

**DECISION No 1/1999 OF THE EC/DENMARK-FAROE ISLANDS JOINT COMMITTEE
of 22 June 1999**

replacing Protocol 1 of the Agreement concerning the tariff treatment and arrangements applicable to certain fish and fishery products released for free circulation in the Community or imported into the Faroes

(1999/456/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part ⁽¹⁾, and in particular Article 34(1) thereof,

- (1) Whereas, in the light of the examination of the Agreement and its conformity with the rules for free trade agreements in the context of the World Trade Organisation (WTO), it is considered appropriate to review Protocol 1 of the Agreement;
- (2) Whereas this review calls for certain amendments to that Protocol and the Annexes thereto;
- (3) Whereas it is equally appropriate to ensure that the amendments carried out in the context of that review do not pose any risk to the stability of the Community market for the products concerned;
- (4) Whereas, following negotiations between the Commission, on behalf of the European Community, and the Government of Denmark and the Home Government of the Faroe Islands it has been agreed that Protocol 1 and

the Annexes thereto should be replaced by the text attached hereto,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 1 of the Agreement and the Annexes thereto shall be replaced by the text contained in the Annex to this Decision.

Article 2

This Decision shall take effect on the first day of the second month following that of its adoption.

Done at Brussels, 22 June 1999.

For the Joint Committee

Alexander WIEDOW

The Chairman

⁽¹⁾ OJ L 53, 22.2.1997, p. 2.

ANNEX

'PROTOCOL 1**concerning the tariff treatment and arrangements applicable to certain fish and fishery products released for free circulation in the Community or imported into the Faroes***Article 1*

As regards the products listed in the Annex to this Protocol and originating in the Faroes:

1. no new customs duties shall be introduced in trade between the Community and the Faroes;
2. the preferential customs duties and other conditions to be applied on import into the Community shall be as indicated in the Annex.

Article 2

Any reference price fixed, or to be fixed, by the Community shall not apply to the products covered by this Protocol.

Article 3

1. Where a price decrease in imports of a given fishery product from one Contracting Party is, or is likely to be, seriously detrimental to the production activity concerned in the other Contracting Party, the Contracting Party concerned may take appropriate measures.
2. In the selection of measures, priority must be given to those which least disturb the functioning of this Agreement.
3. Before taking appropriate measures, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting parties.
4. Except in cases of urgency, as described in paragraph 5, the Contracting Party concerned may not take measures until one month has elapsed after the date of notification, unless the Joint Committee procedure is concluded before expiry of the stated time limit.
5. Where circumstances require urgent action, the Contracting Party concerned may apply the measures strictly necessary to remedy the situation at the earliest three days after having informed the other Contracting Party.
6. Any safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

Article 4

The Faroes shall abolish tariffs and duties on imports of fish and fishery products originating in the Community.

ANNEX

The preferential customs duties and other conditions to be applied on import into the Community of products originating in and coming from the Faroes shall be as indicated below

TABLE 1

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
0301	Live fish:		
ex 0301 91 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
0301 92 00	-- Eels (<i>Anguilla</i> spp.)	0	
ex 0301 99 11	---- Atlantic salmon (<i>Salmo salar</i>)	0	
0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:		
ex 0302 11 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0302 12 00	-- Atlantic salmon (<i>Salmo salar</i>)	0	
0302 19 00	-- Other	0	
0302 21 10	--- Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	0	
0302 21 30	--- Atlantic (<i>Hippoglossus hippoglossus</i>)	0	
0302 22 00	-- Palice (<i>Pleuronectes platessa</i>)	0	
0302 23 00	-- Sole (<i>Solea</i> spp.)	0	
0302 29 10	--- Megrim (<i>Lepidorhombus</i> spp.)	0	
0302 29 90	--- Other	0	
0302 40	- Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), excluding livers and roes:		
0302 40 05	-- From 1 January to 14 February	0	
0302 40 98	-- From 16 June to 31 December	0	
0302 50 10	-- Cod of the species <i>Gadus morhua</i>	0	
0302 62 00	---- Haddock (<i>Melanogrammus aeglefinus</i>)	0	
0302 63 00	-- Coalfish (<i>Pollachius virens</i>)	0	
ex 0302 64 05	--- Mackerel of the species <i>Scomber scombrus</i> , from 1 January to 14 February	0	
ex 0302 64 98	--- Mackerel of the species <i>Scomber scombrus</i> , from 16 June to 31 December	0	
0302 65	-- Dogfish and other sharks:		
0302 65 20	--- Dogfish of the species <i>Squalus acanthias</i>	0	
0302 65 50	--- Dogfish of the species <i>Scyliorhinus</i> spp.	0	
0302 65 90	--- Other	0	
0302 66 00	-- Eels (<i>Anguilla</i> spp.)	0	
	---- Redfish (<i>Sebastes</i> spp.):		
0302 69 31	----- Of the species <i>Sebastes marinus</i>	0	

