

**ANNEX F**

**LISTS OF EXHIBITS SUBMITTED BY THE PARTIES AND THIRD PARTIES**

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ANNEX F-1

LIST OF EXHIBITS SUBMITTED BY BRAZIL

| EXHIBIT | DESCRIPTION   |
|---------|---|
| BRA-1   | <b>Section I-A (Tariffs), Section I (Agricultural Products), Part I (Most-Favoured-Nation Tariff) of Schedule LXXX of the European Communities.</b>   |
| BRA-2   | <b>Written Question E3046/01 by Albert Maat (PPE-DE) to the Commission, of 5 November 2001</b> – Published in the Official Journal of the European Communities No. C 147, 20 June 2002, p. 78.  |
| BRA-3   | <b>Information Note from the Italian Delegation to the Agriculture and Fisheries Council, 5360/03</b> – Brussels, 16 January 2003 (21.01).  |
| BRA-4   | <b>2481<sup>st</sup> Council Meeting, Agriculture and Fisheries – Brussels, 27 and 28 January 2003, 5433/03</b> (Presse 13).  |
| BRA-5   | <b>Informal Meeting of Heads of Delegation: Statement by the Chairman, MTN.TNC/W/131</b> (21 January 1994).<br><br><b>Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994.</b>  |
| BRA-6   | <b>Commission Regulation (EC) No. 535/94</b> , of 9 March 1994 – Amending Annex I to Council Regulation (EEC) No. 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Communities No. L 68, 11 March 1994, p. 15.  |
| BRA-7   | <b>Relevant Part of Commission Regulation (EC) No. 3115/94, of 20 December 1994</b> – Amending Annexes I and II to Council Regulation (EEC) No. 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Communities No. L 345, 31 December 1994, p. 01.  |
| BRA-8   | <b>Commission Regulation (EC) No. 1223/2002, of 8 July 2002</b> – Concerning the Classification of Certain Goods in the Combined Nomenclature, published in the Official Journal of the European Union No. L 179, 9 July 2002, p. 8.<br><br><b>Corrigenda, of 13 August 2002</b> – Corrigendum to Commission Regulation (EC) No. 1223/2002, of 8 July 2002, Concerning the Classification of Certain Goods in the Combined Nomenclature, published in the Official Journal of the European Union No. L 217, 13 August 2002, p. 8. |
| BRA-9   | <b>Commission Decision, of 31 January 2003</b> – Concerning the Validity of Certain Binding Tariff Information (BTI) Issued by the Federal Republic of Germany, published in the Official Journal of the European Union No. L 36, 12 February 2003, p. 40.  |
| BRA-10  | <b>Commission Regulation (EC) No. 1871/2003, of 23 October 2003</b> – Amending Annex I to Council Regulation (EEC) No. 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Union No. L 275, 25 October 2003, p.5.  |
| BRA-11  | <b>Relevant Part of Commission Regulation (EC) No. 1789/2003, of 11 September 2003</b> – Amending Annex I to Council Regulation (EEC) No. 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Union No. L 281, 30 October 2003, p. 1.  |
| BRA-12  | <b>Commission Regulation (EC) No. 2344/2003, of 30 December 2003</b> – Amending Annex I to Council Regulation (EEC) No. 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Union No. L 346, 31 December 2003, p. 38.  |

