

**Notice from the Commission pursuant to paragraph 14 of Article 4 of Protocol 1 to the Economic Partnership Agreement between the European Union and the SADC EPA States, concerning the definition of the concept of 'originating products' and methods of administrative cooperation Cumulation in the SACU States as provided for under paragraphs 2 and 6 of Article 4 of Protocol 1 to the EU-SADC EPA**

(2023/C 316/03)

Paragraphs 2 and 6 of Article 4 of Protocol 1 to the Economic Partnership Agreement (the 'EPA') between the European Union ('the Union') and the Southern African Development Community (the 'SADC') EPA States <sup>(1)</sup>, provides for cumulation in the SADC EPA States.

That cumulation allows exporters in a SADC EPA State to incorporate, in the products they manufacture and export to the EU, materials originating in other SADC EPA State, in other African, Caribbean and Pacific ('ACP') EPA States or in the overseas countries and territories of the Union (the 'OCTs') as if they were originating in the SADC EPA State exporting the final product to the Union. It also allows to consider the working or processing carried out in those countries or territories, as if they were carried out in the SADC EPA State exporting the final product to the Union. In both cases, the working or processing carried out in the SADC EPA State where the final product exported to the Union is produced must go beyond the insufficient operations described in Article 9(1) of Protocol 1 to the EU-SADC EPA.

The Secretariat of the Southern African Customs Union (the 'SACU'), on behalf of the SACU States (**Botswana, Eswatini, Lesotho, Namibia and South Africa**), has provided the European Commission with the details of the arrangements or agreements on administrative cooperation entered into by those countries with the following SADC EPA and ACP EPA States:

- **Central Africa Region:** the Republic of Cameroon;
- **Eastern and Southern Africa Region:** the Republic of Madagascar; the Republic of Mauritius; the Republic of Seychelles and the Republic of Zimbabwe;
- **Pacific Region:** the Independent State of Papua New Guinea;
- **SADC EPA Region:** the Republic of Botswana, the Kingdom of Eswatini, the Kingdom of Lesotho, the Republic of Mozambique, the Republic of Namibia and the Republic of South Africa.

Following that notification, the SACU States have fulfilled the requirements indicated in Article 4(9) of Protocol 1 to the EU-SADC EPA, and they may apply the cumulation provided for in Articles 4(2) and 4(6) of Protocol 1 to the EU-SADC EPA with the countries listed in this notice as from **1 June 2023**.

The cumulation provided for in Article 4(2) of Protocol 1 cannot be applied to materials originating in South Africa which cannot be imported into the EU duty-free quota-free (see Notice 2020/C 156/03 <sup>(2)</sup>).

The present notice is published in accordance with Article 4(14) of Protocol 1 to the EU-SADC EPA.

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<sup>(1)</sup> OJ L 250, 16.9.2016, p. 1924.

<sup>(2)</sup> OJ C 156, 8.5.2020, p. 6.