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
ex 0302 69 33	----- Of the species <i>Sebastes mentella</i>	0	
0302 69 41	---- Whiting (<i>Merlangus merlangus</i>)	0	
0302 69 45	---- Ling (<i>Molva</i> spp.)	0	
ex 0302 69 68	---- Hake of the species <i>Merluccius merluccius</i>	0	
0302 69 81	---- Monkfish (<i>Lophius</i> spp.)	0	
0302 69 85	---- Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)	0	
0302 69 99	---- Other	0	
0302 70 00	- Livers and roes	0	
0303	Fish, frozen excluding fish fillets and other fish meat of heading No 0304:		
ex 0303 21 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0303 22 00	-- Atlantic salmon (<i>Salmo salar</i>)	0	
0303 29 00	-- Other	0	
0303 31 10	--- Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	0	
0303 31 30	--- Atlantic halibut (<i>Hippoglossus hippoglossus</i>)	0	
0303 32 00	-- Plaice (<i>Pleuronectes platessa</i>)	0	
0303 33 00	-- Sole (<i>Solea</i> spp.)	0	
0303 39 10	--- Flounder (<i>Platichthys flesus</i>)	0	
0303 39 30	--- Fish of the genus <i>Rhombosolea</i>	0	
0303 39 80	--- Other	0	
0303 50	- Herrings (<i>Clupea harengues</i> , <i>Clupea pollasi</i>), excluding livers and roes:	0	
0303 50 05	-- From 1 January to 14 February	0	
0303 50 98	-- From 16 June to 31 December	0	
0303 60 11	-- Cod of the species <i>Gadus morhua</i>	0	
0303 73 00	-- Coalfish (<i>Pollachius virens</i>)	0	
ex 0303 74 10	--- Mackerel of the species <i>Scomber scombrus</i> , from 1 January to 14 February	0	
ex 0303 74 20	--- Mackerel of the species <i>Scomber scombrus</i> , from 16 June to 31 December		
0303 75	-- Dogfish and other sharks:		
0303 75 20	--- Of the species <i>Squalus acanthias</i>	0	
0303 75 50	--- Of the species <i>Scyliorhinus</i> spp.	0	
0303 75 90	--- Other		
0303 79	-- Other:		
	--- Redfish (<i>Sebastes</i> spp.):		
0303 79 35	----- Redfish of the species <i>Sebastes marinus</i>	0	

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
ex 0303 79 37	----- Redfish of the species <i>Sebastes mentella</i>	0	
0303 79 45	----- Whiting (<i>Merlangus merlangus</i>)	0	
0303 79 51	----- Ling (<i>Molva</i> spp.)	0	
0303 79 81	----- Monkfish (<i>Lophius</i> spp.)	0	
0303 79 83	----- Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)	0	
0303 79 96	----- Other	0	
0303 80	- Livers and roes	0	
0303 80 90	-- Other	0	
0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
0304 10	- Fresh or chilled:		
	-- Fillets:		
	--- Of freshwater fish:		
ex 0304 10 11	----- Of trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0304 10 13	----- Of Atlantic salmon (<i>Salmo salar</i>)	0	
	--- Other		
ex 0304 10 31	----- Of cod of the species <i>Gadus morhua</i>	0	
0304 10 33	----- Of coalfish (<i>Pollachius virens</i>)	0	
0304 10 35	----- Of redfish (<i>Sebastes</i> spp.)	0	
0304 10 38	----- Other		
	-- Other fish meat (whether or not minced):		
0304 10 91	--- Of freshwater fish	0	
	--- Other:		
	----- Flaps of herring:		
0304 10 94	----- From 1 January to 14 February	0	
0304 10 96	----- From 16 June to 31 December	0	
0304 10 98	----- Other	0	
0304 20	- Frozen fillets:		
	-- Of freshwater fish:		
ex 0304 20 11	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
ex 0304 20 13	--- Of Atlantic salmon (<i>Salmon salar</i>)	0	
	-- Of cod (<i>Gadus morhua</i> , <i>Gadus macrocephalus</i> , <i>Gadus Ogac</i>) and of fish of the species <i>Boreogadus saida</i> :		
ex 0304 20 29	--- Of cod of the species <i>Gadus morhua</i>	0	
0304 20 31	-- Of coalfish (<i>Pollachius virens</i>)	0	
0304 20 33	-- Of haddock (<i>Melanogrammus aeglefinus</i>)	0	
	-- Of redfish (<i>Sebastes</i> spp.)		
0304 20 35	--- Of the species <i>Sebastes marinus</i>	0	

