

ANNEX II

REFERRED TO IN SUB-PARAGRAPH (c) OF ARTICLE 2

FISH AND OTHER MARINE PRODUCTS

ANNEX II¹

REFERRED TO IN SUB-PARAGRAPH (c) OF ARTICLE 2

FISH AND OTHER MARINE PRODUCTS

Article 1

Fish and other marine products, as listed in Table 1 below, are covered by the provisions of this Agreement, unless otherwise provided for in this Annex.

Table 1

Heading No.	H.S. Code	Description of products
02.08		Other meat and edible meat offal, fresh, chilled or frozen.
ex	0208.40	- Of whales, dolphins and porpoises (mammals of the order Cetacea); of manatees and dugongs (mammals of the order Sirenia): -- Of whale ²
Chapter 3		Fish and crustaceans, molluscs and other aquatic invertebrates.
15.04		Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified.²
15.16		Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared.
ex	1516.10	- Animal fats and oils and their fractions:

¹ Annex II was amended by Joint Committee Decision No. 4 of 2003 (1 August 2003)

² Import ban for whale products is applied by Liechtenstein and Switzerland on the basis of the CITES Convention

-- Obtained entirely from fish or marine mammals ²

Heading No.	H.S. Code	Description of products
16.03		Extracts and juices of whale meat, fish or crustaceans, molluscs or other aquatic invertebrates:
ex	1603.00	- Extracts and juices of whale meal, fish or crustaceans, molluscs or other aquatic invertebrates ¹
16.04		Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs.
16.05		Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.
23.01		Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves.
ex	2301.10	- Flours, meals and pellets, of meat or meat offal; greaves: -- Whale meal ¹
ex	2301.20	- Flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates
23.09		Preparations of a kind used in animal feeding.
ex	2309.90	- Other: -- Fish solubles

Article 2

1. Aid measures to the fishing sector shall fall under the disciplines of Article 17 of this Agreement and its interpretation in Annex III, unless otherwise mentioned in this Article.

¹ Import ban for whale products is applied by Liechtenstein and Switzerland on the basis of the CITES Convention

2. The following aid measures to the fishing sector are considered normally not to be in accordance with this Agreement:

- General aid measures concerning the sector as a whole and which are not fully directed towards structural measures in accordance with the provisions of paragraph (c)(ii) of Annex III;
- tax concessions other than those that directly offset cost disadvantages clearly linked to special conditions prevailing in the fishing sector;
- social measures if the subsidy element of such measures exceeds what is generally applied in other sectors, taking into account the special conditions prevailing in the fishing sector.

3. The following aid measures shall normally be considered to be in accordance with the provisions of Article 17 of this Agreement:

- Aid measures in the form of lowest permitted domestic first hand sales prices for fish and the purchase of surpluses that are applied in order to offset serious market disturbances;
- regional aid measures to the extent that they are necessary for maintaining fishing activities in regions that are to an above-average degree dependant on such activities and where income from fishing is clearly below the national average in the fishing sector. Such regional measures shall not more than offset cost disadvantages in relation to other locations for fisheries. Parties to this Agreement introducing or maintaining such measures shall, in accordance with the provisions of Annex III, provide sufficient information on the regional situation leading to the introduction or maintenance of such measures.

4. The following aid measures are considered not to be in accordance with this Agreement:

- Aid in accordance with paragraph (c)(vi) of Annex III, as concerns the fishing sector,
- Aid in accordance with paragraph (c)(viii) of Annex III, as concerns the fishing activities.

Article 3

1. The Palestinian Authority shall abolish all customs duties and charges having equivalent effect on imports of products originating in an EFTA State, listed in Table 1, as soon as conditions permit.

2. The Palestinian Authority may maintain customs duties, applicable on the date of entry into force of this Agreement, on imports of products referred to in paragraph 1. No new customs duties shall be introduced.

3. The Palestinian Authority shall establish a duty-free import quota for the products for which customs duties are maintained, with the exception of the products listed in Table 2 below. Upon entry into force of this Agreement, the quota shall be 300 tons. As from 1 January 2000 the quota shall be 600 tons and be increased annually by 300 tons until it is phased out, together with the customs duties on these products, on 1 January 2004.

