



PROTOCOL ON THE SPECIAL ARRANGEMENT FOR SENSITIVE AND HIGHLY SENSITIVE PRODUCTS

1. The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, Member States of the Association of Southeast Asian Nations (hereinafter referred to as "ASEAN");
2. **MINDFUL** of the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA) signed on 28 January 1992 in Singapore as amended by the Protocol to Amend the Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area signed on 15 December 1995 in Bangkok;
3. **HAVING REGARD** to the need to arrive at commitments to liberalise trade in unprocessed agricultural products and accordingly expand the product coverage under the CEPT Scheme;
4. **RECALLING** the decision of the 26th ASEAN Economic Ministers Meeting held on 22-23 September 1994 to phase in Unprocessed Agricultural products into the CEPT Scheme;

5. **HAVE AGREED AS FOLLOWS:**

Article I
Definition

1. “CEPT Agreement” means the Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area signed on 28 January 1992 in Singapore as amended by the Protocol to Amend the Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area signed on 15 December 1995 in Bangkok.
2. “Highly sensitive products” shall consist of the products listed in Annex 1.
3. “Interpretative Notes” means the Interpretative Notes to the CEPT Agreement.
4. “Non-tariff barriers” mean measures other than tariffs which effectively prohibit or restrict import or export of products with Member States.
5. “Sensitive products” shall consist of the products listed in Annex 2.
6. “Quantitative restriction” means prohibitions or restrictions on trade with other Member States, whether made effective through quotas, licenses, or other measures with equivalent effect, including administrative measures and requirements which restrict trade.

Article II
Time Frame

1. Member States, with the exception of Cambodia, Lao PDR, Myanmar and Viet Nam, shall phase in sensitive products to the CEPT Scheme beginning on 1 January 2001 with flexibility but no later than 1 January 2003 and shall complete their phasing in by 1 January 2010.
2. Viet Nam shall phase in sensitive products to the CEPT Scheme beginning on 1 January 2004 but no later than 1 January 2006 and shall complete the process by 1 January 2013. In the case of sugar, Viet Nam shall complete the phasing in by 1 January 2010.
3. Lao PDR and Myanmar shall phase in sensitive products to the CEPT Scheme beginning on 1 January 2006 but no later than 1 January 2008 and shall complete the process by 1 January 2015.

4. Cambodia shall phase in sensitive products to the CEPT Scheme beginning on 1 January 2008 but no later than 1 January 2010 and shall complete the process by 1 January 2017.
5. Member States shall phase in highly sensitive products to the CEPT Scheme beginning on 1 January 2001 but no later than 1 January 2005 and shall complete their phasing in by 1 January 2010.

Article III Tariff Reduction

1. The applied tariff rates shall be used as the beginning rate for the tariff reduction of sensitive products.
2. Member States shall use the following guidelines in determining the tariff reduction for sensitive products:
 - a. The same tariff rate shall not be applied for more than three consecutive years.
 - b. Tariffs shall be reduced at a minimum quantum of 10 percentage points.
3. All sensitive products shall have ending tariff rates of 0-5%.
4. Member States shall have flexibility, in accordance with Annex 3 of this Protocol, in determining the ending tariff rates for highly sensitive products. Tariff reduction for highly sensitive products shall be in accordance with the said Annex 3.

Article IV Quantitative Restrictions

1. Member States, except Cambodia, Lao PDR, Myanmar and Viet Nam, shall eliminate all quantitative restrictions on sensitive and highly sensitive products by 1 January 2010.
2. Viet Nam shall eliminate all quantitative restrictions on sensitive products by 1 January 2013.
3. Lao PDR and Myanmar shall eliminate all quantitative restrictions on sensitive products by 1 January 2015.

4. Cambodia shall eliminate all quantitative restrictions on sensitive products by 1 January 2017.

Article V Other Non-Tariff Barriers

1. Member States, except Cambodia, Lao PDR, Myanmar and Viet Nam, shall eliminate all other non-tariff barriers on sensitive and highly sensitive products by 1 January 2010.
2. Viet Nam shall eliminate all other non-tariff barriers on sensitive products by 1 January 2013.
3. Lao PDR and Myanmar shall eliminate all other non-tariff barriers on sensitive products by 1 January 2015.
4. Cambodia shall eliminate all other non-tariff barriers on sensitive products by 1 January 2017.