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
ex 0304 20 37	--- Of the species <i>Sebastes mentella</i>	0	
0304 20 41	-- Of Whiting (<i>Merlangus merlangus</i>)	0	
0304 20 43	-- Of ling (<i>Molva</i> spp.)	0	
ex 0304 20 53	--- Of mackerel of the species <i>Scomber scombrus</i>	0	
0304 20 71	-- Of plaice (<i>Pleuronectes platessa</i>)	0	
0304 20 75	-- Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)	0	
0304 20 96	-- Other		
	--- Of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)		
	--- Other than of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)	0	
0304 90	- Other:		
0304 90 05	-- Surimi	0	
	-- Other:		
ex 0304 90 10	--- Of freshwater fish:		
	---- Of trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 1
	---- Of Atlantic salmon (<i>Salmo salar</i>)	0	
	--- Other:		
	---- Of herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>):		
0304 90 20	----- From 1 January to 14 February	0	
0304 90 27	----- From 16 June to 31 December	0	
0304 90 38	----- Of cod of the species <i>Gadus morhua</i>	0	
0304 90 41	----- Of coalfish (<i>Pollachius virens</i>)	0	
0304 90 45	----- Of haddock (<i>Melanogrammus aeglefinus</i>)	0	
0304 90 57	----- Of monkfish (<i>Lophius</i> spp.)	0	
0304 90 59	----- Of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)	0	
0304 90 97	----- Other	0	
0305	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption:		
0305 10 00	- Flours, meals and pellets of fish, fit for human consumption	0	
0305 20 00	- Livers and roes, dried, smoked, salted or in brine	0	
0305 30	- Fish fillets, dried, salted or in brine, but not smoked:		
ex 0305 30 19	--- Of cod of the species <i>Gadus morhua</i>	0	
ex 0305 30 30	-- Of Atlantic salmon (<i>Salmo salar</i>), salted or in brine	0	
0305 30 50	-- Of lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>), salted or in brine	0	
0305 30 90	-- Other	0	
ex 0305 41 00	- Smoked fish, including fillets:		

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
ex 0305 42 00	-- Atlantic salmon (<i>Salmo salar</i>)	0	
0305 42 00	-- Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)	0	
0305 49 10	--- Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	0	
0305 49 20	--- Atlantic halibut (<i>Hippoglossus hippoglossus</i>)	0	
ex 0305 49 30	--- Mackerel of the species <i>Scomber scombrus</i>	0	
ex 0305 49 45	--- Trout of the species <i>Onocorhynchus mykiss</i>	0	
0305 49 50	--- Eels (<i>Anguilla</i> spp.)	0	
0305 49 80	--- Other	0	
	- Dried fish, whether or not salted but not smoked:		
ex 0305 51 10	--- Cod of the species <i>Gadus morhua</i> , dried, unsalted	0	
ex 0305 51 90	--- Cod of the species <i>Gadus morhua</i> , dried, salted	0	
ex 0305 59 90	--- Other:		
	----- Of ling (<i>Molva molva</i>)	0	
	----- Of blue ling (<i>Molva dipterygia dipterygia</i>)	0	
	----- Of tusk (<i>Brosme brosme</i>)	0	
	- Fish, salted but not dried or smoked and fish in brine:		
0305 61 00	-- Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)	0	
ex 0305 62 00	-- Cod of the species <i>Gadus morhua</i>	0	
0305 69	-- Other:		
0305 69 90	--- Other	0	
0306	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 or crustaceans, fit for human consumption:		
	- Frozen:		
0306 13	-- Shrimps and prawns:		
0306 13 10	--- Of the family <i>Pandalidae</i>	0	
0306 13 40	--- Deepwater rose shrimps (<i>Parapenaeus longirostris</i>)	0	
0306 13 50	--- Shrimps of the genus <i>Penaeus</i>	0	
0306 13 80	--- Other	0	
0306 19 30	--- Norway lobsters (<i>Nephrops norvegicus</i>)	0	
	- Not frozen:		
0306 29 30	--- Norway lobsters (<i>Nephrops norvegicus</i>)	0	

