AGRICULTURAL POLICIES IN DEBATE

The EU-Mercosur interim Trade Agreement (iTA) and market access for agriculture

Tariffs, quotas and a new mechanism for enabling sustainable trade

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APD | DIÁLOGO AGROPOLÍTICO BRASIL · ALEMANHA
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ABOUT THIS STUDY

This study is used as a reference document for the APD | AGRICULTURAL POLICY DIALOGUE BRAZIL - GERMANY. The content of this study is the sole responsibility of the authors, and any opinions expressed herein are not necessarily representative or endorsed by APD.

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Abbreviations

AMR	Antimicrobial Resistance
ANVISA	Agência Nacional de Vigilância Sanitária (Brazilian National Health Surveillance Agency)
APEC	Asia-Pacific Economic Cooperation
CJEU	Court of Justice of the European Union
CSDDD	Corporate Sustainability Due Diligence Directive
EMPA	EU–Mercosur Partnership Agreement
ePURE	European Renewable Ethanol Association
EUDR	EU Regulation on Deforestation-free Products
FTA	Free Trade Agreement
GI	Geographical Indication
GSP+	Generalised Scheme of Preferences Plus
HS	Harmonised System
iTA	interim Trade Agreement
MAPA	Ministério da Agricultura e Pecuária (Brazilian Ministry of Agriculture and Livestock)
MERCOSUR	Mercado Común del Sur (Southern Common Market)
MRL	Maximum Residue Limit
NTFP	Non-Timber Forest Product
OECD	Organisation for Economic Co-operation and Development
SPS	Sanitary and Phytosanitary
TRQ	Tariff Rate Quota
TSD	Trade and Sustainable Development
UNFCCC	United Nations Framework Convention on Climate Change
WTO	World Trade Organization

1. Introduction

1.1. Status of the Agreement and its application

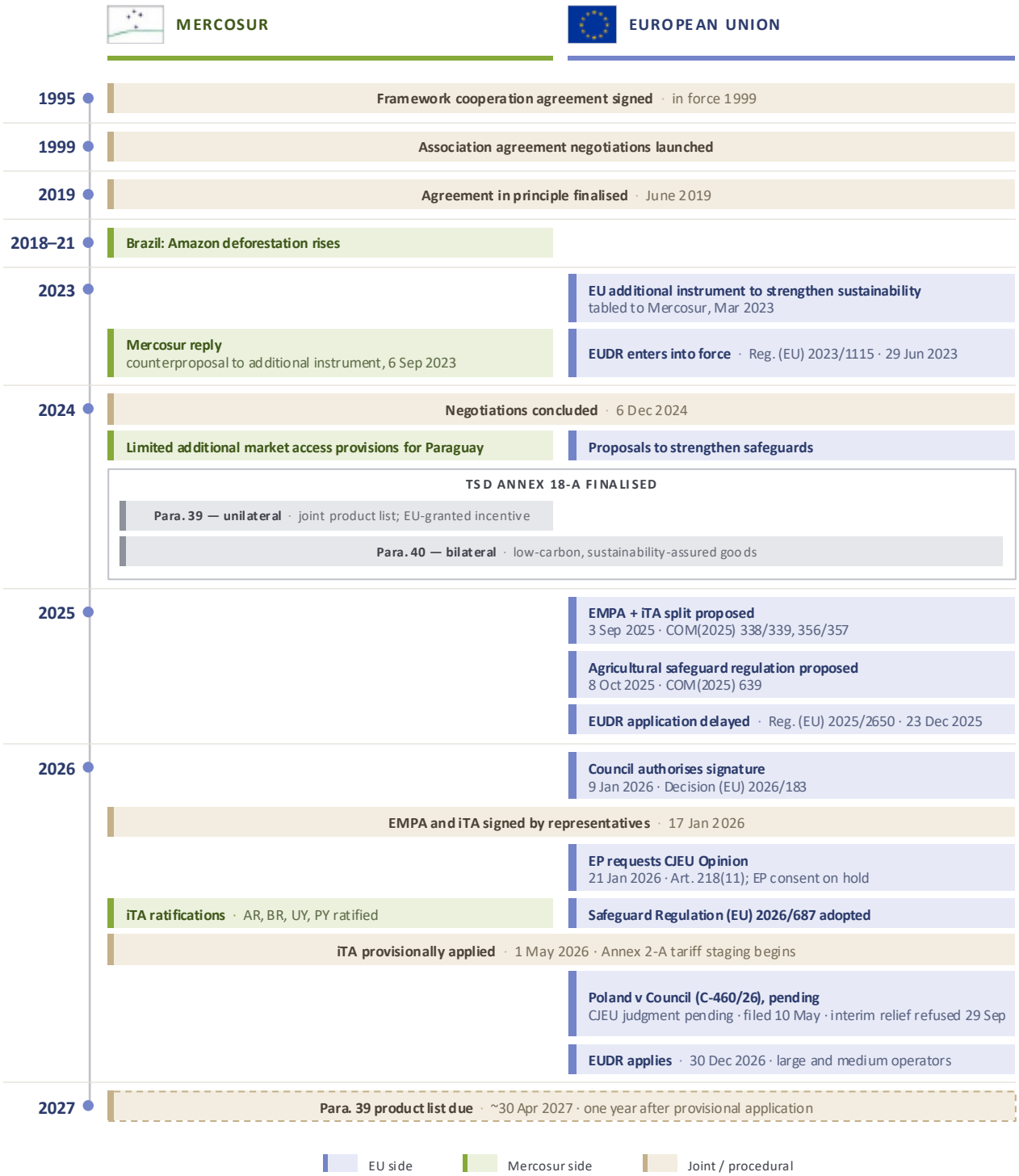
The EU-Mercosur Partnership Agreement (EMPA) is the result of the EU's longest trade negotiation to date. Negotiations with Argentina, Brazil, Paraguay and Uruguay began in 1999 and reached a first politically agreed text in June 2019. The ratification process then stalled. Deforestation rates in Brazil increased during this period, leading to fierce opposition in the EU. Meanwhile, the EU introduced its own sustainability measures, including the Regulation on Deforestation-free Products (EUDR). Although the overall objective of the EUDR was broadly supported internationally, opposition on the Mercosur side increased due to concerns about the procedural and economic implications of its implementation.

The impasse over the ratification of the EMPA was resolved through a renegotiation that concluded politically on 6 December 2024. The revised text left the original Trade and Sustainable Development (TSD) chapter untouched but added a new annex (Annex 18-A). The Annex 18-A also made the UNFCCC (United Nations Framework Convention on Climate Change) and the Paris Agreement essential elements of the EMPA and established the framework for jointly defining additional market access for products contributing to the conservation, restoration and sustainable use of forests and vulnerable ecosystems. Agricultural market access remained largely unchanged from the 2019 text. There were only modest additional quotas for Paraguay on pork and biodiesel.

The 2025-26 major decision was the splitting of the EMPA legally. The trade pillar was carved out as an interim Trade Agreement (iTA) falling within the exclusive competence of the EU, thereby requiring no ratification by the EU Member States' national parliaments. The EU Council authorised the signature on 9 January 2026 by a qualified majority of 21 votes to 5, over the opposition of Austria, France, Hungary, Ireland and Poland, with Belgium abstaining (POLITICO, 2026). The Agreement was signed on 17 January 2026, and all four Mercosur parliaments completed their ratification procedures by March 2026 (European Parliament, 2026a). The iTA entered into provisional application on 1 May 2026, making it the largest trade arrangement of the EU covering a combined market of more than 700 million people. The non-trade pillar, covering political dialogue and cooperation,

remains a mixed agreement and therefore still requires ratification by all EU Member States before it can enter into force. The European Parliament requested the opinion of the Court of Justice of the European Union (CJEU) on treaty compatibility in January 2026. This is expected to defer parliamentary consideration by some 16 to 18 months.

Figure 1 – Chronology of negotiating the EU-Mercosur-Agreement



Source: own compilation.