| EXHIBIT | DESCRIPTION   |
|---------|---|
| BRA-13  | <p><b>Commission Regulation (EC) No. 1484/95, of 28 June 1995</b> – Laying Down Detailed Rules for Implementing the System of Additional Import Duties and Fixing Additional Import Duties in the Poultry Meat and Egg Sectors and for Egg Albumin, published in the Official Journal of the European Communities No. L 145, 29 June 1995, p. 47.</p> <p><b>Commission Regulation (EC) No. 1148/2004, of 22 June 2004</b> – Fixing Representative Prices in the Poultry Meat and Egg Sectors and for Egg Albumin, and Amending Regulation (EC) No. 1484/95, published in the Official Journal of the European Union No. L 222, 23 June 2004, p. 15.</p>   |
| BRA-14  | <p><b>1990 to 2001 Eurostat Import Statistics (Metric Tons and 1000 ECU)</b> – Products under Subheadings 0207.41.10 and 0210.90.20 – Total and Brazil.</p>   |
| BRA-15  | <p><b>Ruling NY 869661, 26 December 1991</b> – Re: The tariff classification of mechanically deboned CHICKEN or TURKEY meat from Canada (Tariff No. 0207.39.0020; 0207.39.0040; 0207.41.0000; 0207.42.0000; 0210.90.2000).</p>  |
| BRA-16  | <p><b>Literature on the Action of Salt in Meat.</b></p> <p>EVANGELISTA, JOSÉ. <i>Tecnologia de Alimentos</i> – 2ª Edição. Editora Atheneu – São Paulo, SP, 2000.</p> <p>FORREST, JOHN C.; ABERLE, ELTON D.; HEDRICK, HAROLD B.; JUDGE, MAX D. &amp; MERKEL, ROBERT A. <i>Fundamentos de Ciencia de la Carne</i>. Editorial Acribia, S.A. – Zaragoza, España, 1979.</p> <p>LAWRIE, R.A. <i>Ciencia de la Carne</i>. Editorial Acribia, S.A. – Zaragoza, España, 1984.</p> <p>LÜCK, E.; JAGER, M.. <i>Conservación Química de los Alimentos – Características, usos efectos</i> – 2ª Edición. Editorial Acribia, S.A. – Zaragoza, España, 2000.</p> <p>PARDI, MIGUEL CIONE; SANTOS, IACIR FRANCISCO; SOUZA, ELMO RAMPINI &amp; PARDI, HENRIQUE SILVA. <i>Ciência, Higiene e Tecnologia da Carne</i>. VII. Editora UFG – Goiânia, GO, 1996.</p> <p>PRICE, JAMES F.; SCHWEIGERT, BERNARD S. <i>Ciencia de la Carne y de los Productos Carnicos</i>. Editorial Acribia, S.A. – Zaragoza, España, 1994.</p> <p>SILVA, JOÃO ANDRADE. <i>Tópicos da Tecnologia dos Alimentos</i>. Varela Editora e Livraria LTDA – São Paulo, SP, 2000.</p> <p>MONTANA MEAT PROCESSORS CONVENTION. <i>Ingredients in Processed Meat Products</i> (Basic Chemistry of Meat). 27-29 April 2001.</p> <p>MONTANA STATE UNIVERISTY (MSU) – ANIMAL &amp; RANGE SCIENCES DEPARTMENT. <i>Presentation: Meat as an Ingredient</i>. <a href="http://www.animalrange.montana.edu/courses/meat/meat_ingredients.pdf">www.animalrange.montana.edu/courses/meat/meat_ingredients.pdf</a>.</p> |
| BRA-17  | <p><b>Brazilian Import Statistics for 2002 and 2003</b> – Imports of Frozen Salmon (Smoked or Not).</p>   |

