



European Communities

EUROPEAN PARLIAMENT**SESSION DOCUMENTS**

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A3-0316/90

**R E P O R T**

of the Temporary Committee to consider the impact of the process of German unification on the European Community

on the Commission proposal for a Council regulation on the temporary suspension of the mechanisms provided for in Articles 123, 152, 318 and 338 of the Act of Accession for wine and fruit and vegetable products originating in Spain and Portugal and released for consumption in the territory of the former German Democratic Republic and of customs duties thereon
(SN/4526/90 - C3-0377/90)

Rapporteur: Mr Alan DONNELLY

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A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

* = Consultation procedure requiring a single reading

**II = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

**I = Cooperation procedure (first reading)

*** = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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By letter of 7 November 1990, the Council consulted the European Parliament, pursuant to Articles 89(2) and 234(3) of the Act of Accession of Spain and Portugal, on the Commission proposal for a Council regulation on the temporary suspension of the mechanisms provided for in Articles 123, 152, 318 and 338 of the Act of Accession for wine and fruit and vegetable products originating in Spain and Portugal and released for consumption in the territory of the former German Democratic Republic and of customs duties thereon.

At the sitting of 19 November 1990, the President of Parliament announced that he had referred this proposal to the Temporary Committee to consider the impact of the process of German unification on the European Community as the committee responsible and to the Committee on Agriculture, Fisheries and Rural Development, the Committee on Budgets and the Committee on External Economic Relations for their opinions.

At its meeting of 19 November 1990 the Temporary Committee appointed Mr Alan Donnelly rapporteur.

At its meeting of 19 November 1990 it considered the Commission proposal and draft report. On that occasion, the Commission confirmed that it was taking over the modifications made to its original proposal by the Council. The Temporary Committee considered that the original proposal had thus been amended pursuant to Article 149(3) of the EEC Treaty.

At the same meeting it adopted the draft legislative resolution unopposed with two abstentions.

The following took part in the vote: Fernandez Albor, chairman; Veil, first vice-chairman; Donnelly, rapporteur; Braun Moser (for Pirkl), Brok, Cramon Daiber, Desama, Florenz (for Zeller), H.F. Köhler (for Cheysson), Lalor (for Chabert), Navarro-Velasco (for Cassanmagnago Cerretti), Roth-Behrendt (for Woltjer), Sierra Bardaji (for Moran), Tindemans, von Wechmar, Welsh and Wettig.

The report was tabled on 19 November 1990.

The deadline for tabling amendments is at 1 p.m. on Tuesday, 20 November 1990.

DRAFT LEGISLATIVE RESOLUTION

embodying the opinion of the European Parliament on the Commission proposal for a Council regulation on the temporary suspension of the mechanisms provided for in Articles 123, 152, 318 and 338 of the Act of Accession for wine and fruit and vegetable products originating in Spain and Portugal and released for consumption in the territory of the former German Democratic Republic and of customs duties thereon

The European Parliament,

- having regard to the Commission proposal to the Council (SN 4526/90),
 - having been consulted by the Council pursuant to Articles 89(2) and 234(3) of the Act of Accession of Spain and Portugal (C3-0377/90),
 - having regard to the report of the Temporary Committee to consider the impact of the process of German unification on the European Community (A3-0316/90),
1. Approves the Commission proposal in accordance with the vote thereon;
 2. Notes the favourable position of the Council on this amended proposal;
 3. Instructs its President to forward this opinion to the Council and Commission.

B

EXPLANATORY STATEMENT

1. When on 24 October 1990 it adopted on first reading the package of transitional measures relating to the incorporation of the territory of the former German Democratic Republic into the Community legal system, the European Parliament inserted an amendment into the Commission proposal for the agricultural sector (COM(90) 400/15 final) calling on the Community authorities to take into account the position of the states still at a transitional stage, i.e. Spain and Portugal, so as to ensure that the products they export to the new German 'Länder' are not penalized when compared with the previous situation, particularly in relation to third country agricultural exports.

2. The Commission has taken Parliament's concerns into account since it has submitted an amended proposal (COM(90) 495 final) to the Council, pursuant to Article 149(3) of the EEC Treaty, concerning the temporary suspension of the mechanisms provided for in Articles 123, 152, 318 and 338 of the Act of Accession for wine and fruit and vegetable products originating in Spain and Portugal and released for consumption in the territory of the former German Democratic Republic.

3. In this amended proposal, the Commission proposes suspending the mechanisms to bring the prices of Spanish and Portuguese products into line with those applied in the former Community of Ten in respect of the average annual quantities marketed in the territory of the German Democratic Republic in the period 1987-1989. In this way, the Commission is seeking to preserve traditional trade patterns without, however, giving Spanish and Portuguese producers an additional advantage.

4. The amended proposal for a regulation specifically states that these products must be consumed in the territory of the former German Democratic Republic. To this end, two sets of controls will apply:

- (a) the products must be accompanied by a document issued by the Spanish or Portuguese authorities certifying their origin and that they are intended for release for consumption in the new 'Länder'.
- (b) The German authorities are required to monitor the use of these products. They will be responsible for issuing the licence stating that the goods in question fall within the scope of the provisions of the regulation.

5. On 7 November 1990, the Council indicated that it was favourably disposed towards the position of the European Parliament by taking into consideration the new proposal for a regulation contained in the amended Commission proposal (COM(90) 495 final).

It proposed inserting in the Commission proposal a provision allowing also for the suspension of the collection of customs duties on agricultural products originating in Spain and Portugal and entering the new 'Länder' for consumption there, as well as of the 'accession' compensatory amounts.

At the Temporary Committee's meeting of 19 November 1990, the Commission confirmed that it was taking over the Council's modifications to its original proposal; the Temporary Committee considered that the original proposal had thus been amended pursuant to Article 149(3) of the EEC Treaty.

6. The implementing arrangements for the regulation are to be adopted under the management committee procedure.