Table 2

Heading No.	H.S. Code	Description of products
03.01		<p>Live fish.</p> <ul style="list-style-type: none"> - Other live fish : -- Trout (<i>Salmo trutta</i>, <i>Salmo gairdneri</i>, <i>Oncorhynchus clarki</i>, <i>Oncorhynchus aguabonita</i>, <i>Oncorhynchus gilae</i>) -- Carp -- Other: <ul style="list-style-type: none"> 11 --- Pacific salmon (<i>Oncorhynchus spp.</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>) 19 --- Other
03.02		<p>Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No. 03.04.</p> <ul style="list-style-type: none"> - Salmonidae, excluding livers and roes: <ul style="list-style-type: none"> -- Trout (<i>Salmo trutta</i>, <i>Salmo gairdneri</i>, <i>Oncorhynchus clarki</i>, <i>Oncorhynchus aguabonita</i>, <i>Oncorhynchus gilae</i>) - Flat fish (<i>Pleuronectidae</i>, <i>Bothidae</i>, <i>Cynoglossidae</i>, <i>Soleidae</i>, <i>Scophthalmidae</i> and <i>Citharidae</i>), excluding livers and roes : -- Other: <ul style="list-style-type: none"> ex 0302.29

Heading No.	H.S. Code	Description of products
	10	--- Megrim (<i>Lepidorhombus spp.</i>)
		- Other fish, excluding livers and roes :
	0302.65	-- Dogfish and other sharks
ex	0302.69	-- Other:
		--- Freshwater fish:
	11	---- Carp
	19	---- Other
		--- Saltwater fish:
	51	---- Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)
03.03		Fish, frozen, excluding fish fillets and other fish meat of heading No. 03.04.
		- Other salmonidae, excluding livers and roes :
	0303.21	-- Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aguabonita</i> , <i>Oncorhynchus gilae</i>) except <i>Salmo trutta</i> and <i>salmo gairdneri</i>
ex	0303.79	-- Other
		--- Freshwater fish:
	11	---- Carp
	19	---- Other
03.04		Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen.
ex	0304.10	- Fresh or chilled
		-- Fillets:
		--- Of freshwater fish:
	11	---- Of trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> ,

Heading No.	H.S. Code	Description of products
		<p><i>Oncorhynchus clarki</i>, <i>Oncorhynchus aguabonita</i>, <i>Oncorhynchus gilae</i>) except salmo trutta and salmo gairdneri</p> <p>19 ---- Of other freshwater fish</p> <p>-- Other fish meat (whether or not minced)</p> <p>91 --- Freshwater fish</p> <p>ex 0304.20 - Frozen fillets:</p> <p>-- Of freshwater fish:</p> <p>11 --- Of trout (<i>Salmo trutta</i>, <i>Salmo gairdneri</i>, <i>Oncorhynchus clarki</i>, <i>Oncorhynchus aguabonita</i>, <i>Oncorhynchus gilae</i>) except <i>Salmo trutta</i> and <i>salmo gairdneri</i></p> <p>19 --- Of other freshwater fish</p> <p>ex 0304.90 - Other</p> <p>10 -- Of freshwater fish</p>
03.06		<p>Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption.</p> <p>- Frozen :</p> <p>0306.13 -- Shrimps and prawns</p> <p>- Not frozen :</p> <p>0306.23 -- Shrimps and prawns</p>
03.07		<p>Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other</p>

Heading No.	H.S. Code	Description of products
16.05		than crustaceans, fit for human consumption.
	ex 0307.51	- Octopus (<i>Octopus spp.</i>): -- Live, fresh or chilled: --- Calamary, fresh or chilled
	ex 0307.59	-- Other: --- Calamary, frozen
		Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved.
		1605.20 - Shrimps and prawns
	ex 1605.90	- Other: -- Calamary

Article 4

1. Switzerland, including the territory of the Principality of Liechtenstein may maintain customs duties on imports of products originating in the West Bank and the Gaza Strip listed in Table 3 below.

2. The special arrangements for HS heading No. ex 03.01 to 03.05 shall be reviewed before 1 January 2000 with a view to improving trade in fish and other marine products.

Table 3

Heading No.	Description of products
ex 03.01 to 03.05	Fish, except frozen fillets, other than saltwater fish, carp, eels and salmon
ex 15.04 and 15.16.10	Fats and oils for human consumption
ex 23.01.10 and 23.01.20	Feedingstuffs for production animals
ex 23.09.90	Feedingstuffs for production animals