Article VI Preferential Treatment by State Trading Enterprises

Member States shall take measures to encourage State-Trading Enterprise to accord preferential treatment to ASEAN suppliers.

Article VII Safeguards

1. Any emergency measures applied to sensitive products shall be subject to the provisions of Article 6 of the CEPT Agreement and its Interpretative Notes.
2. In addition, flexibility shall be accorded to highly sensitive products. The provisions on flexibility appear in Annex 4 of this Protocol.

Article VIII Reciprocity

Sensitive products shall enjoy CEPT concessions subject to the provision of Article 4, Section B of the CEPT Agreement.

Article IX
Final Provisions

1. This Protocol shall enter into force upon the deposit of instruments of ratification or acceptance by all signatory governments with the Secretary-General of ASEAN.
2. New Members of ASEAN shall accede to this Protocol on terms and conditions which have been agreed between them and the existing Members of ASEAN.
3. This Protocol shall be deposited with the Secretary-General of ASEAN who shall promptly furnish a certified copy thereof to each Member State. The Secretary-General of ASEAN shall also promptly furnish notifications of ratifications and acceptances made pursuant to paragraph 1 to each Member State.
6. **IN WITNESS WHEREOF**, the undersigned, being duly authorised thereto by their respective Governments, have signed the Protocol on the Special Arrangement for Sensitive and Highly Sensitive Products.
7. **DONE** at Singapore on the 30th day of September in the year One Thousand Nine Hundred and Ninety-Nine, in a single copy in the English language.

ANNEX 1
LIST OF HIGHLY SENSITIVE PRODUCTS

Indonesia		
No.	HS Code	Description
1	1006.10.000	-Rice in the husk (paddy or rough)
2	1006.20.000	-Husked (brown) rice
3	1006.30.000	-Semi-milled or wholly milled rice, whether or not polished or glazed
4	1006.40.000	-Broken rice

Malaysia		
No.	HS Code	Description
	1006.10	-Rice in the husk (paddy or rough):
1	1006.10.100	Pulut (glutinous rice)
2	1006.10.900	Other
	1006.20	-Husked (brown) rice:
3	1006.20.100	Pulut (glutinous rice)
4	1006.20.900	Other
	1006.30	-Semi-milled or wholly milled rice, whether or not polished or glazed:
5	1006.30.100	Pulut (glutinous rice)
6	1006.30.900	Other
	1006.40	-Broken rice:
7	1006.40.100	For animal feeding
8	1006.40.900	Other

Philippines		
No.	HS Code	Description
1	1006.10.000	-Rice in the husk (paddy or rough)
2	1006.20.000	-Husked (brown) rice
3	1006.30.000	- Semi-milled or wholly milled rice, whether or not polished or glazed
4	1006.40.000	-Broken rice

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Brunei Darussalam		
No.	HS Code	Description
1	0901.11.000	- - Not decaffeinated:
2	0901.12.000	- - Decaffeinated:
	0901.21	- - Not decaffeinated:
3	0901.21.100	- - - Not ground
4	0901.21.200	- - - ground
	0901.22	- - Decaffeinated:
5	0901.22.100	- - - Not ground
6	0901.22.200	- - - ground
	0902.10	- Green tea (not fermented) in immediate packings of a content not exceeding 3kg:
7	0902.10.100	- - Tea leaf
8	0902.10.200	- - Tea dust
	0902.20	- Other green tea (not fermented):
9	0902.20.100	- - Tea leaf
10	0902.20.200	- - Tea dust
	0902.30	- Black tea (fermented) and partly fermented tea, in immediate packings of a content not exceeding 3 kg:
11	0902.30.100	--Tea leaf
12	0902.30.200	--Tea dust
	0902.40	- Other black tea (fermented) and other partly fermented tea:
13	0902.40.100	- - Tea leaf
14	0902.40.200	- - Tea dust