1.2. What this study covers

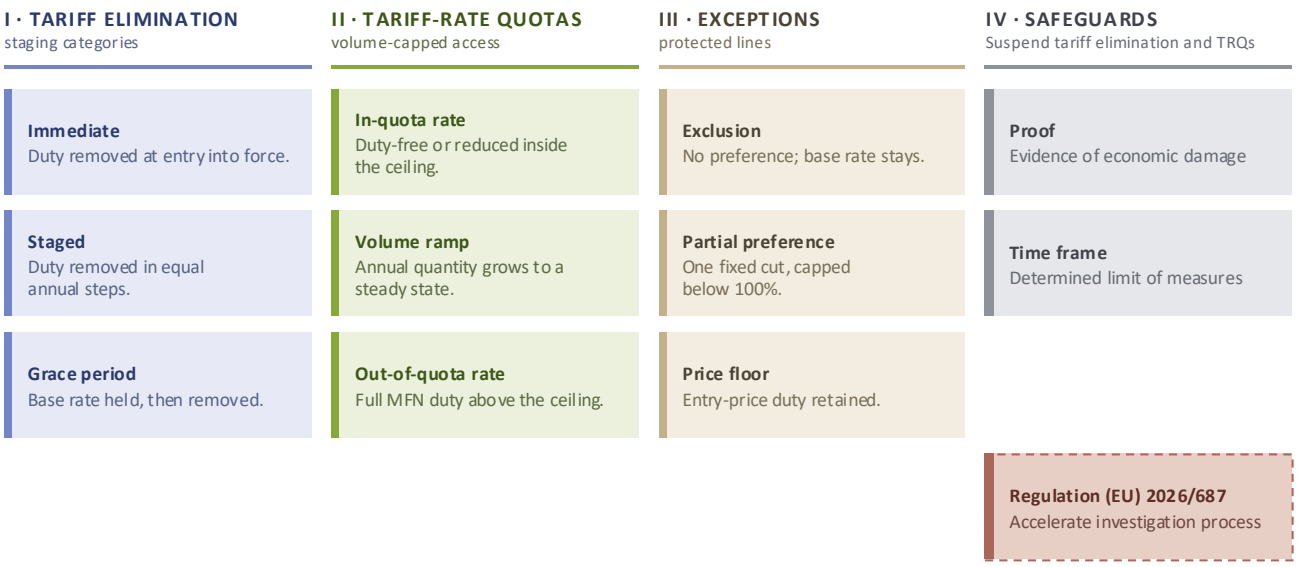
This study distinguishes between two frameworks for market access under the iTA: the traditional tariff schedules and a newer form of conditional access designed to support sustainability. The traditional framework comprises tariff reductions, tariff phase-outs, tariff rate quotas (TRQs), all governed by the market access provisions of Annex 2-A. The related safeguard clauses are set out in Chapter 8 of the iTA (Trade Defence and bilateral safeguards) and in the EU's implementing Regulation (EU) 2026/687. These tariff concessions have dominated public discourse in recent years. The focus on individual sensitive concessions, such as beef quota, has left little room for debate on the overall economic impact that should realistically be expected.

The second framework, enabling market access, refers to incentives that go beyond the concessions in Annex 2-A. It comprises positive incentives to enable trade in sustainable products and production, including new market access options that have yet to be defined. Its rules are in Annex 18-A to the Trade and Sustainable Development (TSD) chapter, which was introduced during the renegotiation. Annex 18-A establishes two distinct pathways: one applicable unilaterally to the Mercosur side (paragraph 39), and another applicable to both Parties (paragraph 40). This study concentrates on paragraph 39 and identifies candidate products and measures for enabling trade, including further tariff reductions. At its centre is a checklist of selection criteria. The checklist is designed to make both sides aware of each other's sensitivities, which is a precondition for making successful use of this new approach.

2. Traditional market access for agricultural products

Traditional market access under the iTA is based on the tariff schedules of Annex 2-A, their staging categories, the TRQs, exclusions, and the bilateral safeguards that can suspend them. This chapter describes these instruments (see Figure 2) before asking what new export opportunities they create for Germany and Brazil. Counting of tariff lines describe only the structure of the schedules, not the depth of market opening. Further, TRQs create scope for liberalisation but do not guarantee that quotas will be filled.

Figure 2 – Traditional market access instruments under the iTA



Source: own compilation based on Annex 2-A.

2.1. Description of tariff schedules and TRQs

Annex 2-A ("Tariff Elimination Schedule") sets out the obligations of both Parties regarding the reduction of customs duties in accordance with Article 2.4 of the iTA. It consists of the general provisions (Section A), the TRQs of the EU (Section B) and Mercosur (Section C), rules on quota management (Section D), conversion factors (Section E) and the two lists of schedules themselves. The EU schedule applies uniformly to imports

from all four Mercosur states, while the Mercosur schedule sets out four country-specific base duties (Argentina, Brazil, Paraguay, Uruguay) for each tariff line, to which the joint tariff reduction path is applied.

2.1.1. Tariff schedules in detail

Of the 2.440 EU tariff lines (HS Chapters 1-24, of which 425 fall within Chapter 3, fish[1]), 926 lines (38 percent) will be made duty-free immediately, a further 647 lines (27 percent) within four to eight years, and 402 lines (16 percent) within ten years; 303 lines (12 percent) are subject to TRQs; 107 lines (4 percent) remain completely excluded, and 55 lines (2 percent) will be partially liberalised. Of the 1.252 agricultural tariff lines on the Mercosur side (HS 01–24), 392 lines (31 percent) will be made duty-free immediately, a further 575 lines (46 percent) within four to eight years, 137 lines (11 percent) within ten years and 48 lines (4 percent) only after 15 years; 29 lines (2 percent) are subject to quota arrangements, 68 lines (5 percent) remain completely excluded, and 3 lines (0,2 percent) are only partially liberalised. The EU is fully liberalising around 81 percent of its agricultural tariff lines, concentrating TRQs and exclusions on the sensitive animal products, sugar/ethanol and cereal sectors in which Mercosur countries, and Brazil in particular, are among the world's most competitive exporters. Mercosur countries liberalise a higher share, around 92 percent, but only 31 percent of lines open immediately, 46 percent phase out over four to eight years, and the exclusions, quotas and 15-year tails focus on dairy, prepared fish, cocoa, bakery and milling in which the EU is a strong exporter.

The two shares (81 percent and 92 percent) are not directly comparable, since the EU's Combined Nomenclature subdivides agriculture roughly twice as finely as the Mercosur Common Nomenclature. The figures describe the structure of each schedule, not the depth of market opening, which requires a trade-weighted assessment. The number of liberalised tariff lines does not directly translate into economic impact. A product-by-product analysis, therefore, remains important, since within one commodity group large reductions across most tariff lines can mask exclusions or TRQs on the few lines that account for most trade.

1 404 are duty-free immediately. Fish falls outside of the WTO Agriculture Agreement definition of agricultural products, therefore, any figure must state whether chapter 03 is included.

2.1.2. Tariff rate quotas in detail

The EU provides Mercosur 22 TRQs (see Table 1), the volumes of which will increase predominantly in five to six annual stages. Three Paraguay-specific TRQ allocations have been included: 1.500 tonnes of pork (duty-free immediately), in addition to the 25.000-tonne TRQ for Mercosur; 10.000 tonnes of sugar for refining (duty-free immediately), while Argentina and Uruguay receive no allocation and pay the base rate; and 50.000 tonnes of biodiesel (duty-free immediately). Beyond the newly created beef quotas, Annex 2-A modifies access the EU had already granted at WTO level. Originating goods imported under the EU's existing WTO TRQs for high-quality fresh, chilled and frozen beef are duty-free from entry into force, so the in-quota rate falls from 20 percent to zero percent, with no volume increase. This is a concession on an existing volume and not new market access. In addition, Argentina, Uruguay and Paraguay often exhaust their Hilton allocations, so for them the binding constraint is volume, not the tariff. Brazil has so far used this quota only marginally (Matthews, 2025). Mercosur grants the EU four TRQs (see Table 2) with a ten-year phase-in period (seven years for garlic) for both the volume and the preferential margin. There are also transitional quotas for chocolate, confectionery and canned tomatoes (CH1/CH2, T1), for which the in-quota duty is reduced until the relevant product lines become completely duty-free in Years 9 and 14 respectively. Figure 4 in the Annex provides an overview of the liberalisation schedules.

Table 1 – List of new EU TRQs for agricultural products originating from Mercosur

Product /TRQ	Full volume p.a. in tonnes	In-quota tariff	Full volume reached in Year
Fresh beef (TRQ-BF1)	54.450	7,5%	5
Frozen beef (TRQ-BF2)	44.550	7,5%	5
Pork (TRQ-PK)	25.000 + 1.500 (PY)	83 €/t (PY duty-free)	5
Boneless poultry (TRQ-PY1)	90.000	duty-free	5
Bone-in poultry (TRQ-PY2)	90.000	duty-free	5
Milk powder (TRQ-MP)	10.000	preferential rate rising to 100%	10
Cheese (TRQ-CE)	30.000	preferential rate rising to 100%	10
Infant formula (TRQ-IF)	5.000	preferential rate rising to 100%	10

Product /TRQ	Full volume p.a. in tonnes	In-quota tariff	Full volume reached in Year
Maize and sorghum (TRQ-ME)	1.000.000	duty-free	5
Rice (TRQ-RE)	60.000	duty-free	5
Sugar for refining (TRQ-SR)	180. 000 (BR) + 10.000 (PY)	duty-free	Immediately
Other sugars (TRQ-OS)	2.000	50% preference on base rate	Immediately
Eggs (TRQ-EG1) / egg albumin (TRQ-EG2)	3.000 (in egg equivalent each)	duty-free	5
Honey (TRQ-HY)	45.000	duty-free	5
Rum (TRQ-RM)	2.400	duty-free	5
Ethanol (TRQ-EL)	650.000, of which 450.000 for chemical use	Chemical use: duty-free, other: 6,4/3,4 €/hl	5
Garlic (TRQ-GC)	15.000	preferential rate rising to 100 percent	7
Maize and manioc starch (TRQ-SH1)	1.500	50% preference on base rate	Immediately
Starch derivatives (TRQ-SH2)	600	duty-free	5
Biodiesel (PY only)	50.000	duty-free	Immediately

Source: Annex 2-A, Section B.

