

Disclaimer: *"The text of the agreement is made public here exclusively for information purposes. The text presented hereunder is the text at the end of the legal revision done by the European Commission and Ecuador in order to verify the internal consistency and to ensure that the formulations of the negotiating results are legally sound. The text still needs to be transmitted to the Council of the European Union and to the European Parliament for ratification. The text presented in this document is not binding under international law and will only become so after the completion of the ratification process."*

1. The title of Appendix 5 in the 'List of Appendixes' in the 'Table of contents' of Annex II to the Agreement shall be replaced by the following:

'Appendix 5: Products to which subparagraph (b) of the Declaration of the European Union concerning Article 5 in relation to originating products from Peru, Ecuador and Colombia applies'

2. The 'Declarations regarding Annex II concerning the definition of the concept of "originating products" and methods of administrative cooperation' in the 'Table of contents' of Annex II to the Agreement shall be replaced by the following:

'Declaration of the European Union concerning Article 5 of Annex II in relation to originating products from Peru, Ecuador and Colombia

Joint declaration of Peru, Ecuador and Colombia concerning Article 5 of Annex II in relation to originating products from the European Union

Joint declaration concerning the Principality of Andorra

Joint declaration concerning the Republic of San Marino

Joint declaration on the revision of the rules of origin contained in Annex II concerning the Definition of "Originating Products" and Methods of Administrative Cooperation'

3. Article 1 indent 4 of Section 1, Annex II to the Agreement shall be replaced by the following:

– "competent authorities or customs authorities" refers to the following governmental bodies:

- (a) with respect to Colombia, the Ministerio de Comercio, Industria y Turismo or the Dirección de Impuestos de Aduanas Nacionales, or their successors;
- (b) with respect to Ecuador, the Ministerio de Comercio Exterior o del Servicio Nacional de Aduana del Ecuador (SENAE), or its successors;
- (c) with respect to Peru, the Ministerio de Comercio Exterior y Turismo, or its successors; and
- (d) with respect to the European Union, the customs authorities of the European Union Member States.'

4. Article 36(3) of Section 6, Annex II to the Agreement shall be replaced by the following:

'3. The exporter or his/her authorised representative shall enter "Colombia", "Ecuador" or "Peru" and "Ceuta and Melilla" in Box 2 of movement certificate EUR.1 or on invoice declarations. In addition, in the case of products originating in

Ceuta and Melilla, this shall be indicated in Box 4 of movement certificate EUR.1 or on invoice declarations.'

5. Chapter 65 in Appendix 2 to Annex II to the Agreement shall be replaced by the following:

ex Chapter 65	Headgear and parts thereof; except for:	Manufacture from materials of any heading, except that of the product	
ex 6504	Toquilla straw hats	Manufacture in which the toquilla straw of heading 1401 used is originating	
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed	Manufacture from yarn or textile fibres ⁽¹³⁾	

6. Notes 1, 3, 5, 7, 8 and 9 in Appendix 2A to Annex II to the Agreement shall be replaced by the following:

(a) 'Note 1

The following rule shall confer origin for products exported from the European Union to Colombia, Ecuador or Peru within the annual quotas per country indicated below:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3) or (4)	
ex 0901	Roasted coffee of the variety Arabica	Manufacture from materials of any heading	

Colombia	Peru	Ecuador
120 tons	30 tons	110 tons

(b) 'Note 3

The following rule shall confer origin for products exported from the European Union to Colombia, Ecuador or Peru within the annual quotas per country indicated below:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3) or (4)	
1805	Cocoa powder, not containing added sugar or other sweetening matter	Manufacture from materials of any heading, except that of the product	

Colombia	Peru	Ecuador
100 tons	450 tons	120 tons

(c) 'Note 5

The following rule shall confer origin for products exported from Colombia, Ecuador and Peru to the European Union within the annual quotas per country indicated below:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3) or (4)	
3920	Other plates, sheets, film, foil and strip, of plastics, noncellular and not-reinforced, laminated, supported or similarly combined with other materials	Manufacture from materials of any heading except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 per cent of the ex works price of the product	Manufacture in which the value of all the materials used does not exceed 55 per cent of the ex works price of the product

Colombia	Peru	Ecuador
15,000 tons	15,000 tons	15,000 tons

If more than 75 per cent of the above-stated quota quantities is used during a given year, these quantities shall be reviewed, with a view to agree on their increase, in the Subcommittee.'

(d) 'Note 7

The following rule shall confer origin for products exported from Colombia, Ecuador and Peru to the European Union within the annual quotas per country indicated below:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
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(1)	(2)	(3) or (4)	
6108.22	Women's or girls' briefs and panties, knitted or crocheted of man-made fibres	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6112.31	Men's or boys' swimwear knitted or crocheted of synthetic fibres	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6112.41	Women's or girls' swimwear knitted or crocheted of synthetic fibres	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6115.10	Graduated compression hosiery (for example, stockings for varicose veins), knitted or crocheted	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6115.21	Other pantyhose and tights of synthetic fibres measuring per single yarn less than 67 decitex, knitted or crocheted	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6115.22	Other pantyhose and tights of synthetic fibres measuring per single yarn 67 decitex or more, knitted or crocheted	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6115.30	Other women's full-length or knee length hosiery, measuring per single yarn less than 67 decitex	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	
6115.96	Other, of synthetic fibres	Manufacture from nylon yarn or elastomeric yarns from headings 5402 and 5404	

HS heading	Colombia	Peru	Ecuador
6108.22	200 tons	200 tons	200 tons

6112.31	25 tons	25 tons	25 tons
6112.41	100 tons	100 tons	100 tons
6115.10	25 tons	25 tons	25 tons
6115.21	40 tons	40 tons	40 tons
6115.22	15 tons	15 tons	15 tons
6115.30	25 tons	25 tons	25 tons
6115.96	175 tons	175 tons	175 tons

If more than 75 per cent of the above-stated quota quantities is used during a given year, these quantities shall be reviewed, with a view to agree on their increase, in the Subcommittee.'