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Cambodia		
No.	HS Code	Description
1	0101.19.00	- - Other
2	0103.91.00	- - Weighing less than 50 kg
3	0103.92.00	- - Weighing 50 kg or more
4	0105.92.90	- - - Other
5	0105.99.10	- - - Ducks
6	0105.99.20	- - - Geese, turkeys and guinea fowls
7	0207.11.00	- - Not cut in pieces, fresh or chilled
8	0207.12.00	- - Not cut in pieces, frozen
9	0207.13.00	- - Cuts and offal, fresh or chilled
10	0207.14.10	- - - Wings
11	0207.14.20	- - - Thighs
12	0207.14.30	- - - Livers
13	0207.14.90	- - - Other
14	0207.32.10	- - - Of ducks
15	0207.32.20	- - - Of geese or guinea fowls
16	0207.33.10	- - - Of ducks
17	0207.33.20	- - - Of geese or guinea fowls
18	0207.36.20	- - - Cuts of ducks
19	0301.93.00	- - Carp
20	0301.99.10	- - - Milkfish or lapu lapu fry
21	0301.99.20	- - - Milkfish, breeder
22	0301.99.30	- - - Other fish fry
23	0602.10.10	- - Orchid cuttings
24	0602.40.00	- Roses, grafted or not
25	0602.90.10	- - Orchid plants
26	0603.10.10	- - Orchids
27	0603.10.90	- - Other
28	0702.00.00	Tomatoes, fresh or chilled.
29	0703.10.10	- - Onions
30	0703.20.00	- Garlic
31	0704.10.10	- - Cauliflowers
32	0704.10.20	- - Headed broccoli
33	0704.90.10	- - Cabbages
34	0704.90.90	- - Other
35	0705.11.00	- -Cabbage lettuce (head lettuce)
36	0705.19.00	- - Other
37	0706.10.10	- - Carrots
38	0706.10.20	- - Turnips
39	0706.90.00	- Other

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LIST OF SENSITIVE PRODUCTS

Cambodia		
No.	HS Code	Description
40	0707.00.00	Cucumbers and gherkins, fresh or chilled.
41	0708.20.00	- Beans(vigna spp., Phaseolus spp.)
42	0709.90.00	- Other
43	0801.11.00	- - Desiccated
44	0801.19.00	- - Other
45	0804.30.00	- Pineapples
46	0804.50.00	- Guavas, mangoes and mangosteens
47	0805.10.00	- Oranges
48	0807.11.00	- - Watermelons
49	0807.19.00	- - Other
50	0810.90.20	- - Longans

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Lao PDR		
No.	HS Code	Description
1	0102.90.000	- Other
2	0103.91.000	- - Weighing less than 50 kg
3	0103.92.000	- - Weighing 50 kg or more.
4	0105.11.000	-- Fowls.
5	0105.19.000	-- Other.
6	0105.91.000	-- Fowls.
7	0105.99.000	-- Other.
8	0106.00.000	Other live animals. (domestic only)
9	0201.10.000	- Carcasses and half-carcasses.
10	0201.20.000	- Other cuts with bone in.
11	0201.30.000	- Boneless.
12	0202.10.000	- Carcasses and half-carcasses.
13	0202.20.000	- Other cuts with bone in.
14	0202.30.000	- Boneless.
15	0203.11.000	-- Carcasses and half – carcasses.
16	0203.12.000	-- Harms, shoulders and cuts thereof, with bone in.
17	0203.19.000	-- Other.
18	0203.21.000	- - Carcasses and half-carcasses
19	0203.22.000	- - Hams, shoulders and cuts thereof, with bone in
20	0203.29.000	- - Other
21	0206.10.000	- Of bovine animals, fresh or chilled
22	0206.20.000	- Of bovine animals, frozen.
23	0206.30.000	- Of swine, fresh or chilled
24	0206.40.000	- Of swine, frozen.
25	0207.10.000	- Poultry not cut in pieces, fresh or chilled.
26	0207.20.000	- Poultry not cut in pieces, frozen.
27	0207.30.000	- Poultry cuts and offal (including livers), fresh or chilled.
28	0207.90.000	- Other.
29	0210.11.000	- - Hams, shoulders and cuts thereof, with bone in
30	0210.12.000	- - Bellies (streaky) and cuts thereof
31	0210.19.000	- -Other
32	0210.20.000	- Meat of bovine animals
33	0210.90.000	- Other, including edible flours and meals of meat or meat offal.
34	0301.91.000	-- Fresh water fish.
35	0407.00.000	Birds' eggs, in shell, fresh, preserved or cooked.
36	0504.00.000	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof :
37	0702.00.000	Tomatoes, fresh or chilled.
38	0702.10.000	- Onions and shallots.
39	0702.90.000	- Leeks and other alliaceous vegetables.