Table 2 – List of new Mercosur TRQs for agricultural products originating from the EU

Product /TRQ	Final volume p.a. in tonnes	In-quota tariff (in %)	Full volume reached in Year
Skimmed milk powder, whole milk powder (TRQ-1)	10.000	Preference on base rate, from 10 to100	10
Cheese (TRQ-2)	30.000	Preference on base rate, from 10 to100	10
Infant formula (TRQ-3)	5.000	Preference on base rate, from 10 to100	10
Garlic (TRQ-4)	15.000	Preference on base rate, from 30 to 100	7

Source: Annex 2-A, Section C.

2.2. Safeguards for agricultural products to protect against market access risks

EU FTAs usually contain global and bilateral safeguards, the latter designed to respond to market access effects created by the Agreement itself. The iTA's bilateral safeguard chapter allows either party to suspend preferential tariff reductions if market disruption occurs. During a transition period of 12 years from entry into force (extended to 18 years for products with a tariff elimination schedule of 10 years or more), one Party may take a safeguard measure if, as a result of the concessions set out in Annex 2-A, increased imports of a product originating from another Party cause or threaten to cause serious injury to its domestic industry. A measure may take one of two forms: the importing Party may either stop further tariff reductions temporarily or raise the tariff again. However, the tariff may not be increased above the lower of the current most-favoured-nation (MFN) rate and the base tariff rate listed in that Party's schedule in Annex 2-A. A measure may not exceed two years and may be extended once by up to two years, provided there is evidence of continued necessity and ongoing adjustment. The total duration of a measure, including any provisional measure, may not exceed four years. Re-application to the same good is allowed only after a period of at least half the duration of the previous measure has elapsed. No measure may be applied, extended or maintained beyond the transition period. On the EU side, the renegotiation of the EMPA led to Regulation (EU) 2026/687, which came into force on 8 April 2026 (European Parliament and Council of the European Union, 2026). This regulation establishes an accelerated investigation mechanism for a specific list of sensitive agricultural products, including beef, poultry, pork, dairy products, cereals, sugar, honey and eggs. The EU Commission must open an investigation if import quantities of a listed product increase by more than 5 percent compared with the three-year average and import prices drop by more than 5 percent relative to the EU price, or if there are clear signs that the industry's economic situation is deteriorating. Investigations into sensitive products must conclude within four months (six months otherwise), and provisional measures may be imposed within 21 days of initiation. The EU Commission must also report to the European Parliament and the Council on import volumes and prices for sensitive products at least every six months.

2.3. New market opportunities through traditional market access measures

2.3.1. Germany - new potential for exports to Brazil

With 213 million consumers, a growing middle class and a strong food retail sector, Brazil is by far the largest market in South America. European products already account for around 30 percent of imported consumer goods, particularly in the high-value segment (USDA-FAS, 2023). Constraints include the complex Brazilian tax system beyond customs duties (OECD, 2023), registration requirements (MAPA, ANVISA) (USDA-FAS, 2025b), logistics costs and competition from Mercosur countries, which supply wine, dairy products and malt duty-free.

Among agricultural products, German export potential lies in beer, malt, hops, wine and spirits. Hops became duty-free immediately under the iTA and hops extract will become duty-free in Year four. German exports of EUR 18,7 million in 2025 and Brazil has a structurally growing craft brewing scene, making German hops exports interesting (BMLEH, 2026; Dias & Falconi, 2018). Brazil relies heavily on malt imports and is the world's largest net importer of malt (Observatory of Economic Complexity, 2026). EU members such as France, Sweden, and Czechia rank among the leading suppliers alongside Argentina and Uruguay, which as Mercosur members, already supply duty-free. Under the iTA, malt (not roasted) will become duty-free by Year eight, narrowing the tariff advantage that Argentine and Uruguayan suppliers hold over EU suppliers. As for beer itself, Brazil already imports a large share from Germany and the tariff reduction will strengthen these exports, though the overall Brazilian beer imports are not high (EUR 3.7 million in 2024). The Brazilian wine market is growing, consumption recently reached 456 million litres, 41 percent more than a decade earlier; imports account for 56 percent. German wines have so far had little presence (Germany Trade and Invest, 2026; Kauffmann, 2025). The phase-out of the 27 percent tariff by 2034 will lower the barrier to entry, although German producers will need to differentiate themselves primarily through white wines, especially Riesling, sparkling wines and non-alcoholic sparkling wines ranges in the face of duty-free competition from Argentina and Chile and from other EU producers. Spirits are liberalised fastest, from 20 percent to zero in just four years (by 2030). This benefits German brandy, grain spirits/vodka, liqueurs and gin producers.

German exports of cocoa products to Brazil amounted to approximately EUR 23 million in 2024, covering both semi-finished products (HS 1803-1805) and chocolate (HS 1806). Only HS 1806 falls under TRQ CH1 which covers bulk and couverture chocolate in blocks exceeding 2 kilogrammes together with other cocoa preparations and will be fully duty-free in Year nine (by 2035). The TRQ CH2 covers the branded consumer segment: retail tablets and bars, filled and unfilled, alongside cocoa powder and sugar confectionery which will only become duty-free in Year 14. For branded goods manufacturers, it is not so much the initial tariff savings that are important as the predictability of the end point: the Brazilian market will be duty-free for European confectionery by 2040 at the latest. The same applies to long-life baked goods, ice cream, sauces and other food preparations, which have traditionally been a strong component of German food exports. Frozen potato products face a market that is dependent on imports, in which Argentine, Belgian and Dutch suppliers have so far dominated (PGL Brasil, 2025). Here, the removal of tariffs will be a key factor in determining the competitive position of EU suppliers relative to Argentine suppliers to Brazil.

Mercosur's concessions on dairy products are the most ambivalent outcome from a German perspective. On the positive side, three EU-wide TRQs open access to premium segments (hard cheese, branded infant formula). On the negative side, whey and whey proteins are excluded from liberalisation (Brazil: 28 percent tariff). Whey is the single largest product line among German agricultural exports to Brazil (EUR 36 million in 2025) and accounts for the bulk of German dairy exports to Brazil. It serves as a raw material for the Brazilian infant formula and sports nutrition industries (BMLEH, 2026). Across the wider agrifood value chain, only food processing machinery and agricultural technology exceed dairy exports in value (Timm, 2026). Because the TRQs are EU-wide, German suppliers compete with France, the Netherlands, Poland and Italy for these volumes.

Table 3 – Brazilian tariff concessions on agricultural products relevant to Germany

Product (HS code)	BR base tariff (in %)	Escalation (in years) and/or TRQ
Hops (1210)	8	immediately
Spirits: brandy, vodka, etc. (2208)	20	4
Malt (1107.10)	14	8
Wine (2204.21)	27	8
Sparkling wine (2204.10)	20	8
Frozen potato products (2004.10)	14	8
Beer (2203)	20	10
Sweet biscuits (1905.31)	18	10
Confectionery without cocoa (1704)	20	15 /CH2
Food preparations (2106.90.90)	16	10
Ice cream (2105)	18	10
Sauces, ketchup, mustard (2103)	16–18	4–10
Pet food (2309.10)	14	10
Pork (0203)	10	8–10
Chocolate (1806.20/.90, CH1)	18/20	TRQ
Chocolate bars, white chocolate (1806.31/.32, 1704.90.10, CH2)	20	TRQ
Baked goods, other (1905.90)	18	15
Cheese (0406, TRQ-2)	16–28	TRQ
Milk powder (0402, TRQ-1)	28	TRQ
Infant formula (1901.10, TRQ-3)	16–18	TRQ
Whey, whey proteins (0404)	28 (BR)	excluded (E)

Source: Appendix 2-A-2; Based on Year 0 = 2026.

