			