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Lao PDR		
No.	HS Code	Description
40	0704.10.000	- Cauliflowers and headed broccoli.
41	0705.00.000	Lettuce (<i>Lettuca sativa</i>) and chicory (<i>Cichorium spp.</i>) fresh or chilled.
42	0706.10.000	- Carrots and turnips.
43	0706.90.000	- Other.
44	0707.00.000	Cucumbers and gherkins, fresh or chilled.
45	0708.20.000	- Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)
46	0708.90.000	- Other leguminous vegetables.
47	0709.30.000	- Aubergines (egg - plants).
48	0709.51.000	-- Mushrooms.
49	0709.60.000	- Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> .
50	0709.90.000	- Other.
51	0710.22.000	-- Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>).
52	0710.29.000	-- Other.
53	0710.40.000	- Sweet corn.
54	0710.80.000	- Other vegetables.
55	0710.90.000	- Mixtures of vegetables.
56	0711.10.000	- Onions.
57	0711.40.000	- Cucumbers and gherkins.
58	0711.90.000	- Other vegetables; mixtures of vegetables.
59	0712.20.000	- Onions.
60	0712.30.000	- Mushroom (except truffles).
61	0712.90.000	- Other vegetables; mixtures of vegetables.
62	0713.30.000	- Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>).
63	0713.90.000	- Other.
64	0714.10.000	- Manioc (Cassava).
65	0714.20.000	- Sweet potatoes.
66	0714.90.000	- Other.
67	0802.00.000	Other nuts, fresh or dried, whether or not shelled or peeled.
68	0804.30.000	- Pineapples.
69	0804.50.000	- Guavas, mangoes and mangosteens.
70	0805.10.000	- Oranges.
71	0805.20.000	- Mandarins (including tangerines and satumas); clementines, wilking and similar citrus hybrids
72	0805.30.000	- Lemons (<i>Citrus limons</i> , <i>citurs limonum</i>) and limes (<i>Citrus aurantifolia</i>).
73	0805.90.000	- Other.
74	0807.10.000	- Melons (including watermelons).
75	0807.20.000	- Papaws (papaya).
76	0813.40.000	- Other fruit.

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Lao PDR		
No.	HS Code	Description
77	0813.50.000	- Mixtures of nuts or dried fruits of this Chapter.
78	0904.20.000	- Fruits of the genus Capsicum or of the genus Pimenta dried or crushed or ground.
79	1006.10.000	- Rice in the husk (Paddy or rough).
80	1006.20.000	- Husked (brown) rice.
81	1006.30.000	- Semi - milled or wholly milled rice, whether or not polished or glazed.
82	1006.40.000	- Broken rice.
83	1207.99.000	-- Other .
84	1212.92.000	-- Sugar cane .
85	1212.99.000	-- Other .
86	2401.10.000	- Tobacco, not stemmed / stripped.
87	2401.20.000	- Tobacco, partly or wholly stemmed / stripped.
88	2401.30.000	- Tobacco refuse.

