

Agricultural Agreement between the SACU States and Iceland

ARTICLE 1

This Agreement on Trade in Agricultural Goods (hereinafter referred to as “this Agreement”) between the Republic of Botswana, the Kingdom of Lesotho, the Republic of Namibia, the Republic of South Africa and the Kingdom of Swaziland, together forming the Southern African Customs Union (hereinafter referred to jointly as “SACU” or severally as “the SACU States”), and the Republic of Iceland (hereinafter referred to as “Iceland”), hereinafter collectively referred to as “the Parties”, is concluded pursuant to and in conjunction with the Free Trade Agreement of 2006 between the EFTA States and the SACU States (hereinafter referred to as “the Free Trade Agreement”), and in particular Article 6 thereof. This Agreement forms part of the instruments establishing the free trade area between the EFTA States and SACU.

ARTICLE 2

SACU shall grant tariff concessions to agricultural products originating in Iceland as specified in Annex 1. Iceland shall grant tariff concessions to agricultural products originating in SACU as specified in Annex 2.

ARTICLE 3

1. Except as provided for in paragraphs 2 and 3, the rules of origin and the provisions on co-operation in customs matters applicable to trade governed by this Agreement are set out in Annex V and VI, respectively, of the Free Trade Agreement. Any references therein to “EFTA States” shall be taken to refer to Iceland.
2. For the purpose of this Agreement, Article 3 of Annex V to the Free Trade Agreement shall apply, *mutatis mutandis*, to SACU and Iceland.
3. For the purpose of this Agreement, Article 34 of Annex V to the Free Trade Agreement shall not apply.

ARTICLE 4

The following provisions of the Free Trade Agreement shall apply, *mutatis mutandis*, between Iceland, on the one hand, and SACU or the SACU States, as the case may be, on the other: Articles 4, 5, 10, 11, 14, 19, 20, 21, 23, 25, 33 (paragraphs 1 and 2), 35, 36, 37 and 41.

ARTICLE 5

1. The Parties shall not apply export subsidies, as defined in Article 9 of the WTO Agreement on Agriculture, in their trade on products subject to tariff concessions in accordance with this Agreement.
2. The Parties shall provide in a transparent and expeditious manner the necessary information to allow each other to monitor compliance with paragraph 1.

ARTICLE 6

SACU and Iceland shall examine any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

ARTICLE 7

1. SACU and Iceland undertake to continue their efforts with a view to further liberalising their agricultural trade, within the framework of their respective agricultural policies.
2. The first review shall take place no later than three years after the entry into force of this Agreement, with further reviews to be determined at the first review.

ARTICLE 8

1. This Agreement is subject to ratification, acceptance or approval in accordance with the respective constitutional requirements of the Parties.
2. This Agreement shall enter into force on the same date as the Free Trade Agreement.
3. The Government of Iceland shall act as Depositary.
4. An original copy of this Agreement shall be lodged with the SACU Secretariat.

ARTICLE 9

This Agreement shall remain in force as long as the Parties to it remain Parties to the Free Trade Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

Done in two original copies in the English language.

Done at
This day of 2006
For the Republic of Botswana

Done at
This day of 2006
For Iceland

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Done at
This day of 2006
For the Kingdom of Lesotho

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Done at
This day of 2006
For the Republic of Namibia

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Done at
This day of 2006
For the Republic of South Africa

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Done at
This day of 2006
For the Kingdom of Swaziland

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ANNEX 1

CUSTOMS DUTIES ON IMPORTS FROM ICELAND INTO SACU

(Referred to in Article 2)

Customs duties on imports into SACU on products originating in Iceland listed in Table to this Annex are eliminated upon the entry into force of this Agreement.

TABLE TO ANNEX 1

HS Code 2002	Product description
0101	Horses
0205	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen

ANNEX 2

CUSTOMS DUTIES ON IMPORTS FROM SACU INTO ICELAND

(Referred to in Article 2)