| EXHIBIT | DESCRIPTION   |
|---------|---|
| BRA-18  | <p><b>Ruling NY E84540, 22 July 1999</b> – Re: The tariff classification of smoked salmon from Australia (Tariff No. 0305.41.0000).</p> <p><b>Ruling NY E87725, 30 September 1999</b> – Re: The tariff classification of smoked salmon from Chile (Tariff No. 0305.41.0000).</p>  |
| BRA-19  | <b>US Ocean Import Bill of Lading</b> – Import of Frozen Bacon under Subheading 0210.12.  |
| BRA-20  | <b>The International Convention on the Harmonized Commodity Description and Coding System, done at Brussels on 14 June 1983</b> – As Amended by the Protocol of Amendment to the International Convention on the Harmonized Commodity Description and Coding System of 24 June 1986.  |
| BRA-21  | <b>Position Regarding Contracting Parties of the International Convention on the Harmonized Commodity Description and Coding System.</b>  |
| BRA-22  | <p><b>87/369/EEC: Council Decision, of 7 April 1987</b> – Concerning the Conclusion of the International Convention on the Harmonized Commodity Description and Coding System and of the Protocol of Amendment thereto.</p> <p><b>International Convention on the Harmonized Commodity Description and Coding System</b> – Published in Official Journal of the European Communities L 198, 20 July 1987, p. 0003 – 0010.</p> |
| BRA-23  | <b>Relevant Part of Council Regulation (EEC) No. 2658/87, of 23 July 1987</b> – On the Tariff and Statistical Nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Communities No. L 256, 7 September 1987, p. 1.   |
| BRA-24  | <b>1992 Version of the Harmonized System Nomenclature</b> – Subheadings 0207.41 and 0210.90 and relative Heading, Section and Chapter Notes.  |
| BRA-25  | <b>General Rules for the Interpretation of the Harmonized System and Explanatory Notes to the General Rules.</b>  |
| BRA-26  | <b>Council Regulation (EC) No. 930/2003, of 26 May 2003</b> – Terminating the Anti-Dumping and Anti-Subsidy Proceedings Concerning the Imports of Farmed Atlantic Salmon Originating in Norway and the Anti-Dumping Proceeding Concerning Imports of Farmed Atlantic Salmon Originating in Chile and the Faeroe Islands, published in the Official Journal of the European Communities No. L 133, 29 May 2003, p. 01.         |
| BRA-27  | <b>German Publication – Zeitschrift für Zölle &amp; Verbrauchsteuern, Nr. 4 / April 2003</b> – English translation of pages 139 through 141 – Comment on the Decision of the Commission, of 31 January 2003, on the Validity of Certain Binding Customs Tariff Information Issued by the German Federal Republic.   |
| BRA-28  | Communications between Brazil and the WCO.  |
| BRA-29  | Correspondences, invoices, bills of lading and purchase orders of sales of salted chicken meat from Brazil to the EC (1998-2002).   |
| BRA-30  | Letters from European Communities attesting preference to salted chicken meat.  |
| BRA-31  | BTIs issued for frozen boneless chicken cuts from Brazil under subheading 0210.99.39.   |
| BRA-32  | Extract from the minutes of the 321 <sup>st</sup> meeting of the Customs Code Committee held in Brussels on 25 and 26 September 2003.   |
| BRA-33  | Description and pictures of the salting process of salted chicken meat from Brazil.   |
| BRA-34  | Information on existing BTIs issued for frozen salted/dried Alaska Pollack and frozen salted/smoked salmon under heading 0305.  |
| BRA-35  | Letter of 7 May 2003 from the WCO Secretariat to the Bulgarian Customs Department.  |
| BRA-36  | Explanation on salting methods and the effect of desalting salted chicken meat.   |

| EXHIBIT    | DESCRIPTION  |
|------------|--|
| BRA-37     | Tariff concessions for headings 0207 and 0210.   |
| BRA-38     | Supporting Literature Listed in the Bibliography of Exhibit BRA-36.  |
| BRA-39     | <p>US Customs Ruling NY A80393 – Bacon from Denmark Classified Under Heading 0210.</p> <p>US Customs Ruling HQ 960585 – Bacon from Denmark Classified Under Heading 0210.</p> <p>US Customs Ruling NY B85951 – Bacon from Denmark Classified Under Heading 0210.</p> <p>US Customs Ruling NY C83926 – Bacon from Denmark Classified Under Heading 0210.</p> <p>US Customs Ruling HQ 960584 – Bacon from Denmark Classified Under Heading 0210.</p> |
| BRA-40     | <p>1937 Draft Customs Nomenclature of the League of Nations – Items under Chapter 2 and Explanatory Notes.</p> <p>1955 Customs Co-operation Council Nomenclature – Headings Under Chapter 2 and Explanatory Notes.</p>   |
| BRA-41     | Letters from European Processors Declaring that No Additional Salt is used in the Further Processing of Chicken Products.  |
| BRA-42 (a) | 1998- <i>Pro-Forma</i> Invoice.  |
| BRA-42(b)  | 1999 <i>Pro-Forma</i> Invoice.   |
| BRA-42(c)  | October 2001 Bill of Lading, Export Registration (RE) and Export Receipt.  |
| BRA-42(d)  | November 2001 Bill of Lading, Export Registration (RE) and Export Receipt.   |
| BRA-42(e)  | 2001 Invoice, Bill of Lading, Packing List, Certificate of Origin, Animal and Public Health Certificate, Additional Declaration and Purchase Order Confirmation.   |
| BRA-43     | Examples of Salted Meats Falling Under Subheading 0210.90 Listed in the WCO HS Commodity Database On-Line.   |