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Malaysia		
No.	HS Code	Description
1	0103.91.000	- - Weighing less than 50 kg
2	0103.92.000	- - Weighing 50 kg or more
	0105.11	- - Fowls of the species Gallus domesticus:
3	0105.11.100	- - - Day old chicks
4	0105.92.000	- - Fowls of the species Gallus domesticus, weighing not more than 2,000 g
	0105.99	- - Other:
5	0105.99.100	- - - Ducks
6	0203.11.000	Carcasses and half-carcasses
7	0203.12.000	Hams, shoulders and cuts thereof, with bone in
8	0207.11.000	Not cut in pieces, fresh or chilled
	0401.30	- Of a fat content, by weight, exceeding 6%:
9	0401.30.900	Other
	0407.00	Birds' eggs, in shell, fresh, preserved or cooked. For hatching:
10	0407.00.111	Hens' eggs
11	0407.00.112	Ducks' eggs
	0602.90	-Other:
12	0602.90.100	Budded rubber stumps
13	0602.90.200	Seedling rubber stumps
14	0602.90.300	Rubber budwood
15	0602.90.900	Other
	0704.90	- Other:
		Cabbages:
16	0704.90.110	Round cabbages
	0803.00	Bananas, including plantains, fresh or dried:
17	0803.00.100	Pisang mas
18	0803.00.200	Pisang rastali
19	0803.00.300	Pisang berangan
20	0803.00.400	Pisang embun
21	0803.00.900	Other
22	0804.30.000	- Pineapples
	0804.50	Guavas, Mangoes and mangosteens:
23	0804.50.100	Guavas
24	0804.50.200	Mangoes
25	0804.50.300	Mangosteens
26	0807.11.000	Watermelons
27	0807.19.000	Other

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Malaysia		
No.	HS Code	Description
	0807.20	-Papaws(papayas):
28	0807.20.100	Mardi backcross solo (batik solo)
29	0807.20.900	Other
	0810.90	-Other:
		Tropical fruit:
30	0810.90.110	Rambutan
31	0810.90.120	Durian
32	0810.90.130	Langsat
33	0810.90.140	Jack fruit (cempedak and nangka)
34	0810.90.160	Cikus
35	0810.90.170	Star fruits
36	0810.90.190	Other
37	0901.11.000	- - Not decaffeinated
	1209.99	--Other:
		Rubbes seeds:
38	1209.99.110	Sterile
39	1209.99.190	Other
40	1209.99.900	Other
41	1401.10.000	- Bamboos
	1401.20	-Rattans:
42	1401.20.100	Whole
		Split:
43	1401.20.910	core, not exceeding 12mm in diameter
44	1401.20.920	Skin
45	1401.20.990	Other
46	1401.90.000	- Other
	2401.10	-Tobacco, not stemmed/stripped:
47	2401.10.100	Flue cured, of the virginia type
48	2401.10.900	Other
	2401.20	-Tobacco, partly or wholly stemmed/stripped:
49	2401.20.100	Flue cured, of the virginia type
50	2401.20.900	Other
51	2401.30.000	- Tobacco refuse
52	2402.10.000	-cigars, cheroots and cigarillos, containing
	2402.20	-Cogarettes containing tobacco:
53	2402.20.100	Beedies
54	2402.20.900	Other
	2402.90	-Other:
55	2402.90.100	Cigars, cheroots and cigarillos containing tobacco substitutes
56	2402.90.200	Cigarettes containing tobacco substitutes

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Malaysia		
No.	HS Code	Description
	2403.10	- Smoking tobacco, whether or not containing tobacco substitutes in any proportion: Packed for retail sale :
57	2403.10.110	in airtight containers
58	2403.10.190	Other
59	2403.10.900	Other
	2403.91	- - "Homogenised" or "reconstituted" tobacco:
60	2403.91.100	For retail sale
61	2403.91.900	Other
	2403.99	- -Other:
62	2403.99.200	Snuff. Other manufactured tobacco:
63	2403.99.310	Cut-rags
64	2403.99.390	Other
65	2403.99.900	Other

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Myanmar		
No.	HS Code	Description
1	0708.10.000	- Peas (Pisum sativum)
2	0708.20.000	- Beans (Vigna spp., Phaseolus spp.)
3	0901.11.000	- Coffee, not roasted: - - Not decaffeinated
4	0901.12.000	- Coffee, not roasted: - - Decaffeinated
5	0902.10.000	- Green tea (not fermented) in immediate packings of a content not exceeding 3 kg.
6	0902.20.000	- Other green tea (not fermented)
7	1006.10.000	-Rice in the husk (paddy or rough)
8	1006.20.000	-Husked (brown) rice
9	1006.30.000	-Semi-milled or wholly milled rice,whether or not polished or glazed
10	1006.40.000	-Broken rice
11	1701.11.000	-Raw sugar not containing added flavouring or colouring matter:--Cane sugar
12	1701.12.000	-Raw sugar not containing added flavouring or colouring matter:--Beet sugar
13	5001.00.000	Silk-worm cocoons suitable for reeling.
14	5002.00.000	Raw silk (not thrown).
15	5003.10.000	-Not carded or combed
16	5003.90.000	- Other
17	5201.00.000	Cotton, not carded or combed
18	5202.10.000	-Yarn waste (including thread waste)
19	5202.91.000	-Other: --Garnetted stock
20	5202.99.000	-Other: --Other
21	5203.00.000	Cotton, carded or combed

