

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 468 final

Brussels, 3 October 1989

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 4097/88 opening and providing
for the administration of a Community tariff quota for
sweet, clear-fleshed cherries, marinated in alcohol
intended for the manufacture of
chocolate products

(presented by the Commission)

Com 468 J

EXPLANATORY MEMORANDUM

Council Regulation (EEC) No 4097/88 (1) opened for 1989 a Community tariff quota of 3 000 tonnes at a duty of 10% for sweet clear-fleshed cherries marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products, falling within CN code ex 2008 60 39.

Subsequent to a request presented by the German authorities, the Commission Services have examined in conjunction with national experts the possibility of extending the scope of this tariff quota to products with a sugar content between 9 and 12% and to align the tariff quota on current commercial trends.

A solution accepting this request by adding the CN code ex 2008 60 19 with a duty of 10% + AGR in the table of the first article of the regulation in question could be approved by all Member States without the Community market for the products concerned being disturbed.

That is the purpose of the attached proposal.

(1) OJ No. L 363 of 30.12.1988, p. 19

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intended for the manufacture of chocolate products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) no 4097/88 (1) opened for 1989 a Community tariff quota of 3 000 tonnes at a duty of 10% for sweet clear-fleshed cherries, marinated in alcohol, and intended for the manufacture of chocolate products, falling within CN code ex 2008 60 39; whereas it is in the Community's interest to extend the benefit of the tariff quota in question to similar products with a sugar content between 9 and 12%, falling within CN code ex 2008 60 19, and to fix the rate of duty applicable to these products at 10% + AGR; whereas it is necessary therefore to amend the said regulation accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In article 1 of Regulation (EEC) no 4097/88, the tabel is replaced by the following:

| Order no | CN code | Description | Volume of quota (tonnes) | Rate of duty (%) |
|----------|--------------|--|-----------------------------|---------------------|
| 09.2713 | | Sweet, clear-fleshed cherries, marinated in alcohol, of a dia- meter not exceeding 18,9 mm, stored, intended for the manu- facture of chocolate products (*) | | |
| | ex2008 60 19 | - with a sugar content between 9 and 12% by weight | 3 000 | 10 + AGR |
| | ex2008 60 39 | - other | | 10 |

(*) Checks on their prescribed end-use shall be carried out pursuant to the relevant Community provisions.

Article 2

This Regulation shall enter into force on the seventh day following 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
The President

(1) OJ no L 363 of 30.12.1988, p. 19

FICHE FINANCIERE

1. Ligne budgétaire concernée : Chap. 12 art. 120
2. Base juridique : art. 28 du traité.
3. Intitulé de la mesure tarifaire : Proposition de règlement du Conseil modifiant le règlement (CEE) n° 4097/88 portant ouverture et mode de gestion d'un contingent tarifaire communautaire pour des cerises douces, à chair claire, conservées dans de l'alcool.
4. Objectif : Tenir compte des courants commerciaux actuels en étendant le bénéfice du contingent tarifaire à d'autres produits.
5. Mode de calcul :
 - N° de la N.C. : ex 2008 60 19
 - Volume du contingent : inchangé
 - Droits à appliquer : 10 % + AGR
 - Droit applicable : 32 % + AGR
6. Perte de recettes : sans changement.

EN

Fiche d'impact sur la compétitivité et l'emploi

La présente proposition vise l'extension du bénéfice d'un contingent tarifaire communautaire autonome à des cerises dont la teneur en sucres est comprise entre 9 et 12 % et qui relève du code NC n° ex 2008 60 19. Elle aura pour effet d'aligner le contingent tarifaire en question sur les courants commerciaux constatés.

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