



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.06.1997  
COM(97) 322 final

97/0185 (ACC)

Proposal for a

**COUNCIL REGULATION (EC)**

laying down certain rules for the application of the special arrangements for imports of  
olive oil and certain other agricultural products originating in **Turkey**

(presented by the Commission)



## EXPLANATORY MEMORANDUM

1. Decision No 1/77 of the EEC-Turkey Association Council grants certain reductions in the levy on imports into the Community of olive oil other than that which has undergone a refining process. Those reductions consist of a flat-rate deduction of ECU 0.7245/100 kg and a deduction of ECU 13.14/100 kg provided that Turkey levies an export charge of an equal amount.

The Decision also stipulates that the ECU 13.14/100 kg to be deducted from the amount of the levy may be increased by an additional amount. That additional amount was set by an exchange of letters between the parties on 16 October 1996 for the duration of the Cooperation Agreement currently in force.

Article 3 of that Decision provides for exemption from payment of the fixed component of the levy on imports into the Community of olive oil having undergone a refining process, wholly obtained in Turkey and transported direct from that country to the Community.

2. The Additional Protocol to the Association Agreement between the European Community and Turkey also lays down special arrangements for imports into the Community of wheat (durum wheat), rye and malt, originating in and coming from Turkey, involving the deduction of certain amounts from the levies on imports into the Community of those products.
3. As part of the Uruguay Round of multilateral trade negotiations, the Community has undertaken to calculate tariff equivalents for the variable levies and replace them by fixed customs duties.
4. This could have prevented application of the concessions under the current arrangements. Pending the introduction of new rules by the Council, the Commission adopted transitional rules for olive oil (Regulation (EC) No 2146/95, as last amended by Regulation (EC) No 2388/96), and for the other products (Regulation (EC) No 1905/95, as last amended by Regulation (EC) No 1214/96), providing for deductions from the customs duties. Those transitional arrangements expire on 30 June 1997.

In order to meet the Community's commitments, it is therefore necessary to introduce a new Council Regulation to implement the concessions in their updated form.

5. In addition, for the sake of administrative simplification, the Commission proposes that the Council should grant it authority to make amendments required to adapt to any future changes made to the agreements by the Council under the Management Committee procedure.

Council Regulation (EC) No ..../97

of ....

laying down certain rules for the application  
of the special arrangements for imports of olive oil  
and certain other agricultural products  
originating in **Turkey**

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 Additional Protocol to the EC-Turkey Association Agreement on new concessions for imports of Turkish agricultural products into the Community provides for special arrangements for imports of durum wheat and canary grass, rye and malt originating in Turkey; whereas those arrangements grant a reduction in the levy applicable to imports of durum wheat and canary grass, a reduction in the levy applicable to imports of rye, provided that Turkey levies a special export charge on that product, and a reduction in the fixed component of the levy applicable to imports of malt;

Whereas, for olive oil falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10, Decision No 1/77 of the EEC-Turkey Association Council provides for special arrangements comprising a flat-rate deduction of ECU 0.7245/100 kilograms from the levy applicable to that oil; whereas, provided that Turkey levies an export charge, those arrangements provide for a further reduction of that levy corresponding to the amount of the special charge, but not exceeding ECU 13.14/100 kilograms, representing the reduction provided for in Article 2 of the Agreement and a deduction of ECU 13,14/100 kilograms, representing the additional amount provided for in Annex IV to the Agreement; whereas the Community has concluded an agreement in the form of an exchange of letters with Turkey

extending the aforementioned special arrangements for the duration of the Association Agreement with Turkey, on the basis of a flat-rate reduction in the customs duties<sup>1</sup>;

Whereas the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations<sup>2</sup> provides that the agricultural levies are to be replaced by fixed customs duties from 1 July 1995;

Whereas continuation of the arrangements makes it necessary to adopt new implementing rules and repeal Council Regulation (EEC) No 1180/77<sup>3</sup>;

Whereas, in accordance with the agreements, the special export charge should be reflected in the price of the olive oil upon importation into the Community; whereas, to ensure the correct application of the arrangements in question, the necessary measures should be adopted to ensure that the charge is paid at the latest when the oil is imported;

Whereas if the present conditions of the special arrangements provided for in the Association Agreement are amended, in particular as regards the amounts, or if a new agreement is concluded, it will be necessary to adjust this Regulation to incorporate those changes; whereas provision should be made for those adjustments to be adopted by the Commission in accordance with the procedure laid down in Article 38 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats<sup>4</sup>, as last amended by Regulation (EC) No 1581/96<sup>5</sup> or in the corresponding Articles of the other Regulations on the common organisation of the markets affected by the special arrangements;

Whereas in Regulation (EC) No 2146/95<sup>6</sup> and Regulation (EC) No 1214/96<sup>7</sup> the Commission introduced autonomous systems as a transitional measure expiring on 30 June 1997; whereas this Regulation should therefore apply from 1 July 1997,

HAS ADOPTED THIS REGULATION:

#### Article 1

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<sup>1</sup> OJ No L 277, 30.10.1996, p. 39.

<sup>2</sup> OJ No L 336, 23.12.1994, p. 22.

<sup>3</sup> OJ No L 142, 9.6.1997, p. 10.