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Philippines		
No.	HS Code	Description
	01.03	Live swine.
		- Other:
	0103.91	- - Weighing less than 50kg:
1	0103.91.100	- - - In-Quota
2	0103.91.200	- - - Out-Quota
	0103.92	- - Weighing 50 kg or more:
3	0103.92.100	- - - In-Quota
4	0103.92.200	- - - Out-Quota
	01.05	Live poultry, that is to say, fowls of the species Gallus domesticus, ducks, geese, turkeys and guinea fowls.
		- Weighing not more than 185 g:
	0105.11	- - Fowls of the species Gallus domesticus:
	0105.11.900	- - - Other:
5	0105.11.910	- - - -In-Quota
6	0105.11.920	- - - -Out-Quota
		- Other:
	0105.92.900	- - - Other:
7	0105.92.910	- - - -In-Quota
8	0105.92.920	- - - -Out-Quota
	0105.93.900	- - - Other:
9	0105.93.910	- - - -In-Quota
10	0105.93.920	- - - -Out-Quota
	02.03	Meat of swine, fresh, chilled or frozen.
		-Fresh or chilled:
	0203.11	- - Carcasses and half-carcasses:
11	0203.11.100	- - -In-Quota
12	0203.11.200	- - -Out-Quota
	0203.12	- - Hams, shoulders and cuts thereof with bone in:
13	0203.12.100	- - -In-Quota
14	0203.12.200	- - -Out-Quota
	0203.19	- - Other:
	0203.19.100	- - - Pork bellies:
15	0203.19.110	- - - -In-Quota
16	0203.19.120	- - - -Out-Quota
	0203.19.200	- - - Fore-ends and cuts thereof :
17	0203.19.210	- - - -In-Quota
18	0203.19.220	- - - -Out-Quota

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Philippines		
No.	HS Code	Description
	0203.19.900	- - - Other :
19	0203.19.910	- - - -In-Quota
20	0203.19.920	- - - -Out-Quota
	0203.21	-Frozen:
		- - Carcasses and half-carcasses:
21	0203.21.100	- - -In-Quota
22	0203.21.200	- - -Out-Quota
	0203.22	- - Hams, shoulders and cuts thereof with bone in:
23	0203.22.100	- - -In-Quota
24	0203.22.200	- - -Out-Quota
	0203.29	- - Other:
	0203.29.100	- - - Pork bellies:
25	0203.29.110	- - - -In-Quota
26	0203.29.120	- - - -Out-Quota
	0203.29.200	- - - Fore-ends and cuts thereof :
27	0203.29.210	- - - -In-Quota
28	0203.29.220	- - - -Out-Quota
	0203.29.900	- - - Other :
29	0203.29.910	- - - -In-Quota
30	0203.29.920	- - - -Out-Quota
	02.07	Meat and edible offal, of the poultry of heading No.01.05, fresh, chilled or frozen:
		-Of fowls of the species gallus domesticus:
	0207.11	- - Not cut in pieces, fresh or chilled:
31	0207.11.100	- - -In-Quota
32	0207.11.200	- - -Out-Quota
	0207.12	- - Not cut in pieces, frozen:
33	0207.12.100	- - -In-Quota
34	0207.12.200	- - -Out-Quota
	0207.13	- - Cuts and offal, fresh or chilled:
35	0207.13.100	- - -In-Quota
36	0207.13.200	- - -Out-Quota
	0207.14	- - Cuts and offal, frozen:
	0207.14.100	- - - Liver:
37	0207.14.110	- - - -In-Quota
38	0207.14.120	- - - -Out-Quota
	0207.14.900	- - - Other :
39	0207.14.910	- - - -In-Quota
40	0207.14.920	- - - -Out-Quota