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
ex Chapter 4		Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included	
0409		Natural honey	free
Chapter 5		Products of animal origin, not elsewhere specified or included	free
ex Chapter 6		Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	
ex0601		Bulbs, tubers, tuberous roots, corms, corms and rhizomes, dormant, in growth or in flower, chicory plants and roots other than roots of heading 12.12	
	0601.10	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant	free
	0601.2001	Chicoryroots	free
ex0603		Cut flowers and flowers buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	
	0603.1001	Carnations, (spider flowers, flamingo flowers or tail flowers, wonder flowers or chinchilla and bird of paradise): Imported from 1 December to 30 April	free
ex Chapter 7		Edible vegetables and certain roots and tubers	
ex 0703		Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled:	
	0703.10	Onions and shallots, fresh or chilled	free
	0703.20	Garlic, fresh or chilled	free
0708		Leguminous vegetables, shelled or unshelled, fresh or chilled	free
ex 0709		Other vegetables, fresh or chilled	
	0709.10	Globe artichokes, fresh or chilled	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
	0709.20	Asparagus, fresh or chilled	free
	0709.51	Mushrooms of the genus Agaricus	0/80 kr./kg
	0709.52	Truffles, fresh or chilled	free
	0709.70	Spinach, N-Z spinach and orache spinach (garden spinach), fresh or chilled	free
	0709.9001	Sweet corn	free
	0709.9003	Olives	free
ex 0710		Vegetables (uncooked or cooked y steaming or oiling in water), frozen	
	0710.21	Peas, frozen	free
	0710.22	Beans, frozen	free
	0710.29	Leguminous vegetables frozen nes	free
	0710.40	Sweet corn, frozen	free
ex0711		Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	
	0711.10	Onions, provisionally preserved but not suitable for immediate consumption	free
	0711.20	Olives	free
0713		Dried leguminous vegetables, shelled, whether or not skinned or split	free
Chapter 8		Edible fruit and nuts; peel of citrus fruit or melons	free
Chapter 9		Coffee, tea, maté and spices	free
ex Chapter 10		Cereals Other than for animal feeding	free
ex Chapter 11		Products of the milling industry; malt; starches; inulin; wheat gluten	
ex 1101		Wheat or meslin flour Other than for animal feeding	free
ex 1102		Cereal flours other than of wheat or meslin Other than for animal feeding	free
ex 1103		Cereal groats, meal and pellets Other than for animal feeding	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
ex 1104		Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No.1006; germ of cereals, whole, rolled, flaked or ground Other than for animal feeding	free
1105		Flour, meal, powder, flaked, granules and pellets of potatoes	free
ex 1106		Flour, meal and powder of the dried leguminous vegetables of heading No. 0713, of sago or of roots or tubers of heading No. 0714 or of the products of Chapter 8 Other than for animal feeding	free
1107		Malt, whether or not roasted	free
ex 1108		Starches; inulin:	
	1108.11	Wheat starch	free
	1108.12	Maize (corn) starch	free
	1108.13	Potato starch	free
	1108.14	Manioc (cassava) starch	free
	1108.19	Other starches	free
	1108.20	Inulin	free
1109		Wheat gluten, whether or not dried	free
ex Chapter 12		Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	
1201		Soya beans, whether or not broken	free
1202		Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken:	free
1203		Copra	free
1204		Linseed, whether or not broken	free
1205		Rape or colza seeds, whether or not broken	free
1206		Sunflower seeds, whether or not broken	free
1207		Other oil seeds and oleaginous fruits, whether or not broken	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
1208		Flours and meals of oil seeds or oleaginous fruits, other than those of mustard	free
1209		Seeds, fruit and spores, of a kind used for sowing	free
1210		Hop cones, fresh or dried, whether or not ground, powdered or in the form of pellets; lupulin	free
1211		Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered	free
1212		Locust beans, seaweeds and other algae, sugar beet and sugar cane, fresh, chilled, frozen or dried, whether or not ground; fruit stones and kernels and other vegetable products (including unroasted chicory roots of the variety <i>Cichorium intybus sativum</i>) of a kind used primarily for human consumption, not elsewhere specified or included	free
1214		Swedes, mangolds, fodder roots, hay, lucerne (alfalfa), clover, sainfoin, forage kale, lupines, vetches and similar forage products, whether or not in the form of pellets	free
Chapter 13		Lac; gums, resins and other vegetable saps and extracts	free
Chapter 14		Vegetable plaiting materials; vegetable products not elsewhere specified or included	free
ex Chapter 15		Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes	
1502		Fats of bovine animals, sheep or goats, other than those of heading 15.03	free
1503		Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	free
1505		Wool grease and fatty substances derived there from (including lanolin):	free
1506		Other animal fats and oils and their fractions, whether or not refined, but not chemically modified	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
1508		Ground-nut oil and its fractions, whether or not refined, but not chemically modified	free
1509		Olive oil and its fractions, whether or not refined, but not chemically modified	free
1512		Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified	free
1515		Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified	free
1516		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	free
ex1517		Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading 15.16.	
	1517.9003	Mixed of edible mixtures of fluid soya-bean oil and cotton-seed oil	free
	1517.9004	Edible mixture of other fluid vegetable oils	free
	1517.9005	Edible mixtures of animal oil vegetable fats and oils for use as mould release preparations	free
	1517.9009	Others	free
1518		Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading 15.16; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, not elsewhere specified or included	free
1520		Glycerol, crude; glycerol waters and glycerol lyes	free
ex Chapter 17		Sugars and sugar confectionery	
1701		Cane or beet sugar and chemically pure sucrose, in solid form	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
1702		Other sugars, including chemically pure lactose, maltose, lucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel	free
ex 1703		Molasses resulting from the extraction or refining of sugar Other than for animal feeding	free
ex Chapter 18		Cocoa and cocoa preparations	
1801		Cocoa beans, whole or broken, raw or roasted	free
1802		Cocoa shells, husks, skins and other cocoa waste	free
1803		Cocoa paste, whether or not defatted	free
1804		Cocoa butter, fat and oil	free
1805		Cocoa powder, not containing added sugar or other sweetening matter	free
ex Chapter 20		Preparations of vegetables, fruit, nuts or other parts of plants	
ex2001		Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid	
	2001.10	Cucumbers and gherkins	free
	2001.9001	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)	free
	2001.9002	Yams, sweet potatoes and similar edible parts of plants containing 5% or more by weight of starch	free
	2001.9005	Onions	free
	2001.9009	Other	free
ex2004		1. Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06.	
	2004.9001	Sweet corn (<i>Zea mai</i> var. <i>saccharata</i>)	free
	2004.9002	Globe artichokes	free
	2004.9003	Green or black olives	free
	2004.9004	Green peas and beans	free
	2004.9005	Preparations with a basis of flours of leguminous plants	free
	2004.9009	Other	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
ex2005		2. Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 20.06.	
	2005.10	Homogenised vegetables	free
	2005.40	Peas (<i>Pisum sativum</i>)	free
	2005.51	Beans, shelled	free
	2005.59	Other	free
	2005.60	Asparagus	free
	2005.70	Olives	free
	2005.80	Sweet corn (<i>Zea mays var. saccharata</i>)	free
	2005.9009	Other	free
2006		Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised)	free
2007		Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	free
2008		Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	free
2009		Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	free
ex2103		Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard	
	2103.10	Soya sauce	free
	2103.30	Mustard flour and meal and prepared mustard	free
ex Chapter 22		Beverages, spirits and vinegar	
2201		Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	free
2204		Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09	free