**ANNEX F-2**

**LIST OF EXHIBITS SUBMITTED BY THAILAND**

| <b>EXHIBIT</b> | <b>DESCRIPTION</b>   |
|----------------|--|
| THA-1          | T. Takase, "The Role of Concessions in the GATT Trading System and their Implications for Developing Countries", <i>Journal of World Trade</i> , Volume 21, Issue 5, October 1987.   |
| THA-2          | Average Annual Price of Salted Chicken meat from 1997 to 2003.   |
| THA-3          | Commission Regulation (EC) No. 535/94 of 9 March 1994, published in the Official Journal of the European Communities No. L 68, 11 March 1994, p. 15.   |
| THA-4          | Written Question E-3046/01 by Albert Maat (PPE-DE) to the Commission, 15 November 2002/C147/081.   |
| THA-5          | 2481 <sup>st</sup> Council Meeting, Agriculture and Fisheries Brussels, 27 and 28 January 2003, 5433/03 (Presse 13) (only relevant portion).   |
| THA-6          | Council Regulation (EEC) No. 2658/87, of 23 July 1987, on the tariff and statistical nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Communities No. L 256, 7 September 1987, p. 1 (only relevant portion).   |
| THA-7          | Informal Meeting of Heads of Delegation of 20 January 1994, Statement of the Chairman, MTN.TNC/W/131, 21 January 1994.   |
| THA-8          | Commission Regulation (EC) No. 3115/94 of 20 December 1994, amending Annexes I and II to Council Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and on the common customs tariff, published in the Official Journal of the European Communities, No. L 345, 31 December 1994, p. 1. |
| THA-9          | Commission Regulation (EC) No.1223/2002 of 8 July 2002 concerning the classification of certain goods in the Combined Nomenclature. Official Journal of the European Communities L 179, 9 July 2002, p.8.  |
| THA-10         | Corrigendum to Commission Regulation (EC) No. 1223/2002 of 8 July 2002 concerning the classification of certain goods in the Combined Nomenclature. Official Journal of the European Communities L 217, 13 August 2002, p.8.   |
| THA-11         | Commission Decision of 31 January 2003 concerning the validity of certain binding tariff information issued by the Federal Republic of Germany. Official Journal of the European Communities No. L 36, 12 February 2003.   |
| THA-12         | Commission Regulation (EC) No. 1789/2003 of 11 September 2003, amending Annex I to Council Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff. Official Journal of the European Union No. L 281, 30 October 2003, p. 1.                                   |
| THA-13         | Commission Regulation (EC) No. 1871/2003, of 23 October 2003, amending Annex I to Council Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, published in the Official Journal of the European Union No. L 275, 25 October 2003, p. 5.                |
| THA-14         | B. J. Willenberg, Department of Food Science and Human Nutrition, University of Missouri-Columbia,<br><a href="http://muextension.missouri.edu/xplor/hesguide/foodnut/gh1501.htm">http://muextension.missouri.edu/xplor/hesguide/foodnut/gh1501.htm</a> .  |
| THA-15         | Food Safety Feature, United States Department of Agriculture, December 1999,<br><a href="http://www.fsis.usda.gov/OA/pubs/bastebrine.htm">http://www.fsis.usda.gov/OA/pubs/bastebrine.htm</a> .  |
| THA-16         | Effects of Preblending, Reduced Fat and Salt Levels on Frankfurter characteristics, <i>Journal of Food Science</i> , Volume 52, No.5, p. 1149 -1151, at 1151.  |
| THA-17         | International Convention on the Harmonized Commodity Description and Coding System.  |

