

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 432 final

Brussels, 14 September 1989

Proposal for a
COUNCIL REGULATION (EEC)
amending Council Regulation (EEC) No 3363/86
on the tariff arrangements applicable to imports into the Community
of products originating in the occupied territories

(presented by the Commission)

EXPLANATORY MEMORANDUM

The preferential regime applied to Mediterranean countries for exports to the Community (exemption from customs duties etc, maintaining, however, the agricultural levies) has been extended to the territories occupied by Israel, by Regulation (EEC) No 3363/86.

This Regulation did not, however, include the usual clause whereby the levies (variable component of the customs charge) are also maintained for non-Annex II processed agricultural products, governed by Regulation (EEC) No 3033/80.

This proposal corrects this anomaly by aligning the regime for the occupied territories on that provided in the agreements with the other Mediterranean countries, by providing that, for the products in question, the exemption concerns only the fixed component (customs duty) of the customs charge.

Council Regulation (EEC) No /89
of

amending Council Regulation (EEC) No 3363/86
on the tariff arrangements applicable to imports into the Community
of products originating in the occupied territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the cooperation agreements with the southern and eastern
Mediterranean countries provide for free access to the Community for
industrial products and preferential tariff treatment for certain
agricultural products originating in those countries;

Whereas no such preferential treatment applies to products originating in
the West Bank of the River Jordan or the Gaza Strip (called the 'occupied
territories'), both occupied by Israel;

Whereas Council Regulation (EEC) No 3363/86 of 27 October 1986¹ put an end
to this situation; whereas, however, it should be specified that Article 1
of that Regulation does not prohibit the charging of a variable component
on the goods covered by Regulation (EEC) No 3033/80,² as last amended by
Regulation (EEC) No 3743/87 of 14 December 1987,³

HAS ADOPTED THIS REGULATION:

1 OJ No L 306, 1.11.1986, p. 103.
2 OJ No L 323, 29.11.1980, p. 1.
3 OJ No L 352, 15.12.1987, p. 29.

Article 1

A second paragraph is hereby added to Article 1 of Council Regulation (EEC) No 3363/86, to read as follows:

"For the goods listed in the Annex to Regulation (EEC) No 3033/80, the list of which is set out in the Annex to this Regulation, the first paragraph of this Article shall apply only to the fixed component of the charge placed on such goods imported into the Community."

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

ANNEX

ANNEX

CN code	Description
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, concentrated, whether or not; containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:
0403 10 51 to 0403 10 99	— Yoghurt, flavoured or containing added fruit or cocoa
0403 90 71 to 0403 90 99	— Other, flavoured or containing added fruit or cocoa
0710 40 00	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen
0711 90 30	Sweet corn provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
ex 1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516:
1517 10 10	— Margarine, excluding liquid margarine containing more than 10 % but not more than 15 % by weight of milk fats
1517 90 10	— Other, containing more than 10 % but not more than 15 % by weight of milk fats
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa; excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within subheading No 1704 90 10
1806	Chocolate and other food preparations containing cocoa
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included
ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within subheadings 1902 20 10 and 1902 20 30
1903	Tapioca and substitutes therefor, prepared from starch in the form of flakes, grains, pearls, siftings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared
1905	Bread, pastry, cakes, biscuits and other bakers'wares, whether or not containing cocoa, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
2001 90 30	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) prepared or preserved by vinegar or acetic acid
2001 90 40	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid
2004 90 10	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid; frozen
2005 80 00	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid; not frozen

CN code	Description
2008 99 85	Maize other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), otherwise prepared or preserved, not containing added spirit or added sugar
2008 99 91	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, otherwise prepared or preserved, not containing added spirit or added sugar
2101 30 19	Roasted coffee substitutes excluding roasted chicory
2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory
2102 10 31 to 2102 10 39	Bakers' yeast
2105	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included other than those falling within subheadings 2106 10 10 and 2106 90 91 and other than flavoured or coloured sugar syrups
2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009, containing products of Nos 0401 to 0404 or obtained from products of heading Nos 0401 to 0404
2905 43	Mannitol
2905 44	D-Glucitol (sorbitol)
ex 3501	Caseins caseinates and other casein derivatives
ex 3505 10	Dextrins and other modified starches, excluding esterified or etherified starches of subheading 3505 10 50
3505 20	Glues based on starches or on dextrins or other modified starches
3809 10	Prepared glazings and prepared dressings with a basis of amylaceous substances
3823 60	Sorbitol other than of subheading 2905 44

FICHE FINANCIERE

EN

DATE :

1. LIGNE BUDGETAIRE : 100

CREDITS :

2. INTITULE DE LA MESURE : Règlement modifiant le règlement (CEE) n° 3363/86 (annexé)

3. BASE JURIDIQUE : Article 113 du Traité CEE

4. OBJECTIFS DE LA MESURE : corriger une omission dans le règlement pour assurer le maintien de la perception des "éléments mobiles" à l'importation.

