



COMMISSION OF THE EUROPEAN COMMUNITIES

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96/0171 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

providing for the reduction of the tariff rate applicable to
imports under the WTO tariff quota for certain live bovine
animals

(presented by the Commission)

Explanatory Memorandum

In the Uruguay Round the Communities undertook to open an annual tariff quota for 169 000 head of live bovine animals at an in-quota rate of 16 % + 582 ECU/t. In general, imports under this quota are made from CEEC countries and in the framework of the transitional measures adopted by the Council for preferential imports in the framework of the Europe Agreements (Regulation (EC) No 3066/95), it is provided that the Commission may reduce the specific amount of the in-quota rate to 399 ECU/t.

It would be inconsistent with the Community's MFN obligations under the WTO, if the reduced rate were to be applied only to live animals from the CEEC countries. The aim of this proposal is, therefore, to apply the reduced rate to all imports, irrespective of the origin of the live animals.

The proposal will have no financial effect.

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THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken in the framework of the World Trade Organisation (WTO), to open an annual tariff quota of 169.000 head of certain live bovine animals; whereas the tariff rate that is applicable for imports under this quota is composed of a 16% *ad valorem* duty and of a specific amount of 582 ECU/tonne;

Whereas Council Regulation (EC) N° 2179/95 of 8 August 1995, providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements and amending Regulation (EC) N° 3379/94 opening and administering certain Community tariff quotas in 1995 for certain agricultural products and for beer, to take account of the Agreement concluded during the Uruguay Round Multilateral Trade Negotiations (1), as well as Council Regulation (EC) N° 3066/95 of 22 December 1995, establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of Multilateral Trade Negotiations (2), as last modified by Regulation (EC) N°/96 (3), provide for the possibility to reduce the specific amount that is payable upon import within the tariff quota for 169.000 head of certain live bovine animals, to 399 ECU/tonne in respect of animals originating in the associated countries of Central Europe; whereas the reduction has been implemented as regards these countries as from 1 July 1995;

whereas a similar treatment is granted to imports originating from Estonia, Latvia and Lithuania [as from 1 July 1996] by virtue of Council Regulation (EC) N° (4);

Whereas it is necessary, in view of the international obligations of the Community under the WTO, to ensure that imports from all countries benefit from the reduced in-quota tariff rate whenever a reduction has been or will be implemented as regards imports from the associated countries in Central Europe and the Baltic

States; whereas therefore provision should be made for the extension of such reduction to imports of live bovine animals from all countries,

HAS ADOPTED THIS REGULATION:

Article 1

Any reduction of the import duty which is payable under the Community tariff quota for 169.000 head of certain live bovine animals for animals originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria and in Estonia, Latvia and Lithuania shall be extended to all imports under that tariff quota, irrespective of the origin of the animals.

Article 2

Detailed rules for the application of this Regulation shall be adopted by the Commission in accordance with the procedure provided for in Article 27 of Council Regulation (EEC) N° 805/68 on the common market organization of the market in beef and veal (5).

Article 3

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities. It shall apply with effect from 1 July 1995.

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 N° L 223 of 20.09.1995, p. 29
- (2) OJ N° L 328 of 30.12.1995, p. 31
- (3) OJ N° L
- (4) OJ N° L
- (5) OJ N° L 148 of 28.6.1968, p. 24 (as last modified by regulation (EC) N°/96, OJ N° L ... of

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