

DECISION OF THE JOINT EFTA-HONG KONG, CHINA COMMITTEE  
(HEREINAFTER REFERRED TO AS “THE JOINT COMMITTEE”)

No. 6 of 2017

(Adopted on 31 October 2017)

AMENDMENTS TO ANNEX III “FISH AND OTHER MARINE PRODUCTS” OF  
THE EFTA-HONG KONG, CHINA FREE TRADE AGREEMENT

THE JOINT COMMITTEE,

HAVING regard to the Free Trade Agreement between the EFTA States on the one part, and the Hong Kong Special Administrative Region of the People’s Republic of China (hereinafter referred to as “Hong Kong, China”), on the other, signed in Schaan on 21 June 2011, hereinafter referred to as “the Agreement”,

NOTING that the amendments to the Nomenclature appended to the International Convention on the Harmonized Commodity Description and Coding System (HS), which entered into force on 1 January 2017, require adjustments in the HS structure of Table 1 of Annex III of the Agreement,

RECOGNISING that amendments to the tariff nomenclature of a Party or Parties shall not have any negative impact on the preferential treatment under the Agreement of the products concerned,

HAVING regard to paragraph 7 of Article 9.1 of the Agreement providing that the Joint Committee may decide to amend the Annexes and Appendices to the Agreement,

DECIDES:

1. The text of Annex III of the Agreement, including Tables 1 and 2 thereof, shall be replaced with the text, including Tables 1 and 2, set out in the Annex to this Decision.
2. The Decision shall enter into force on the first day of the third month following the deposit of the last instrument of ratification, acceptance or approval.
3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depository.

ANNEX III

REFERRED TO IN ARTICLE 2.1

FISH AND OTHER MARINE PRODUCTS

Article 1

Fish and other marine products listed in Table 1 are covered by the provisions of the Agreement, except as otherwise provided for in Article 3.

**Table 1**

HS Code	Description of Products <sup>1</sup>
<p><b>02.08</b></p> <p>ex 0208.40</p>	<p><b>Other meat and edible meat offal, fresh, chilled or frozen.</b></p> <p>- Of whales, dolphins and porpoises (mammals of the order Cetacea); of manatees and dugongs (mammals of the order Sirenia); of seals, sea lions and walruses (mammals of the suborder Pinnipedia):</p> <p>- - Of whales</p>
<p><b>Chapter 3</b></p>	<p><b>Fish and crustaceans, molluscs and other aquatic invertebrates.</b></p>
<p><b>05.11</b></p> <p>0511.91</p>	<p><b>Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption.</b></p> <p>- Other:</p> <p>- - Products of fish or crustaceans, molluscs or other aquatic invertebrates; dead animals of Chapter 3</p>
<p><b>15.04</b></p>	<p><b>Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified.</b></p>
<p><b>15.16</b></p>	<p><b>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.</b></p>

<sup>1</sup> Import controls on products of species listed in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (including whale products) are applied by Hong Kong, China, Liechtenstein and Switzerland in accordance with CITES.

HS Code	Description of Products <sup>1</sup>
ex 1516.10	<ul style="list-style-type: none"> <li>- Animal fats and oils and their fractions:</li> <li>- - Obtained entirely from fish or marine mammals</li> </ul>
<p><b>16.03</b></p> <p>ex 1603.00</p>	<p><b>Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates.</b></p> <ul style="list-style-type: none"> <li>- Extracts and juices of meat of whale, fish or crustaceans, molluscs or other aquatic invertebrates</li> </ul>
<b>16.04</b>	<b>Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs.</b>
<b>16.05</b>	<b>Crustaceans, molluscs and other aquatic invertebrates prepared or preserved.</b>
<p><b>23.01</b></p> <p>ex 2301.10</p> <p>2301.20</p>	<p><b>Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves.</b></p> <ul style="list-style-type: none"> <li>- Flours, meals and pellets, of meat or meat offal; greaves: <ul style="list-style-type: none"> <li>- - Of whales</li> </ul> </li> <li>- Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates</li> </ul>
<p><b>23.09</b></p> <p>ex 2309.90</p>	<p><b>Preparations of a kind used in animal feeding.</b></p> <ul style="list-style-type: none"> <li>- Other: <ul style="list-style-type: none"> <li>- - Fish solubles</li> </ul> </li> </ul>

### Article 2

Upon entry into force of the Agreement, the Parties shall abolish all customs duties on imports of products listed in Table 1 originating in an EFTA State or in Hong Kong, China, unless otherwise specified in Article 3.

### Article 3

Switzerland may maintain customs duties on imports of products originating in Hong Kong, China listed in Table 2.

**Table 2**

<b>HS Code</b>	<b>Description of Products</b>
ex 0511.91	Feedingstuffs for production animals
ex 15.04 and ex 1516.10	Fats and oils for human consumption
ex 2301.10 and ex 2301.20	Feedingstuffs for production animals
ex 2309.90	Feedingstuffs for production animals

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