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Philippines		
No.	HS Code	Description
	0207.27	-- Cuts and offal, frozen:
	0207.27.100	--- Liver:
41	0207.27.110	--- -In-Quota
42	0207.27.120	--- -Out-Quota
	0207.27.900	-- -Other :
43	0207.27.910	--- -In-Quota
44	0207.27.920	--- -Out-Quota
		-Of ducks, geese or guinea fowls:
	0207.32	-- Not cut in pieces, fresh or chilled:
	0207.32.100	--- Of ducks:
45	0207.32.110	--- -In-Quota
46	0207.32.120	--- -Out-Quota
	0207.32.200	-- -Of geese or guinea fowls :
47	0207.32.210	--- -In-Quota
48	0207.32.220	--- -Out-Quota
	0207.35	-- Other, fresh or chilled:
49	0207.35.100	-- -In-Quota
50	0207.35.200	-- -Out-Quota
	0207.36	-- Other, frozen:
	0207.36.100	--- Fatty livers:
51	0207.36.110	--- - In-Quota
52	0207.36.120	--- - Out-Quota
	07.14	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith.
53	0714.10.000	- Manioc (cassava)
54	0714.20.000	- Sweet potatoes
	10.05	Maize(corn)
	1005.90	- Other:
55	1005.90.100	-- -Popcorn
	1005.90.900	-- -Other :
56	1005.90.910	--- -In-Quota
57	1005.90.920	--- -Out-Quota
58	1007.00.000	Grain sorghum

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Thailand		
No.	HS Code	Description
1	0603.10.000	- - - - - Fresh
2	0701.10.000	- - - - - Seed
3	0701.90.000	- - - - - Other
4	0901.11.000	- - - Not decaffeinated
5	0901.12.000	- - - - - Decaffeinated
	0901.90	- Other:
6	0901.90.001	- - - Coffee husks and skins
7	1203.00.000	-- Copra

ANNEX 2
LIST OF SENSITIVE PRODUCTS

Viet Nam		
No.	HS Code	Descriptions
	0105	Live poultry, that is to say, fowls of the species Gallus Domesticus, ducks, geese, turkeys and guinea fowls
		- Weighing not more than 185g:
	0105.11	- - Fowls of the species gallus domesticus:
1	0105.11.900	- - - Other
	0105.12	- - Turkeys:
2	0105.12.900	- - - Other
	0105.19	- - Other:
3	0105.19.900	- - - Other
		- Other:
	0105.92	- - Fowls of the species Gallus Domesticus, weighing not more than 2,000g:
4	0105.92.900	- - - Other
5	0105.93.000	- - Fowls of the species Gallus domesticus weighing more than 2,000g
	0105.99	- - Other :
6	0105.99.900	- - - Other
	0207	Meat and edible offal, of the poultry of heading No. 01.05, fresh, chilled or frozen.
		- Of fowls of the species Gallus domesticus :
7	0207.11.000	- - Not cut in pieces, fresh or chilled
8	0207.12.000	- - Not cut in pieces, frozen
9	0207.13.000	- - Cuts and offal, fresh or chilled
10	0207.14.000	- - Cuts and offal, frozen
		- Of turkeys :
11	0207.24.000	- - Not cut in pieces, fresh or chilled
12	0207.25.000	- - Not cut in pieces, frozen
13	0207.26.000	- - Cuts and offal, fresh or chilled
14	0207.27.000	- - Cuts and offal, frozen
		- Of ducks, geese or guinea fowls:
15	0207.32.000	- - Not cut in pieces, fresh or chilled
16	0207.33.000	- - Not cut in pieces, frozen
17	0207.34.000	- - Fatty livers, fresh or chilled
18	0207.35.000	- - Other, fresh or chilled
19	0207.36.000	- - Other, frozen
	0208	Other meat and edible meat offal, fresh, chilled or frozen.
20	0208.10.000	- Of rabbits or hares
21	0208.20.000	- Frogs' legs