| EXHIBIT       | DESCRIPTION  |
|---------------|--|
| THA-18        | E. Vermulst, "EC Customs Classification Rules: Should Ice Cream Melt?", <i>Michigan Journal of International Law</i> , Volume 15, No. 4, 1994, pp. 1241 – 1328.  |
| THA-19        | F. Snyder, <i>International Trade Law and Customs Law of the European Union</i> , (Butterworths, 1998), pages 1-9.   |
| THA-20        | General Rules for the Interpretation of the Harmonized System.   |
| THA-21        | Council Regulation (EC) No. 930/2003 of 26 May 2003, terminating the anti-dumping and anti-subsidy proceedings concerning the imports of farmed Atlantic salmon originating in Norway and the anti-dumping proceedings concerning imports of farmed Atlantic salmon originating in Chile and the Faeroe Islands. Official Journal of the European Communities, L 133, 29 May 2003, p.01. |
| THA-22        | Working Document TAXUD/1636/2 of the Customs Code Committee of 25 January 2002   |
| THA-23        | Extract from the Minutes of the 273 <sup>rd</sup> meeting of the Tariff and Statistical Nomenclature Section (Agriculture/Chemical) of the Customs Code Committee held in Brussels from 18 to 19 February 2002   |
| THA-24(a)-(d) | BTIs   |
| THA-25(a)     | Packet of chilled Coppa Parma  |
| THA-25(b)     | Packet of chilled Prosciutto crudo italiano  |
| THA-25(c)     | Packet of chilled Jamón Serrano  |
| THA-26        | Certification from the Thai Broiler Processing Exporters' Association (dated 12 October 2004) that it started exporting salted chicken to EC customers in 1996   |
| THA-27        | Commission Regulation (EEC) No. 2505/92 of 14 July 1992  |
| THA-28        | Commission Regulation (EEC) No. 2551/93 of 10 August 1993  |
| THA-29        | "Processing steps involved in salting chicken meat." (Thailand emphasises that the information contained in this document is confidential.)  |
| THA-30        | List of concessions under heading 0210 from various WTO Members.   |
| THA-31        | Case 38-75, <i>Douaneagent der NV Nederlandse Spoorwegen v Inspecteur der invoerrechten en accijnzen</i> , 19 November 1975, ECR 1975.   |
| THA-32        | Case C-130/02, <i>Krings GmbH V Oberfinanzdirektion Nürnberg</i> , 4 March 2004 [not yet reported].  |
| THA-33        | Case 149-73, <i>Otto Witt KG v Hauptzollamt Hamburg-Ericus</i> , 12 December 1973, ECR [1973].   |
| THA-34        | Commission Regulation (EEC) no. 3678/83 of 23 December 1983 on the tariff classification of certain types of seasoned meat and amending Regulation (EEC) No 950/68 on the Common Customs Tariff [1983] O.J. L. 366/53.   |
| THA-35        | Case C-233/88, <i>Gijs van de Kolk-Douane Expéditeur BV v Inspecteur der Invoerrechten en Accijnzen</i> , 8 February 1990, ECR [1990].   |