5. INCIDENCES FINANCIERES	PERIODE DE 12 MOIS	EXERCICE EN COURS ()	EXERCICE SUIVANT ()
5.0 DEPENSES A LA CHARGE - DU BUDGET DES CE (RESTITUTIONS/INTERVENTIONS) - DES BUDGETS NATIONAUX - D'AUTRES SECTEURS	/	/	/
5.1 RECETTES - RESSOURCES PROPRES DES CE (PRELEVEMENTS/DROITS DE DOUANE) - SUR LE PLAN NATIONAL	0 /	0 /	0 /
5.0.1 PREVISIONS DES DEPENSES			
5.1.1 PREVISIONS DES RECETTES			

5.2 MODE DE CALCUL : L'incidence financière est zéro, étant donné qu'il n'y a pas d'importation dans la Communauté de marchandises auxquelles le règlement en cause s'adresse.

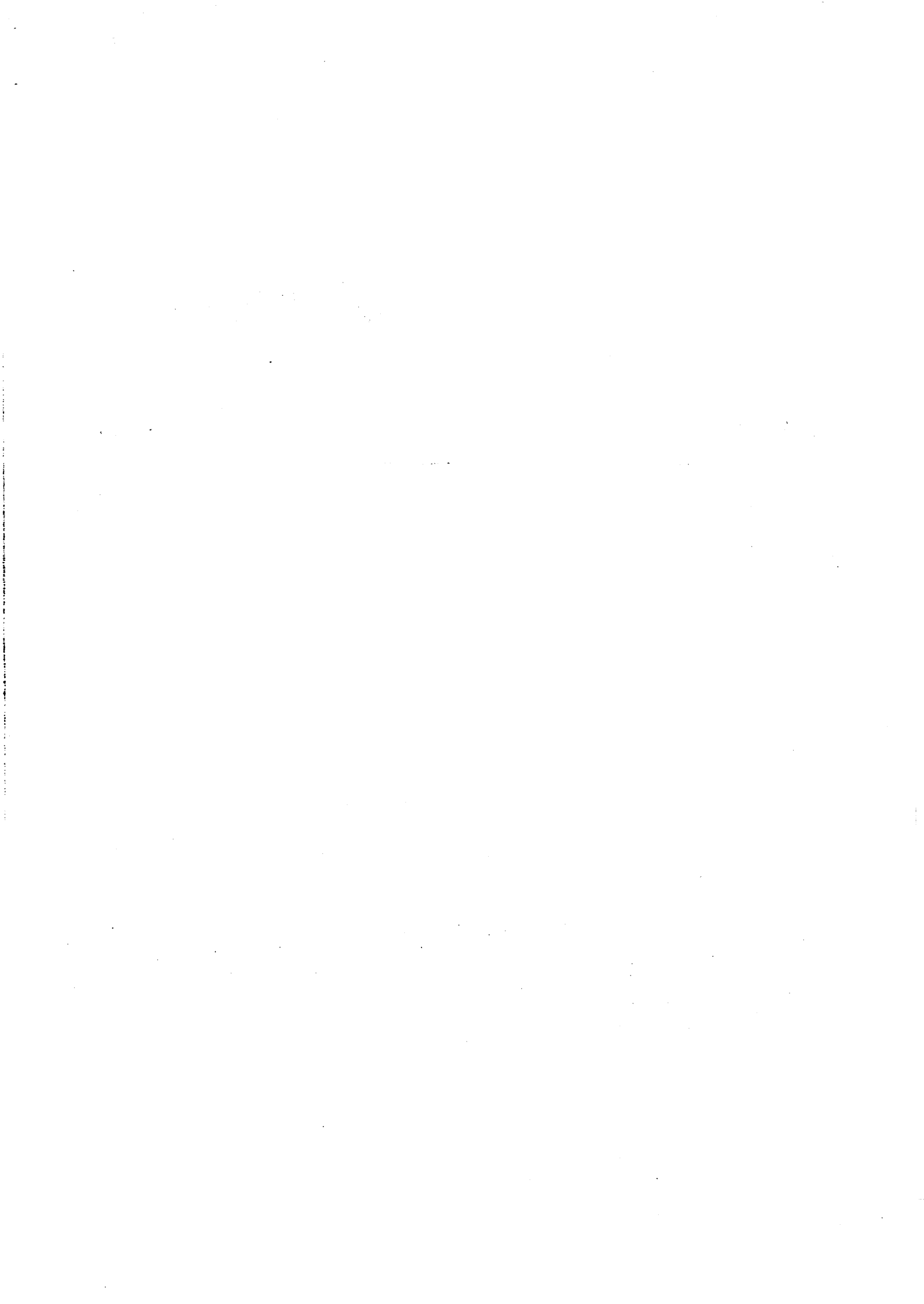
6.0 FINANCEMENT POSSIBLE PAR CREDITS INSCRITS AU CHAPITRE CONCERNE DU BUDGET EN COURS D'EXECUTION OUI/NON

6.1 FINANCEMENT POSSIBLE PAR VIREMENT ENTRE CHAPITRES DU BUDGET EN COURS D'EXECUTION OUI/NON

6.2 NECESSITE D'UN BUDGET SUPPLEMENTAIRE OUI/NON

6.3 CREDITS A INSCRIRE DANS LES BUDGETS FUTURS OUI/NON

OBSERVATIONS :



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DOCUMENTS

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