<sup>4</sup> OJ No 172, 30.9.1966, p. 3025.

<sup>5</sup> OJ No L 206, 16.8.1996, p. 11.

<sup>6</sup> OJ No L 215, 9.9.1995, p. 1.

<sup>7</sup> OJ No L 161, 29.6.1996, p. 46.

This Regulation lays down certain rules for the application of the special arrangements for imports of olive oil and certain other agricultural products originating in Turkey.

#### Article 2

1. The rate of customs duty applicable to imports into the Community of olive oil other than that which has undergone a refining process, falling within CN codes 1509 10 10, 1509 10 90 and 1510 00 10, wholly obtained in Turkey and transported direct from that country to the Community, shall be reduced by ECU 0.7245 per 100 kilograms.
2. Where Turkey levies a special export charge on that olive oil, wholly obtained in Turkey and transported direct from that country to the Community, the rate of customs duty shall be reduced by a further amount equal to the special charge but not exceeding ECU 13,14 per 100 kilograms, plus ECU 13.14 per 100 kilograms.
3. The reduction in the rate of customs duty provided for in paragraph 2 shall apply to all imports for which the importer provides proof, when importing the olive oil, that the special export charge is reflected in the import price.

#### Article 3

1. The rate of customs duty applicable to imports into the Community of olive oil having undergone a refining process falling within CN code 1509 90 00, wholly obtained in Turkey and transported direct from that country to the Community, shall be reduced by ECU 3.723 per 100 kilograms.
2. The rate of customs duty applicable to imports into the Community of olive oil having undergone a refining process falling within CN code 1510 00 90, wholly obtained in Turkey and transported direct from that country to the Community, shall be reduced by ECU 7.003 per 100 kilograms.

#### Article 4

The rates of duty applicable to imports into the Community of durum wheat falling within CN code 1001 10 00, originating in Turkey and transported direct from that country to the Community, shall be that set pursuant to Article 10 of Council Regulation (EEC) No 1766/92<sup>8</sup>, less ECU 0.73 per tonne.

#### Article 5

1. The rate of duty applicable to imports into the Community of rye falling within CN code 1002 00 00, originating in Turkey and transported direct from that country to the Community, shall be that set pursuant to Article 10(2) of Council Regulation (EEC)

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<sup>8</sup> OJ No L 181, 1.7.1992, p. 21

No 1766/92, less an amount equal to the special charge on exports to the Community levied by Turkey on that product, but not exceeding ECU 11.68 per tonne.

2. The arrangements provided for in paragraph 1 shall apply to all imports for which the importer provides proof that the special export charge has been paid by the exporter, of an amount not exceeding that set pursuant to Article 10(2) of Regulation (EEC) No 1766/92, nor exceeding ECU 11.68 per tonne.

#### Article 6

The rate of duty applicable to imports into the Community of malt, whether or not roasted, falling within CN code 1107, originating in Turkey and transported direct from that country to the Community, shall be reduced by ECU 6.57 per tonne.

#### Article 7

Detailed rules for the application of this Regulation shall be adopted by the Commission in accordance with the procedure laid down in Article 38 of Council Regulation No 136/66/EEC or the corresponding Articles of the other Regulations on the common organisation of the markets concerned.

#### Article 8

Where the present conditions of the special arrangements provided for in the Association Agreement are amended, in particular as regards the amounts, or where a new agreement is concluded, the Commission shall adopt the resultant adjustments necessary for this Regulation in accordance with the procedure laid down in Article 38 of Council Regulation No 136/66/EEC or the corresponding Articles of the other Regulations on the common organisation of the markets concerned.

#### Article 9

Regulation (EEC) No 1180/77 is hereby repealed.

#### Article 10

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

It shall apply from 1 July 1997.

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

Done at Brussels, .....

For the Council

The President

# FINANCIAL STATEMENT

DATE: \_\_\_\_\_

APPROPRIATIONS: ECU 13 559.10m

1. BUDGET HEADING: Article 120 (customs duties and other duties)

2. TITLE: Draft Council Regulation laying down certain rules for the application of the special arrangements for imports of olive oil and certain other agricultural products from Turkey.

3. LEGAL BASIS: Article 113 of the Treaty

4. AIMS OF MEASURE:  
Definitive introduction of the concessions granted in their updated form.

5. FINANCIAL IMPLICATIONS (in ECU million)	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (96)	FOLLOWING FINANCIAL YEAR (97)
5.0. EXPENDITURE CHARGED TO: - EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL BUDGETS - OTHER SECTORS  5.1. REVENUE - OWN RESOURCES OF THE EC - (LEVIES/CUSTOMS DUTIES) - NATIONAL			
	1998	1999	2000
5.0.1. ESTIMATED EXPENDITURE			
5.1.1. ESTIMATED REVENUE			
	2001		

5.2. METHOD OF CALCULATION:

6.0. CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES/NO

6.1. CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?

6.2. IS A SUPPLEMENTARY BUDGET NECESSARY? NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY?

OBSERVATIONS:

This measure brings into force on a definitive basis the transitional arrangements introduced by the Commission under Regulation No 2146/95, as last amended by Regulation No 2388/96. There are no additional financial implications.





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# DOCUMENTS

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