ANNEX F-3

LIST OF EXHIBITS SUBMITTED BY THE EUROPEAN COMMUNITIES

| EXHIBIT | DESCRIPTION   |
|---------|---|
| EC-1    | "Fowl Play", Article by Felicity Lawrence on chicken nuggets, The Guardian Newspaper, 8 July 2002   |
| EC-2    | "Food: Facts and Figures - May 2004 update", McDonalds Corporation, UK  |
| EC-3    | Selected definitions taken from the Larousse Gastronomique Encyclopaedia  |
| EC-4    | Codex Alimentarius, Recommended International Code of Practice for Salted Fish CAC/RCP 26-1979  |
| EC-5    | Non-exhaustive list of Traditional European salted and dried/smoked meat products   |
| EC-6    | "How Parma ham is made" Consorzio del Prosciutto di Parma   |
| EC-7    | "Food safety of jerky", USDA  |
| EC-8    | "Dried salted meats: charque and carne-de-sol", FAO Animal Production and Health Paper No. 51, and "Charque, a Preserved meat product of Brazil", Dennis Buege                        |
| EC-9    | Modalities for the Establishment of Specific Binding Commitments under the Reform Programme, MTN.GNG/MA/W/24, 20 Dec. 1994  |
| EC-10   | EC Trade statistics – 1986-1993   |
| EC-11   | Relevant Excerpts from the Explanatory Notes to the Customs Tariff of the European Communities showing the 1981 amendments  |
| EC-12   | Case C-175/82 <i>Dinter v Hauptzollamt Koln-Deutz</i> ECR [1983] p. 969   |
| EC-13   | Relevant Excerpts from the Explanatory Notes to the Combined Nomenclature of the European Communities showing the 1987 amendments   |
| EC-14   | Case C-33/92, <i>Gausepohl-Fleisch v. Oberfmanzdirektion Hamburg</i> [1993] ECR I-3047  |
| EC-15   | Relevant Excerpts from the Explanatory Notes to the Combined Nomenclature of the European Communities showing the 1994 Amendments   |
| EC-16   | Relevant excerpts from <i>Dictionary of Nutrition and Food Technology</i> , Arnold Bender (Sixth Edition)   |
| EC-17   | Brazilian Ministry of Development, Industry and Foreign Trade (MDIC), Statistics concerning Brazilian worldwide exports under headings 02.07 to 02.10 (inclusively) for the year 2000 |
| EC-18   | Thai Exports under headings 0207.140-000 and 0210.900-006 for the year 2000   |
| EC-19   | Letter of 17 September 1997 from the WCO Secretariat to the Cypriot Department of Customs and Excise  |
| EC-20   | Chapter 3 of the Harmonized System (1992 version)   |
| EC-21   | Ruling NY 892236 of 23 November 1993 – RE: The tariff classification of fresh or frozen boneless beef, with 3 per cent added salt, from New Zealand                                   |
| EC-22   | Case C-267/94 <i>French Republic v Commission</i> ECR [1995] I-4845   |
| EC-23   | Photographs of tumbling machines  |
| EC-24   | Sample BTIs corrected by Regulation 1223/2002   |
| EC-25   | BTI on frozen smoked salmon   |
| EC-26   | BTI on ham  |
| EC-27   | August 2002 version of the notes to Chapter 2 of the Harmonized System  |
| EC-28   | Minutes of the Thirty-Sixth Meeting of the Trade Negotiations Committee of 15 December 1993 MTN.TNC/40  |
| EC-29   | Statement of the Chair, Informal Meeting of Heads of Delegation, 20 January 1994, MTN.TNC/W/131   |

| EXHIBIT | DESCRIPTION  |
|---------|--|
| EC-30   | German Customs Tariff 1952   |
| EC-31   | Extract from Regulation 3846/87 establishing an agricultural product nomenclature for export refunds   |
| EC-32   | Expert Opinion from Professor Dr. Karl-Otto Honikel (Federal Research Centre for Nutrition and Food – Kulmbach Germany)                          |
| EC-33   | Illustrative BTIs for frozen herring   |
| EC-34   | Extracts from Regulation 3331/85 amending Regulation (EEC) N° 950/68 on the Common Customs Tariff  |
| EC-35   | Extracts from EC Official Journal notifying Court proceedings and judgments in cases C-33/92 <i>Gausepohl-Fleisch</i> and C-175/82 <i>Dinter</i> |
| EC-36   | Extract from Lasok, <i>The European Court of Justice Practice and Procedure</i> (2 <sup>nd</sup> ed), p. 495.                                    |

**ANNEX F-4**

**EXHIBIT SUBMITTED BY THE UNITED STATES**

| <b>EXHIBIT</b> | <b>DESCRIPTION</b>  |
|----------------|---|
| US-1           | New York Ruling Letter NY A80393 (March 7, 1996) as modified by Customs Ruling Letter HQ 960585 (July 20, 1998) |

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