2.3.2. Brazil – new potential for exports to Germany

A key factor in assessing market potential is that the traditional products of Brazilian agricultural exports to Europe (green coffee, soybeans and soy meal, and other raw materials) already enter the EU duty-free. Before the entry into force of the iTA, bilateral agricultural trade was highly asymmetrical. In 2025, Germany imported agricultural and food products worth EUR 4.4 billion from Brazil and exported goods worth EUR 224 million to Brazil (BMLEH, 2026).[2] Coffee, mostly green coffee that enters the EU duty-free, accounted for almost 60 percent of the import value. In 2025, Germany imported coffee (mostly green coffee) worth EUR 2.5 billion directly from Brazil, while direct imports of soy meal accounted for EUR 410 million (BMLEH, 2026). The soy figure understates German reliance on Brazilian supply. Germany operates one of the largest oilseed processing industries in the EU, and a substantial share of Brazilian soy reaches German processors via Rotterdam and other EU ports. There it is customs-cleared, or crushed and then shipped on as Dutch soy meal, so it does not appear as a direct import from Brazil in German statistics (the "Rotterdam effect"). Measured at the EU's external border, where this distortion does not arise, EU27 imports of Brazilian soybeans and soy meal amounted to EUR 5.8 billion in 2025 (DG AGRI, 2026a). The Agreement leaves tariffs on these flows unchanged. Its relevance lies on the supply side: Mercosur members commit to reducing or eliminating export duties on key raw materials, including soybeans, and Brazil commits to partial elimination or binding upper limits (EU Commission, 2026). For German processors, this lowers the policy risk that export taxes in Mercosur raise the cost of, or restrict, supply. The significance of the EU's concessions lies in four areas: TRQ-based access for meat, the opening up of the markets for sugar and ethanol, the complete elimination of tariffs on orange juice and other processed products, as well as a wide range of fruit and fishery products.

As regards beef, the iTA opens two new TRQs for Mercosur at an in-quota tariff of 7,5 percent: 54.450 tonnes of fresh and chilled beef (TRQ-BF1) and 44.550 tonnes of frozen beef (TRQ-BF2). Together they amount to 99.000 tonnes carcass weight equivalent, phased in over five years from 16.500 tonnes in the first year. Outside the quotas, imports remain subject to the EU duty of 12,8 percent plus a specific duty of between EUR 141,4 - 304,1 per 100 kilograms, depending on the cut. For boneless beef, which is particularly

2 The EUR 224 million figure covers agricultural and food products only. Including food-processing and packaging machinery (EUR 180 million) and agricultural technology (EUR 94 million), German agrifood-related exports to Brazil amounted to approximately EUR 415 million in 2024; agricultural technology accounted for a further EUR 94 million (Timm, 2026). As capital goods under HS Chapters 84 and 87, these flows are outside the agricultural market access analysis of this study.

relevant for Brazilian exports, the specific component is EUR 303,4 per 100 kilograms for fresh and chilled meat and EUR 304,1 for frozen meat. Separately, the in-quota duty on the EU's four existing WTO quotas for high-quality beef (the "Hilton" quota, around 45.000 tonnes for the Mercosur countries, previously 20 percent) falls to zero on entry into force. The two instruments run in parallel: duty-free Hilton access comes on top of, and is administered separately from, the new 99.000 tonnes. For poultry, the EU is opening two TRQs of 90.000 tonnes each, duty-free (boneless/bone-in). Brazil is already the EU's largest third-country supplier and, based on past experience, is likely to make full use of these TRQs (Gocsik et al., 2026). For pork, the EU opens a TRQ of 25.000 tonnes with an in-quota duty of EUR 83 per tonne. The market opening remains moderate in relation to EU consumption. In the case of beef, the quota corresponds to just over 1 percent of EU production, but it affects a price-sensitive, high-value segment (prime cuts).

Brazil is granted an immediate TRQ of 180.000 tonnes of sugar for refining (plus 10.000 tonnes for Paraguay). For ethanol, the quota will increase to 650.000 tonnes by Year 5, of which 450.000 tonnes will be duty-free but earmarked for the chemical industry (end-use procedure), and 200.000 tonnes will be subject to reduced rates of EUR 6,4 and EUR 3,4 per hectolitre (European Commission, 2026b). From an industrial policy perspective, this is intended to lower raw material procurement costs for the European chemical sector seeking bio-based material for green chemistry, while in principle shielding domestic fuel and beverage alcohol markets. However, European ethanol producers dispute this (e.g., ePURE) (European Renewable Ethanol Association, 2019). Industry representatives argue that duty-free chemical imports risk displacing domestic supply into the fuel sector, depressing internal prices and lowering European refinery capacity utilisation. Nonetheless, for Brazil, as the world's leading producer of sugarcane ethanol, this TRQ represents a strategic market expansion.

The economically most important full tariff elimination concerns orange juice. The EU will completely phase out tariffs ranging from 12,2 to 15,2 percent on non-frozen juice and concentrates up to 67 °Brix over a period of seven to ten years. Only highly concentrated frozen juice above 67 °Brix remains partially protected; the tariff is only halved. Brazil accounts for about 70 percent of world exports (USDA-FAS, 2025a). Germany is the largest European buyer, importing fruit and vegetable juices from Brazil worth around EUR 366 million (2025) (BMLEH, 2026). The tariff reduction is likely to strengthen the position of juice relative to concentrate, with consequences for logistics (tanker cold chains) and product differentiation in the German retail sector (Tetra Pak, 2017).

In addition, instant coffee and coffee extracts will benefit (tariff reduction over four to seven years, previously 9-11,5 percent), in line with Brazil's strategy to retain more value added within the country (Conselho dos Exportadores de Café do Brasil, 2026).

The honey TRQ provides duty-free access for 45.000 tonnes, phased in from 7.500 tonnes in the first year. Imports outside the quota remain subject to a duty of 17,3 percent. The quota, shared among the four Mercosur members, corresponds to around a quarter of the EU's honey imports from third countries. The quota enters a market already under considerable price pressure from duty-free Ukrainian supplies (DG AGRI, 2026b). The supply response is likely to come mainly from Argentina, which shipped 20.135 tonnes to the EU in 2024 (11,5 percent of extra-EU imports) (DG AGRI, 2026b). Brazil's export capacity is more limited: of its annual production of about 67.000 tonnes, 32.500 tonnes were exported in 2025, 85 percent of which went to the United States (Portal do Agronegócio, 2025). Therefore, Brazil's use of the quota depends less on the quota itself than on market developments in general.

European business associations fear that after the experience with Ukrainian honey imports with prices significantly below the production costs of European beekeepers, this could be repeated with Brazil and Argentina as major exporters (Deutscher Imkerbund, 2025). For the German food retail sector, this means cheaper blended honeys; for the German and European beekeeping sectors, it means more intense competition. The EU's origin-labelling rules for honey, which apply from 2026 and require the share of each origin country on the label, will have practical implications while dealing with mislabelled imports (European Parliament and Council of the European Union, 2024). On the EU side, Regulation (EU) 2026/687 adds accelerated safeguard triggers for sensitive agricultural commodities. This may limit any expansion of Brazilian exports.

2.4. Other influences on market access beyond traditional tariff measures

Several factors outside the tariff schedules will determine how much of the access materialises in practice. The first is TRQ allocation. The new EU TRQs are opened for Mercosur as a whole, and Section D of Annex 2-A leaves it to Mercosur to divide the volumes among its four members, on notification at least 90 days before the quota year and for a minimum of two years. No allocation for 2027 has yet been notified by

the EU. Until it is, Brazil's share depends on intra-bloc negotiation. Since 1 May 2026, Brazil's foreign trade secretariat (SECEX) has issued export licenses for quota products in the order exporters apply, up to the volume still available (CNN Brasil, 2026). EU agri-food associations argue that this makes an EU import license dependent on a document controlled and quantitatively limited by the exporting country. The EU Commission says it is still assessing the system (Sánchez Manzanaro, 2026). At the same time, Mercosur members have not agreed how to divide the quotas among themselves. Paraguay wants equal shares, while Brazil, Argentina and Uruguay want shares based on trade performance (MercoPress, 2026).

The second is the safeguard, applied for the first time in an EU agreement to TRQ-covered agricultural products across 12 categories. The EU has adopted Regulation (EU) 2026/687 implementing the bilateral safeguard clauses of the iTA, enabling rapid protective action for EU farmers against import surges (European Parliament and Council of the European Union, 2026). The third lies on the Mercosur side. Argentina continues to levy export taxes on agri-food products, and although the Milei government has reduced them repeatedly, e.g. wheat and barley to 5,5 percent from June 2026, with a monthly phase-down of soybean duties announced from January 2027, they remain a price wedge in the intra-Mercosur competition for EU quota shares (USDA-FAS, 2026a). In the iTA, Article 2.9 prohibits export duties on trade with the EU, and Annex 2-B lists the exceptions. For Argentina's soy complex, export duties are capped at 18 percent from Year 5 and at 14 percent from Year 10. Another instrument are geographical indications (GIs) which are in place under the iTA and intend to curb imitations and safeguards brand development (Marie-Vivien & Biénabe, 2017).