(e) 'Note 8

The rules of origin provided for in Appendix 2 for the products listed below shall apply for as long as the European Union maintains a 0 per cent WTO bound tariff for these products. If the European Union increases the WTO bound tariff applicable to these products, the following rule shall confer origin for products exported from Colombia, Ecuador and Peru to the European Union within the annual quotas per country indicated below:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3) or (4)	
7209 to 7214	Flat-rolled products of iron or non-alloy steel; bars and rods of iron or non-alloy steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product
7216 to 7217	Angles, shapes and sections of iron or non-alloy steel; wire of iron or non-alloy steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product
7304 to 7306	Tubes, pipes and hollow profiles, of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product

7308	Structures and parts of structures, of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product
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HS heading	Description of product	Colombia (tons)	Peru (tons)	Ecuador (tons)
7209	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated	100.000	100.000	100.000
7210	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated	100.000	100.000	100.000
7211	Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, not clad, plated or coated			
7212	Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, clad, plated or coated	100.000	100.000	100.000
7213	Bars and rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel	100.000	100.000	100.000
7214	Other bars and rods of iron or non-alloy steel, not further worked than forged, hotrolled, hot-drawn or hotextruded, but including those twisted after rolling	100.000	100.000	100.000
7216	Angles, shapes and sections of iron or non-alloy steel	100.000	100.000	100.000
7217	Wire of iron or non-alloy steel	50.000	50.000	50.000
7304	Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel	50.000	50.000	50.000
7305	Other tubes and pipes (for example, welded, riveted or similarly closed), having circular cross-sections, the external diameter of which exceeds 406,4 mm, of iron or steel	50.000	50.000	50.000
7306	Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel	100.000	100.000	100.000

7308	Structures and parts of structures, of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	50.000	50.000	50.000
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When 50 per cent of a quota entry is reached, during a given year, the annual tonnage shall increase by 50 per cent for the following year. The basis for calculation shall be the quota quantity of the previous year. These quantities, as well as the basis for calculation may be revised at the request of any Party upon agreement with the other Parties.'

(f) 'Note 9

The following rule shall confer origin for products exported from Colombia, Ecuador and Peru to the European Union within the annual quotas per country indicated below:

HS heading	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3) or (4)	
7321	Stoves, ranges, grates, cookers (including those with subsidiary boilers for central heating), barbecues, braziers, gas rings, plate warmers and similar nonelectric domestic appliances, and parts thereof, of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product
7323	Table, kitchen or other household articles and parts thereof, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product
7325	Other cast articles of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50 per cent of the ex-works price of the product

HS heading	Colombia	Peru	Ecuador
7321	20,000 units	20,000 units	20,000 units
7323	50,000 tons	50,000 tons	50,000 tons
7325	50,000 tons	50,000 tons	50,000 tons

These quantities may be revised at the request of any Party upon agreement with the other Parties.'

(g) In Appendix 5 to Annex II of the Agreement:

(i) the title shall be replaced by the following:

'PRODUCTS TO WHICH SUBPARAGRAPH (b) OF THE DECLARATION OF THE EUROPEAN UNION CONCERNING ARTICLE 5 IN RELATION TO ORIGINATING PRODUCTS FROM PERU, ECUADOR AND COLOMBIA APPLIES'

(ii) Paragraph 1 shall be replaced by the following:

'1. The conditions established in subparagraph (b) of the Declaration of the European Union concerning Article 5 in relation to originating products from Peru, Ecuador and Colombia apply for determining the origin of the following products exported from Peru to the European Union subject to the annual quotas established below:'

(iii) Ecuador shall be added to the title of the 'Declaration of the European Union concerning Article 5 in relation to originating products from Peru and Colombia', which shall be replaced by the following:

'DECLARATION OF THE EUROPEAN UNION CONCERNING ARTICLE 5 IN RELATION TO ORIGINATING PRODUCTS FROM PERU, ECUADOR AND COLOMBIA'

(iv) Ecuador shall be added to the title of the 'Joint Declaration of Peru and Colombia concerning Article 5 in relation to originating products from the European Union', which shall be replaced by the following:

'JOINT DECLARATION OF PERU, ECUADOR AND COLOMBIA CONCERNING ARTICLE 5 IN RELATION TO ORIGINATING PRODUCTS FROM THE EUROPEAN UNION'

(v) Ecuador shall be added to the first paragraph of the 'Joint Declaration of Peru and Colombia concerning Article 5 in relation to originating products from the European Union', which shall be replaced by the following:

'The Republic of Peru, the Republic of Ecuador and the Republic of Colombia declare that, for the purposes of subparagraphs 1(f) and 1(g) of Article 5 of Annex II Concerning the Definition of The Concept of "Originating Products" and Methods of Administrative Cooperation (hereinafter referred to as "the Annex"):'