Viet Nam		
No.	HS Code	Descriptions
22	0208.90.000	- Other
	0407	Birds' eggs, in shell, fresh, preserved or cooked.
23	0407.00.100	- For hatching
24	0407.00.900	- Other
25	0208.90.000	- Other
	0407	Birds' eggs, in shell, fresh, preserved or cooked.
26	0407.00.100	- For hatching
24	0407.00.900	- Other
	0602	Other live plants, (including their roots), cuttings and slips; mushroom spawn.
25	0602.10.000	- Unrooted cuttings and slips
26	0602.20.000	- Trees, shrubs and bushes, grafted or not, of kinds which bear edible fruit or nuts
27	0602.30.000	- Rhododendrons and azaleas, grafted or not
28	0602.40.000	- Roses, grafted or not
29	0602.90.000	- Other
	0805	Citrus fruit, fresh or dried.
30	0805.10.000	- Oranges
31	0805.20.000	- Mandarines (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids
32	0805.30.000	- Lemons (citrus limon, Citrus limonum) and limes (citrus aurantifolia)
33	0805.40.000	- Grapefruit
34	0805.90.000	- Other
	1006	Rice.
	1006.10	- Rice in the husk (paddy or rough) :
35	1006.10.900	- - Other
36	1006.20.000	- Husked (brown) rice
37	1601.00.000	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products.
	1602	Other prepared or preserved meat, meat offal or blood.
38	1602.10.000	- Homogenised preparations
39	1602.20.000	- Of liver of any Animal
		- Of poultry of heading No. 01.05 :
40	1602.31.000	- - Of turkeys
41	1602.32.000	- - Of fowls of the species Gallus domesticus
42	1602.39.000	- - Other
		- Of swine :
43	1602.41.000	- - Hams and cuts thereof
44	1602.42.000	- - Shoulders and cuts thereof

Viet Nam		
No.	HS Code	Descriptions
45	1602.49.000	- - Other, including mixtures
46	1602.50.000	- Of bovine animals
47	1602.90.000	- Other, including preparations of blood of any animal
	1701	Cane or beet sugar and chemically pure sucrose, in solid form
		- Raw sugar not containing added flavouring or colouring matter :
48	1701.11.000	- - Cane sugar
		- Other :
49	1701.91.000	- - Containing added flavouring or colouring matter
		- - Other :
50	1701.99.100	- - - White sugar
51	1701.99.900	- - - Other

ANNEX 3
TARIFF REDUCTION FOR HIGHLY SENSITIVE PRODUCTS

1. The beginning tariff rates for highly sensitive products shall be the applied rates in the year of phasing in.
2. The commitment on beginning rates shall not prejudice the right of the Member States in paragraph 1 of this Annex to maintain quantitative restrictions and other non-tariff barriers until 1 January 2010, when they are to be eliminated as stipulated by Article 4 paragraph 1 and Article 5 paragraph of this Protocol.
3. The ending tariff rates for highly sensitive products shall be:

Indonesia: 20%;

Malaysia: 20%; and

Philippines: to be determined within the CEPT framework.

ANNEX 4
ADDITIONAL FLEXIBILITY ON SAFEGUARDS

1. An ASEAN Member Country may raise the ASEAN applicable tariffs to the MFN levels when imports from ASEAN sources of highly sensitive commodities subject to the CEPT special concession reach a trigger level. In effect, the ASEAN concession shall be suspended when an import surge threatens domestic producers of the product.

2. The trigger level will be based on the following formula:

$$V = A_3 (1+ASG)(1+DG)$$

where:

V = trigger volume;

A₃ = average level of imports from ASEAN in the 3 years immediately preceding the last year, expressed in metric tons;

ASG = growth rate of the share of imports from ASEAN to total imports, a number agreed upon in ASEAN is 10% per year; and

DG = growth rate of domestic consumption, a number agreed upon in ASEAN is 2% per year.

3. The other elements of the special safeguards such as its duration and notification should be consistent with the WTO and that the safeguard action would be to raise the ASEAN applicable tariffs to the MFN level upon the suspension of the concession.