The iTA operates alongside a broader set of recent EU measures designed to promote sustainability and responsible supply chains, several of which apply independently of preferential market access under the Agreement. Three measures are particularly relevant in this context: the EU Deforestation Regulation (EUDR), Regulation (EU) 2023/1115; the Corporate Sustainability Due Diligence Directive (CSDDD), Directive (EU) 2024/1760; and Regulation (EU) 2024/3015, which prohibits products made with forced labour from being placed or made available on the EU market or exported from it.[3] These

3 None of the three instruments was fully applicable as of 2026. The EUDR applies from 30 December 2026 to large and medium operators and from 30 June 2027 to micro and small operators outside the timber sector (Regulation (EU) 2025/2650). Following the Omnibus I amendment (Directive (EU) 2026/470), the CSDDD applies from 26 July 2029 to companies with more than 5.000 employees and a net worldwide turnover above €1.5 billion. Regulation (EU) 2024/3015 applies from 14 December 2027.

instruments establish requirements or restrictions applicable to products, operators, or both, irrespective of whether the products benefit from preferential tariff treatment under the iTA. Further autonomous process standards are under discussion, including lowering import tolerances (MRLs) to the limit of determination for active substances no longer approved in the EU and animal welfare standards for imported products (Stoll et al., 2025).

2.5. Conclusions on traditional market access for agricultural products

The commercial impact of traditional market access remains constrained by strategic limitations. Although Annex 2-A liberalises 81 percent of EU agrifood tariff lines and 92 percent of Mercosur lines, trade in sensitive sectors remains restricted through TRQs, exclusions and bilateral safeguards, and the safeguards have been strengthened, particularly on the EU side.

For Brazil, new market opportunities centre on meat, ethanol, and orange juice alongside existing duty-free raw material exports. For Germany, commercial potential is linked to GI protections and liberalisation or tariff reductions for hops, malt, spirits, and confectionery. Measured by export value, however, the largest German positions along the agrifood value chain lie upstream in food-processing and packaging machinery and agricultural technology (Timm, 2026). Brazil's 14 percent tariff on most of these lines will be eliminated, but over long periods: ten years for combine harvesters and bakery and confectionery machinery, and 15 years for most filling and packaging machines and brewery equipment. Several lines central to German exporters are excluded from liberalisation, including milking machines, milk-processing machinery, balers and other food-industry machinery not elsewhere specified. Remaining challenges for agrifood exports arise from administrative governance, internal political-economic interests, and non-tariff import rules beyond the iTA text. First, administrative governance requires customs authorities to apply tariff cuts that change every year and to verify origin documentation. Second, internal political dynamics dictate quota utilisation: Mercosur Member States must negotiate country allocations for EU quotas. Third,

market access remains conditional on compliance with EU regulatory requirements. These include recent sustainability measures such as the EUDR as well as sanitary and production-related requirements. Of particular relevance for Mercosur livestock exports is Delegated Regulation (EU) 2023/905, which extends EU restrictions on the use of certain antimicrobial medicinal products to animals and products of animal origin imported from third countries. Thus, tariff concessions and TRQs do not automatically translate into effective market access: exporters must also ensure compliance with EU production, certification and control requirements.

3. Enabling sustainable trade: new market access and other support

The extent to which trade liberalisation can be reconciled with sustainability objectives has become a defining issue in EU trade policy and gained particular importance during the renegotiation of the EMPA (see Figure 1) (Parente Filho & Pimenta, 2026; Rudloff et al., 2025).

Trade and sustainability can be linked in several ways, but the dominant approach to date has been a negative one: conditions that restrict market access unless a requirement is met. Positive incentives work the other way around. They reward environmentally beneficial production systems through trade measures, for example, by reducing tariffs. Tariff reductions for selected products, organised as a "positive list", have been debated and repeatedly attempted at the international level, most prominently in the plurilateral WTO negotiations on an Environmental Goods Agreement, which the EU supported (European Parliament, 2026b). Those negotiations built on a positive list already adopted by the Asia-Pacific Economic Cooperation (APEC) forum, yet no agreement has been reached at WTO level.

Despite this limited record of international acceptance, the positive-list instrument reappears in Annex 18-A to the TSD chapter of the iTA. In this setting it may prove more tractable than at WTO level because it involves fewer partners, extends beyond tariff reductions to non-tariff measures and is designed as a living instrument whose review mechanism allows new developments and concerns to be incorporated. Conditioning tariff treatment positively on production attributes is not entirely new to the iTA. Under staging category "4-EG" of Annex 2-A, shell eggs[4] qualify for tariff elimination only when accompanied by a certificate of compliance with Council Directive 1999/74/EC on the protection of laying hens, which prohibits unenriched cages, or with equivalent official animal welfare standards. Beyond this case, however, the EU has directed positive conditionality at countries rather than products, mainly through its Generalised Scheme of Preferences (GSP). The standard GSP grants tariff preferences to developing countries

4 CN 04072100 and 04079010.

according to their development status. GSP+ grants additional preferences to countries that ratify and effectively implement a defined set of international conventions on human rights, labour rights, environmental protection and good governance (European Commission, 2026a). Under the GSP, the EU defines product coverage unilaterally so that, for example, sensitive agricultural tariff lines receive no preferences. In trade with economically more advanced partners, the EU has made little use of positive incentives (Scientific Advisory Board on Agricultural Policy, Food and Consumer Health Protection at the Federal Ministry of Food and Agriculture, 2023). Annex 18-A of the iTA, therefore, opens a new avenue: a negotiated positive list of sustainable goods. Annex 18-A contains two distinct positive incentive provisions:

- **Paragraph 40** applies to both Parties. It provides that they should put in place actions and measures to enhance trade in goods contributing to enhanced social conditions and environmentally sound practices. These include goods and services that contribute to a resource-efficient, low-carbon economy, and goods covered by sustainability assurances schemes. The potential beneficiaries therefore extend beyond Mercosur exporters to EU firms that export eligible goods or source them as inputs. The economic stakes are not marginal. The Amazon's socio-bioeconomy alone is currently valued at around EUR 2 billion and is projected to reach EUR 7 billion by 2050 (European External Action Service, 2026).

- **Paragraph 39** is unilateral: it applies exclusively to the Mercosur side and is directed specifically at vulnerable ecosystems, including forests. It is the focus of this analysis and reads:

> *In order to harness the potential trade for the benefit of ecosystems, the Parties* ***will establish within a year*** *of the entry into force of this Agreement* ***a list of products from Signatory MERCOSUR States*** *which contribute to the conservation, restoration, sustainable use and management of forests and vulnerable ecosystems. Products in this list, which shall be periodically reviewed every three years,* ***should be granted preferential or additional market access, or other incentives by the European Union*** *to* ***promote their trade****, such as* ***technical assistance or capacity building****. (Annex 18-A, para. 39)*

Some features of the text stand out. The first is the contrast between a procedural obligation ("will establish within a year") and a possibility that it "should be granted". The second is the set of instruments: (a) preferential market access, (b) additional market access or (c) other incentives to promote trade. The third is that eligibility is linked to

products originating in Mercosur countries. Fourth, the roles are asymmetric: the list is established jointly, but the incentives are granted unilaterally "by the European Union".

The one-year deadline runs from provisional entry into force of the iTA on 1 May 2026, which places the first list's due date at the end of April 2027. A jointly managed, periodically revised positive list of this kind has so far appeared in EU trade agreements only for GIs. The triennial review is what makes the mechanism a living instrument, since it allows the list to be adjusted in the light of new developments. How the review process will be conducted has not yet been specified. What paragraph 39 seems to leave open is a shared understanding of its underlying purpose. Read in isolation, the paragraph establishes a market access channel for forest-compatible production. Read against Annex 18-A as a whole, however, it may also be intended to support particular producer groups. Paragraph 27 commits the Parties to providing increased market access opportunities for sustainably produced products from "smallholders, cooperatives, indigenous peoples and local communities" (Annex 18-A, para. 27). Paragraph 28, moreover, provides for the "identification of market access opportunities required to spur exports of products sustainably obtained or produced" (Annex 18-A, para. 28).

3.1. Guiding scheme: Criteria for the joint selection of eligible products

The continuous, jointly managed process that paragraph 39 envisages for defining a positive list could benefit from a scheme of guiding criteria to structure the product selection. The scheme set out below is illustrative and could be applied to candidate products. Although developed here for paragraph 39, a similar architecture could support paragraph 40.

The **entry condition** should be to develop a shared understanding of the purpose of paragraph 39. The Parties should settle whether the paragraph is meant to benefit ecosystems alone or also particular producer groups, such as smallholders, indigenous peoples and local communities, or at least whether the effects of any measure on these groups are to be taken into account. Alongside this, a definition of what makes a production system sustainable for the purposes of paragraph 39 needs to be agreed, covering conservation, restoration, sustainable use or management as qualifying elements.

Relevance and form of trade support. The next question concerns whether trade support is relevant and what form it should take. The starting point is to establish whether trade in a candidate product is actually being held back, and by what. Where tariff headroom remains, support can take the form of a tariff preference or a new or enlarged TRQ, provided both Parties agree. Where it does not, capacity building becomes the operative instrument. This includes support that prepares producers and exporters for EU requirements that are about to apply, in particular the EUDR, which applies from 30 December 2026.

