

No. 9747

**DENMARK
and
EUROPEAN ECONOMIC COMMUNITY**

**Exchange of letters constituting an agreement concerning
concessions from the European Economic Community
on herring (with annexes). Geneva, 30 June 1967**

Authentic text: French.

Registered by Denmark on 4 August 1969.

**DANEMARK
et
COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE**

**Échange de lettres constituant un accord relatif à des
concessions de la Communauté économique européenne
concernant le hareng (avec annexes). Genève,
30 juin 1967**

Texte authentique: français.

Enregistré par le Danemark le 4 août 1969.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN DENMARK AND THE EUROPEAN ECONOMIC COMMUNITY CONCERNING CONCESSIONS FROM THE EUROPEAN ECONOMIC COMMUNITY ON HERRING

I

EUROPEAN ECONOMIC COMMUNITY

Delegation of the Commission to the GATT Trade Negotiations

Geneva, 30 June 1967

Sir,

On the occasion of the multilateral trade negotiations held under GATT² at Geneva, the European Economic Community granted its negotiating partners the concessions specified in annex I on herring under tariff heading ex 03.01 B I a) 2 of the common customs tariff, subject to observance of the reference price.

I am able to give the following particulars on the manner in which this reference price will be applied:

1. The level of the reference price shall be fixed at 100 units of account per metric ton for "whole" fresh herring, either chilled or frozen, other than herring of superior or first quality packed in the original cases, for which a corrective coefficient of 1.25 shall be applied to this price. For the different forms of sliced herring, corrective coefficients shall be applied to convert the price to the equivalent for the "whole" product; the reference price shall therefore be fixed respectively at \$ 175 per ton for herring simply sliced crosswise and at \$ 200 per ton for herring sliced lengthwise and packed as "sides" (*flancs*).

2. The reference price shall enter into force simultaneously with the application of the concessions and shall remain at the level specified in paragraph 1 for a period of three years expiring on 1 July 1970.

Upon the expiry of this period, the level of the reference price shall be adjusted whenever an adjustment is deemed necessary in the light of changes in the factors determining herring prices in the Community. With respect to these

¹ Came into force on 1 July 1967.

² United Nations, *Treaty Series*, Vol. 55, p. 187; for subsequent actions, see references in Cumulative Indexes Nos. 1 to 8, as well as annex A in volumes 609, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 640, 651, 661, 662, 663, 664, 665 and 668.

possible revisions, the European Economic Community is prepared to enter into consultations with the Government of Denmark or to accede to a request for consultations from the Government of Denmark.

3. The machinery for the reference price shall operate as follows:

- Imports at prices below the reference price shall be subject to a countervailing charge offsetting the difference between the level of the reference price and the price at which the goods are imported into each of the member States of EEC before customs duties have been levied.
- The reference price must be observed and the countervailing charges, if any, must be applied in respect of all goods of the kind in question imported from third countries, including imports within the limits of tariff quotas.

However, the charge shall not be applied with respect to Denmark if Denmark is in a position to guarantee and to undertake a commitment that it will observe the reference price under conditions to be determined and observes it in its actual offers.

It is agreed that, in return for the concessions specified in annex I, the Government of Denmark shall waive the exercise of the negotiating rights which it possesses by virtue of the concessions specified in annex II, granted during the Geneva tariff negotiations in 1960-1961 by the Community on the same tariff headings.

However, during the consultations referred to in paragraph 2 the Government of Denmark may exercise its negotiating rights arising out of the earlier concessions specified in annex II.

These negotiating rights shall be calculated on the basis of the volume of trade expressed in terms of value by taking into account the arithmetical average of the quantities imported by EEC from Denmark under the concessions in question during the three-year period 1964-1965-1966.

I should be grateful if you would inform me whether you can indicate your agreement with the foregoing.

Accept, Sir, etc.

Th. C. HIJZEN
Head of the Delegation
of the Commission of the European Economic Community

His Excellency Ambassador H. E. Thrane
Head of the Delegation of Denmark
to the GATT Trade Negotiations
Geneva

ANNEX I

03.01 B I ex (a) 2. From 16 June to 14 February:

— Herring:

Within the limits of a tariff quota of 46,000 metric tons	free	} (b)
— Other	15 per cent	

(b) Subject to observance of the reference price.

ANNEX II

03.01 B I ex (a) 2. From 16 June to 14 February:

— Herring and sprats, within the limits of a tariff quota of 32,000 metric tons	free
— Other	20 per cent

II

DELEGATION OF DENMARK TO THE GATT TRADE NEGOTIATIONS

Geneva, 30 June 1967

Sir,

I have the honour to acknowledge receipt of your letter of 30 June 1967, which reads as follows:

[See letter I]

I am able to confirm to you, on behalf of the Government of Denmark, my agreement with the contents of this letter.

Accept, Sir, etc.

H. E. THRANE

Ambassador

Head of the Delegation of Denmark

Mr. Th. C. Hijzen

Head of the Delegation

of the Commission of the European Economic Community
to the GATT Trade Negotiations

ANNEXES I et II

[As under letter I]