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
0307	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 than crustaceans, fit for human consumption: – Scallops, including queen scallops, of the genera <i>Pecten</i> , <i>Chlamys</i> or <i>Placopecten</i> :		
0307 21 00	-- Live, fresh or chilled	0	
0307 29	-- Other:		
0307 29 10	--- Common scallop (<i>Pecten maximus</i>), frozen	0	
0307 29 90	--- Other	0	
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs: – Fish, whole or in pieces, but not minced:		
ex 1604 11 00	-- Atlantic salmon (<i>Salmo salar</i>)	0	TQ No 2
1604 12	-- Herrings:		
	--- Other:		
1604 12 91	---- In airtight containers	0	
1604 12 99	---- Other	0	
1604 19	-- Other:		
ex 1604 19 10	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 2
1604 19 91	---- Fillets, raw, merely coated with batter or breadcrumbs, whether or not prefried in oil, deep frozen ---- Other:	0	
1604 19 92	----- Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>)	0	TQ No 3
1604 19 93	----- Coalfish (<i>Pollachius virens</i>)	0	TQ No 3
1604 19 94	----- Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.)	0	TQ No 3
1604 19 95	----- Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)	0	TQ No 3
1604 19 98	----- Other	0	TQ No 3
1604 20	– Other prepared or preserved fish:		
1604 20 05	-- Preparations of surimi -- Other:	0	TQ No 3
ex 1604 20 10	--- Of Atlantic salmon (<i>Salmo salar</i>)	0	TQ No 2
ex 1604 20 30	--- Of Trout of the species <i>Oncorhynchus mykiss</i>	0	TQ No 2
1604 20 90	--- Of other fish:		

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
1605	---- Other than of herring Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved:	0	TQ No 3
1605 20	- Shrimps and prawns:		
1605 20 10	-- In airtight containers	0	TQ No 4
	-- Other:		
1605 20 91	--- In immediate packings of a net content not exceeding 2 kg	0	TQ No 4
1605 20 99	--- Other	0	TQ No 4
ex 1605 40 00	- Norway lobsters (<i>Nephrops norvegicus</i>)	0	TQ No 4
2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves:		
2301 20 00	- Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	0	

TABLE II

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
0301	Live fish:		TQ No 1 (!)
ex 0301 91 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	700
0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304:		
ex 0302 11 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
0303	Fish, frozen, excluding fish fillets and other fish meat of heading No 0304:		
ex 0303 21 90	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:		
0304 10	- Fresh or chilled:		
	-- Fillets:		
ex 0304 10 11	---- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
0304 20	- Frozen fillets:		
ex 0304 20 11	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
0304 90	- Other:		
ex 0304 90 10	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	

CN code	Description	Rate of duty	Tariff quota (TQ)
(1)	(2)	(3)	(4)
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		TQ No 2 400
	– Fish, whole or in pieces, but not minced:		
ex 1604 11 00	-- Atlantic salmon (<i>Salmo salar</i>)	0	
1604 19	-- Other:		
ex 1604 19 10	--- Trout of the species <i>Oncorhynchus mykiss</i>	0	
1604 20	– Other prepared or preserved fish:		
	-- Other:		
ex 1604 20 10	--- Of Atlantic salmon (<i>Salmo salar</i>)	0	
ex 1604 20 30	--- Of trout of the species <i>Oncorhynchus mykiss</i>	0	
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		TQ No 3 1 200
	– Fish, whole or in pieces, but not minced:		
1604 19 92	----- Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>)	0	
1604 19 93	----- Coalfish (<i>Pollachius virens</i>)	0	
1604 19 94	----- Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.)	0	
1604 19 95	----- Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)	0	
1604 19 98	----- Other	0	
1604 20	– Other prepared or preserved fish:		
1604 20 05	-- Preparations of surimi	0	
	-- Other		
ex 1604 20 90	--- Of other fish:		
	----- Other than of herring	0	
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved:		TQ No 4 2 000
1605 20	– Shrimps and prawns:		
1605 20 10	-- In airtight containers	0	
	-- Other:		
1605 20 91	--- In immediate packing of a net content not exceeding 2 kg	0	
1605 20 99	--- Other	0	
ex 1605 40 00	– Norway lobsters (<i>Nephrops norvegicus</i>)	0	

(¹) Figures refer to the commercial presentation "whole and gutted". For imports falling within HS code 0304, a coefficient of 2 shall be applied for quantities drawn from this tariff quota.