Consistency with other instruments. In either case, each candidate product should be cross-checked against instruments with similar, identical or conflicting requirements. Where an existing instrument already conditions market access negatively, a new positive preference under paragraph 39 may risk undermining that instrument's objective. Overlap can also produce synergies. Where evidence tools such as traceability data, due diligence documentation or third-party certificates already serve another instrument such as the EUDR, the same evidence can lower the cost of demonstrating eligibility under paragraph 39.

Geographical indications. A further cross-cutting consideration is the potential for GIs. GIs support the marketing of products by protecting names of specific products whose quality, reputation, or characteristics are closely linked to their geographical origin. Within the framework of paragraph 39, this link could be extended to eligible sustainable production systems, or to the territory of a producing indigenous community.

Mutual sensitivities. The relevance, need and effects of trade support, and of additional market access in particular, can be perceived differently on the Mercosur and the EU sides. Understanding each side's sensitivities therefore helps in identifying eligible products:

- On the **Mercosur side**, criticism during the negotiation concentrated on the perceived limits of EU market access, notably capped TRQs, and on unilateral EU import requirements applied in parallel, of which the EUDR is most prominent. This criticism fed into Mercosur's push to renegotiate the Agreement (see Figure 1). It may steer Mercosur's interest towards products that would deliver measurable new access under paragraph 39. Mercosur may also seek support for complying with the EU requirements it has criticised. Another potential driver is the current Brazilian

government's emphasis on industrialisation as a route to economic development, which favors adding local value to raw agricultural exports (World Bank, 2025). For product selection under paragraph 39, this may shift attention towards processed rather than raw commodities. Sensitivities may also differ among Mercosur states. A joint intra-Mercosur position is therefore a precondition for agreeing a common list of products to be supported or granted market access.

- On the **EU side**, the strongest sensitivity concerns potential or perceived competitive pressure on domestic production. This concern varies across Member States and has already generated substantial opposition to the EMPA negotiations among several of them (Rudloff et al., 2025). Any new market access has to address this concern, and the Mercosur side will need to take it into account. Competition effects are therefore a key screening criterion for every candidate. Some candidates may fall among the sensitive products covered by the facilitated safeguard mechanism in Regulation (EU) 2026/687. For such products, additional tariff access under paragraph 39 could be withheld and support confined to non-tariff incentives, in the spirit of that regulation, which in turn could make them more acceptable to the EU Member States. A second EU-side driver is the Commission's simplification and burden-reduction agenda (EU COM, 2025). It makes the implementation, certification and control costs attached to a candidate product a selection criterion in its own right. It may also favor products for which implementation and control systems are already in place.

Procedure. Beyond these mutual sensitivities, the Parties should settle the procedure for preparing, adopting and reviewing the product list at the three-year intervals set by Annex 18-A, with the first list due by 30 April 2027. Several elements need clarification. First, the shared objective identified above as an entry condition should be agreed early, so that expectations are managed on both sides. Second, the process for defining and reviewing the list should be organised around the TSD Subcommittee, including its links to other committees. Third, whether and how stakeholders are to be involved remains open. On the evaluation side, a standing framework for joint research, together with the data it requires, should be specified early in the process.

3.1.1. Applying guiding questions to candidate product options: a checklist for both Parties

The list of products, value chains and instruments will ultimately be a joint decision of the EU and the Mercosur side. The priorities and interests of both sides should therefore be reflected in the process from the outset. Table 4 sets out guiding questions that could structure the process.

Table 4 – Guiding questions for the joint selection of products for trade support under paragraph 39

Dimension	Guiding questions	Candidate product or value chain

Shared understanding of the primary objective and possible interlinkages	• **Primary objective**: Should the instrument pursue ecological outcomes together with benefits for particular producer groups such as smallholders and indigenous peoples and local communities?
	  ▫ **Producer groups**: Which products or value chains matter to communities in forests or other ecosystems, and would compliance benefit them? What are the effects on traditional knowledge and community rights?
	  ▫ **Forests and other vulnerable ecosystems**: What is the effect?
	• **Definition**: How is "sustainable use" understood and operationalised?
	• **Mechanism**: Through which production practice does the product contribute, and to which objective (conservation, restoration, sustainable use or management)?
	• **Risks**: Would compliance and certification costs exclude smallholders or indigenous communities? Which ecological risks, and which risks for particular producers groups, could trade support create?
	• **Additionality**: Does the contribution exceed what existing trade and production commitments already require?	

Potential and options for additional trade support including market access	• **Trade potential**: Is there EU demand, is there scope to increase trade, and what currently holds it back? • **Type of trade support**: Is there tariff headroom or only scope for non-tariff support such as technical assistance? What success factors do existing examples especially positive lists suggest? • **Accompanying measures**: Does the incentive require certification or other verification of the production system? • **Scaling risk**: Would trade expansion erode the production conditions on which the ecological benefits and the benefits for marginalised producer groups depend? • **Cross-check**: Does a preference on this tariff line conflict with, or complement, existing import requirements? Can evidence produced for them, or other tools already in place (GIs, certificates), serve here?	

Dimension	Guiding questions	Candidate product or value chain

Economic and social effects: competition or complementarity	• **Mercosur**
	  ▫ **Market relevance**: What are the product's global and EU export shares and its employment weight?
	  ▫ **Value addition**: Where in the chain is value captured, and which trade support could raise it?
	  ▫ **Distribution**: Who captures the employment and income effects?
	• **EU**
	  ▫ **Demand**: Is EU demand for the product or value chain present and growing?
	  ▫ **Economic weight**: What is the product's share in EU consumption and processing?
	  ▫ **Competition**: Is the product complementary to, or in competition with, EU production, and in which Member States?
	  ▫ **Defensive instruments**: Is the product covered by a TRQ, or by the expedited safeguard procedure under Regulation (EU) 2026/687?
	  ▫ **Third-country effects**: How would any measure affect other strategic partners?	

Governance needs and experiences	• **Existing instruments**: Which tools and programmes (certification schemes, promotion, development programmes) already exist for the product, and can a new incentive build on them? • **Costs**: What are the implementation and control costs of any additional measure, whether tied to market access or another tool, and which actors (business, authorities) bear them? • **Monitoring and responsibilities**: Are data available to track ecological and market effects, and who conducts the monitoring?	
Decision, voice and evaluation	• **Procedure**: Who prepares, adopts and amends the list and how are affected stakeholders given a voice? • **Evaluation**: How is the review conducted, and how does it combine joint research with local expertise and affected stakeholders?	

Source: own compilation.

Objective and product categories. The starting point remains a shared understanding of the **general objective**. The Parties should clarify whether, and with what weight, the approach of paragraph 39 should pursue ecological benefits and benefits for particular producer groups such as smallholders, indigenous peoples and local communities through increased trade. Regarding the **ecological value** of candidate products or value chains, paragraph 39 offers several entry points: conservation, restoration, sustainable use or management of forests and vulnerable ecosystems. Trade support granted under paragraph 39 is thus tied to demonstrated ecological value, including value for forests. Following

Belcher (2003), forest-linked products fall into four broad categories: non-timber forest products, such as Brazil nuts, açaí (from managed floodplain stands), natural gums and resins, babassu, forest honey; agroforestry products, such as tree-shaded coffee and cocoa; large-scale certified biomass, principally silvopastoral beef and deforestation-free soy; and timber and wood products linked to restoration and reforestation.

Assessment of relevance for particular producer groups, such as **indigenous peoples**, should take account of their specific needs. The risk that trade support drives up production volumes deserve particular attention, since scaling can generate discrimination within the value chain such as the exclusion of smallholders as well as ecological harm.

Trade potential and instruments. Identifying **trade potential** should start from the factors that currently hold exports back, since these determine which support tools are appropriate. Tariff reduction is one route to additional market access, but often a limited one (see Figure 3): Many products (e.g. soy or bamboo) were already duty-free before the iTA. For others, such as roasted coffee and açaí, the iTA newly introduces duty-free treatment progressively, over a longer staging period. In these cases headroom is a function of time rather than volume or tariff level. Where the binding constraint is volume, enlarging an existing TRQ is an alternative. This could apply, in principal, for beef and honey (see Figure 3). A further option is to create a dedicated new tariff line for sustainable products not currently distinguished in the tariff schedule. However, this is costly, not least because customs procedures depend on objective characteristics verifiable at the border, or verifiable through certificates that have to be established and controlled, and any such decision requires agreement in the relevant joint committee.