Heading No.	Icelandic H.S. Code	Description of products	Duty for SACU
2209		Vinegar and substitutes for vinegar obtained from acetic acid	free
ex Chapter 23		Residues and waste from the food industries; prepared animal fodder Other than for animal feeding	free
Chapter 24		Tobacco and manufactured tobacco substitutes	free

DECLARATION BY ICELAND ON
SANITARY AND PHYTOSANITARY MEASURES

In product areas where the legislation relating to sanitary and phytosanitary matters is harmonized between Iceland and the EC, there are no additional requirements on products destined for the Icelandic market. However the EEA-Agreement contains a safety clause, according to which Iceland may adopt different measures based on its own risk assessment.

DECLARATION BY SACU ON
SANITARY AND PHYTOSANITARY MEASURES]

In products areas where the legislation relating to sanitary and phytosanitary matters is formally recognized to be equivalent between Iceland and the EC, SACU Member States endeavour to take into account such equivalency when evaluating a request for import approval in terms of the relevant domestic sanitary and phytosanitary legislation. This undertaking, however, should not be construed as granting automatic approval when considering such an application and where such equivalency exists. It needs to be considered on a case-by-case basis and the approach taken might differ among SACU Member States, based on the relevant domestic regulatory environment.

JOINT DECLARATION ON TRADE IN AGRICULTURAL PRODUCTS
BETWEEN SACU AND ICELAND

With reference to Article 7 of this agreement, the Parties identified the following products of priority interest:

SACU

- Products from Chapter 6.

Iceland

- Sheep meat.
- Products of sheep meat

Although these products will form the basis for the review, it is understood that the review can be extended to cover other areas not listed here as well.