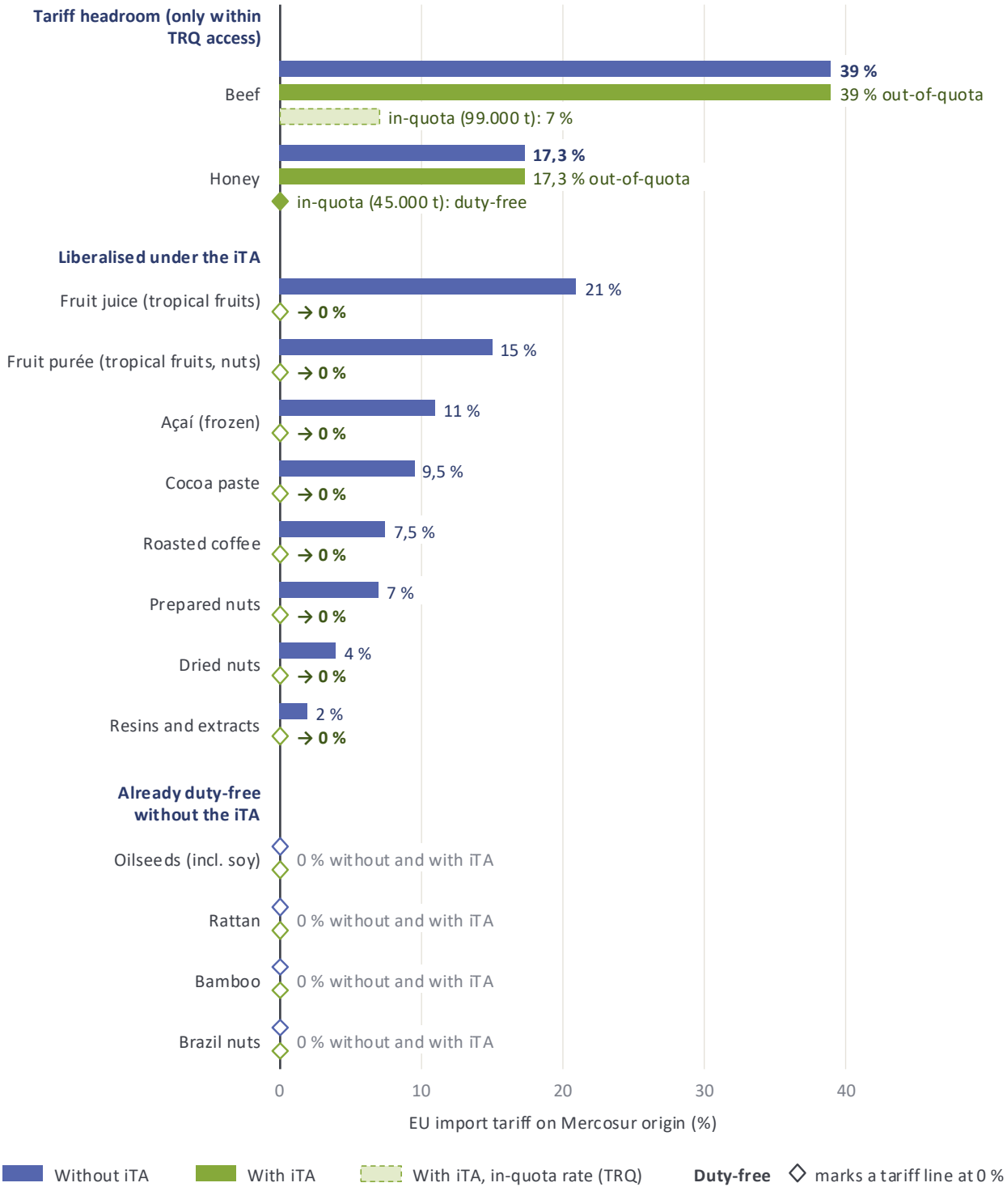
Existing examples of positive lists for environmentally linked market access, including under APEC, offer a starting point for assessing feasibility and identifying design factors for successful implementation (Australian APEC Study Centre at RMIT University et al., 2021).

Figure 3 shows how little headroom for tariff reduction remains for products in the forest-linked categories identified above. This pattern has two implications:

- For most products, the policy scope for further tariff reduction under paragraph 39 is limited. Many products were already duty-free before the iTA (Brazil nuts, soy), and others will become duty-free as the iTA's phase-out schedules progress (roasted coffee, açaí, cocoa paste).

- The remaining scope for tariff reduction lies precisely in products the EU treats as sensitive, and for which the iTA did not provide full liberalisation but granted access only through TRQs (beef, honey). Using this remaining scope under paragraph 39 could therefore be politically sensitive.

Figure 3 – Limited tariff headroom for additional market access under paragraph 39: selected forest-linked products



Source: based on Annex 2-A iTA, note: the TRQ refers to natural honey HS04090000 .

Where no tariff headroom remains, **other forms of trade support** come into play to reduce existing barriers and encourage trade. This may mean supporting the implementation path already agreed within the iTA's transition period, or it may mean infrastructure investment and capacity building aimed at meeting other import requirements, such as the EUDR, which currently covers seven products (including beef) and their derivatives. Should an EUDR-covered product be considered for paragraph 39, several issues arise: which requirements such a listing would add beyond those the EUDR already imposes; whether the two sets of requirements conflict; and whether synergies can be realised by drawing on the due diligence evidence the EUDR already obliges operators to generate. GIs offer a further cross-link to instruments already in place, since they can add a marketing benefit to a listed product, and their establishment could itself be supported under paragraph 39.

Economic effects arise on both sides and even beyond the Parties:

- **Within the EU**, improved market access can serve consumption that EU producers do not supply themselves, as is the case for açaí. Wherever EU production exists, however, competitive pressure can arise, as with honey. Such competition limits political support for a product list, particularly for tariff reductions. The availability of defensive instruments for a product, such as a TRQ ceiling or coverage under Regulation (EU) 2026/687, therefore becomes a selection criterion in its own right.

- **Within Mercosur**, comparable effects arise. The signatory Mercosur members hold differing interests across candidate products and compete for shares of any quota or other trade support granted.

- **Beyond the Parties**, third-country suppliers may incur indirect losses, as new trade support for Mercosur erodes their preferential margins and competitive position in the EU market. This can affect the EU's relations with other strategic partners, who may in turn seek comparable support or other compensation. Honey again illustrates the point: Ukraine, the EU's second-largest supplier, could lose part of that position, or perceive discrimination, if Mercosur receives additional support.

Beyond these ecological, social and economic criteria, governance considerations apply, above all whether data exist to support the review (see Table 4).

3.1.2. Case studies with a European focus: Açaí and honey

The two cases below apply selected guiding questions and criteria from the scheme set out above.

Açaí

Açaí, the fruit of the Euterpe oleracea palm, has for some time been marketed as a "superfood" on the strength of its nutritional composition. It also carries documented nutritional, medicinal, material and financial **value for indigenous peoples and traditional communities** (Rocha et al., 2025). A joint decision to support indigenous açaí production could therefore serve as a starting point.

Ecological value. Carvalho et al. (2021) identify low-density planting of açaí stands as a practice that preserves forest biodiversity.

Scope for trade support. Because the raw fruit is too perishable to export unprocessed, any tariff instrument must attach to processed products, typically frozen pulp. All export value therefore lies in processed forms. Support for processing is correspondingly important, not least for the cold chain on which processing depends. Such support also promotes the value addition that matters for employment. Under the iTA, açaí products will become duty-free according to different staging categories (Fig. 3), so headroom under paragraph 39 is a function of time. Capacity building could support producers make the best use of that progressively widening access. A further option could be to bring forward duty-free access specifically for verified sustainable açaí produced by indigenous communities, backed by a compliance certificate. The compliance costs on both sides would, however, need careful consideration.

Existing trade support experience, such as that of the German Import Promotion Desk, offers a starting point. The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) has long implemented related programmes. Under the project Private Business Action for Biodiversity, GIZ worked with FSC Brasil, Imaflora, Instituto Terroá and the producer cooperative AmazonBai. The pilot tested a new procedure that enables smallholders to demonstrate the positive effects of their forest management on selected

ecosystem services, such as biodiversity and carbon storage, with the aim of differentiating traditionally produced açaí in the market (GIZ, 2019). A further possibility would be to support the establishment of a new GI for sustainable açaí produced by indigenous communities.

Economic relevance. Brazil accounts for virtually all world production. Because the fruit is highly perishable, it is traded only in processed form. Exports reached 55.798 tonnes in 2025, from a sector worth R$853 million (EUR 145 million) in 2023, 70 percent of it produced in Pará (Britto, 2024). Most went to the US, around 9.000 tonnes went to the EU, mostly the Netherlands (see also "Rotterdam effect"). Total production output is roughly 1.7 million tonnes with about 85 percent coming from cultivated sources, either intensified flood plains or plantations (USDA-FAS, 2026b). The export market is currently concentrated, with a single company, Sambazon, reportedly accounts for 39,6 percent of Brazil's exports (Superti et al., 2026); followed by Petruz, Frooty, DeMarchi, Xingu Fruits. The export market is currently concentrated, with a single company, Sambazon, reportedly accounts for 39,6 percent of Brazil's exports (Superti et al., 2026); followed by Petruz, Frooty, DeMarchi, Xingu Fruits. This concentration may indicate that factors hindering the integration of indigenous and traditional communities into the value chain do exist, and that strengthening their position within it could be a plausible focus for support.

EU perspective. Additional access carries no competitive effect in the EU, which has virtually no domestic açaí production.[5] Imports of açaí into the Netherlands, the main port of entry, have nearly doubled in recent years. The trend was reinforced (possibly only temporarily) by trade redirected from the US following substantial US tariffs on Brazilian exports. EU demand continues to grow, with Germany a significant growth market (Fortune Business Insights, 2026).

For this candidate, neither demand nor market access appears to be the limiting factor on either side. The more material risks lie in potential ecological harm from intensification and in adverse effects for indigenous and traditional communities through discrimination or compliance costs. Capacity building in general, and a dedicated GI, are therefore the more promising focus for support.

Honey

Ecological value and relevance for indigenous communities. It can be indicated that honey can play a role in sustaining both forests and other ecosystems, as well as the livelihood of indigenous and traditional communities (Oxfam Fair Trade, 2026).

Scope for trade support. The iTA provides a duty-free TRQ of 45.000 tonnes with an out-of-quota tariff of 17,3 percent. The quota is phased in, from 7.500 tonnes in Year 0 to 45.000 tonnes from Year 5 onwards. At full volume, it corresponds to roughly a quarter of the EU's current third-country imports (174.984 tonnes in 2024) and to double current Mercosur shipments.

Instruments other than tariff preferences may also be relevant, notably support for new GIs. Several Brazilian honeys already hold GIs (Ortigueira, Pantanal, Oeste do Paraná), and further registrations with an explicit link to indigenous communities could be an option. One candidate could be the Sateré-Mawé canudo honey, which is not yet registered as a GI (Slow Food Foundation for Biodiversity, 2026). Products of stingless bees form a separate case, since they are not directly comparable to conventional honey from the western honey bee (Nogueira, 2023). Assessing their potential would require an in-depth analysis.

5 With negligible production in French Guyana for the domestic Guianese market (see AFD France)

Economic relevance. Honey is a significant export for **Mercosur**, but one oriented mostly towards the US. In 2024, Argentina, Brazil and Uruguay together exported 127.900 tonnes, of which 76 percent went to the US and only 17 percent to the EU. Within EU-Mercosur trade in honey, Argentina supplied 81 percent, Brazil 11 percent and Uruguay 4 percent. Germany alone imported over 60 percent of Mercosur honey exports to the EU, making it by far the most important destination for Mercosur honey.[6]

One recent constraint on Brazilian exports specifically is regulatory. Under Delegated Regulation (EU) 2023/905, which extends the EU's prohibition on certain antimicrobial substances to third-country producers, Brazil was removed from the list of authorised third countries by Commission Implementing Regulation (EU) 2026/1189, with effect from 3 September 2026, and cannot export honey to the EU until it is re-listed. The TRQ nevertheless remains open to Mercosur as a bloc, so Argentina, the region's only significant supplier to the EU, could compensate for the resulting gap in Brazilian exports.

On the **EU side**, domestic production covers 63 percent of consumption, implying a substantial role for imports under current market conditions. In 2024, bulk honey at wholesale price in the EU was around 2,92 €/kg against an EU average production cost of 5,40€/kg and a producer price of 5,98€/kg (DG AGRI, 2026b). Major EU producers are Spain, Germany, Romania, Poland, and Hungary, together account for over half of EU production and are correspondingly the Member States most exposed to any competitive risk. Honey is, however, listed among the sensitive products under Regulation (EU) 2026/687, so any import surge, and the competitive pressure it may bring, can be addressed through the regulation's expedited safeguard procedure.

Third-country effects may carry particular weight here: Mercosur is not the EU's principal source of honey, these positions are held by Ukraine and China, both strategic partners of the EU (DG AGRI, 2026b). Potential or feared trade losses, or perceived discrimination against them, should be weighed in selecting honey as a paragraph 39 candidate and in choosing the specific instruments used to expand imports.

6 Based on ITC TradeMap data

3.2. Conclusions on enabling sustainable trade

Making use of this new approach under the iTA could move the debate surrounding the Agreement, which has often been conducted critically, onto a more constructive footing. Paragraphs 39 and 40 of Annex 18-A offer an approach rarely attempted so far in EU trade agreements: positive trade incentives for sustainable products, organised through a positive list, rather than exclusive reliance on conditions that restrict access. It was precisely such restrictive conditionality, in the form of the EUDR, that became a stumbling block in the negotiations between the EU and Mercosur countries.

The new approach may stand a better chance of success than earlier multilateral attempts at positive lists, because it can build a shared understanding among a limited number of Parties. Its living character may strengthen the development of such a shared understanding, while leaving scope for dynamic adjustments: the triennial review allows the list to be adjusted as new market opportunities and concerns arise, provided that these adjustments are based on sound evaluation and adequate preparation of relevant governance processes. The guiding scheme and questions set out in this chapter are intended to support developing such a shared understanding, and awareness of each side's sensitivities, so that the approach can be applied within the short timeframe the Annex itself sets by end nd of April 2027. A pragmatic starting point could be a pilot covering a limited number of products for which trade support experience already exists, with the list adjusted as evidence accumulates.

Overall, this new approach to enabling sustainable trade may provide a more positive basis, both for the Agreement and for EU-Mercosur trade relations more broadly, which have recently been marked by irritants and scepticism on both sides.

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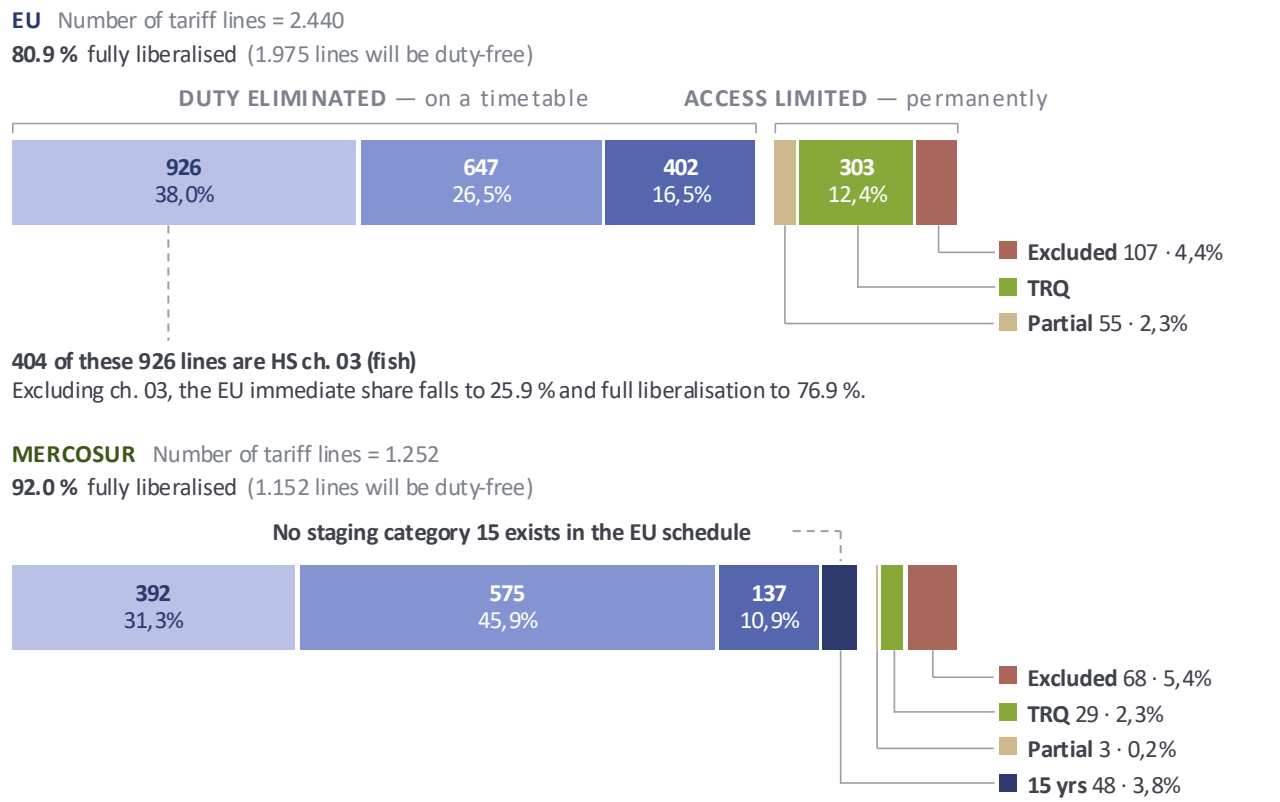
5. Annex

Figure 4 – Structure of agrifood tariff schedules: the EU27 and Mercosur compared



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