



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09.04.1997
COM(97)140 final

97/0117 (ACC)

Proposal for a
COUNCIL REGULATION (EC)
ESTABLISHING CERTAIN CONCESSIONS IN THE FORM
OF A COMMUNITY TARIFF QUOTA FOR TURKEY IN 1997
IN RESPECT OF HAZELNUTS

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Pursuant to Articles 76, 102 and 128 of the Act of Accession, Austria, Finland and Sweden are required, from 1 January 1995, to apply the provisions of the preferential agreements concluded by the Community with certain non-Community countries; all the amendments made necessary by the enlargement will thus be the subject of specific agreements to be negotiated with the non-Community countries in question.

The same Articles provide, however, that if specific agreements have not been concluded by 1 January 1995, the Community shall take the requisite measures to remedy this situation.

2. It is therefore indispensable that autonomous transitional measures be taken so that existing agricultural trade arrangements between the new Member States and Turkey can be taken into account. The purpose of this proposal is to take account of the concessions granted to Turkey.

By means of Council Regulations (EC) No 1661/95 and (EC) No 819/96, the Community took autonomous measures to remedy the situation as regards Turkey in 1995 and 1996.

In view of the fact that the negotiations between Turkey and the Community have yet to be concluded, the arrangements in force in 1995 and 1996 should be extended in order to maintain the volume of the Community tariff quota for hazelnuts.

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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 Act of Accession of Austria, Finland and Sweden,

Having regard to the proposal from the Commission,

Whereas, under the preferential agreement between the European Economic Community of the one part, and Turkey, of the other part, concessions were granted to that country in respect of certain agricultural products;

Whereas, following the accession of Austria, Finland and Sweden, the concession for hazelnuts should be adjusted to take account of the trade arrangements for that product which existed between Austria, Finland and Sweden, on the one hand, and Turkey, on the other;

Whereas, to that end, discussions are continuing with Turkey with a view to concluding a specific agreement on this matter;

Whereas in the meantime and in accordance with Articles 76, 102 and 128 of the 1994 Act of Accession, the Community is required to adopt the necessary measures to remedy this situation; whereas those measures should take the form of autonomous Community tariff quotas covering the conventional preferential tariff concessions applied by Austria, Finland and Sweden,

Whereas the tariff quotas established by this regulation for 1997 replace those established by Regulation (EC) No 819/96 for 1996;

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the import arrangements in the Community applicable to hazelnuts pursuant to the agreement concluded between the Community and Turkey, the existing Community tariff quota shall be increased autonomously in accordance with the Annex to this Regulation.

Article 2

Articles 4 to 8 of Regulation (EC) No 1981/94 shall apply to the tariff concessions referred to in the Annex.¹

Article 3

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

It shall apply with effect from 1 January 1997

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

For the Council

The President

¹ OJ No L 199, 2.8.1994, p. 1. Regulation as amended by Regulation (EC) No 2397/96 (OJ N° L 327, 18.12.1996, p.1)

ANNEX

Preferential tariff quota opened for 1997

Order Number	CN code	Description	Conventional quota (in tonnes) ²	Autonomous quota (in tonnes)	Rate of duty applicable
09.0201	0802 21 00 0802 22 00	Hazelnuts, in shell or shelled	25 000	9 060	Free

² Existing quota opened under Community preferential agreements.

FINANCIAL STATEMENT

DATE: 25 February 1997

1. BUDGET HEADING: Article 120 (customs duties) APPROPRIATIONS: ECU 13 559m

2. TITLE:

Proposal for a Council Regulation establishing certain concessions in the form of a Community tariff quota for Turkey in 1997 in respect of hazelnuts

3. LEGAL BASIS:

Article 113 of the Treaty

4. AIMS OF MEASURE:

Interim measures to adjust the Community tariff quotas granted to certain third countries (the CEECs, Israel and Turkey) as a result of the enlargement of the Union.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
5.0. EXPENDITURE CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) NATIONAL ADMINISTRATION OTHER			
5.1. REVENUE = additional impact - OWN RESOURCES OF THE EC - (LEVIES/CUSTOMS DUTIES) - NATIONAL	- ECU 418 050	- ECU 313 538	- ECU 104 512
	1997	1998	1999
5.0.1. ESTIMATED EXPENDITURE			2000
5.1.1. ESTIMATED REVENUE			
5.2. METHOD OF CALCULATION: Existing duty: 3.6% proposed duty: 0% New autonomous quota: 9 060 t Unit value cif: \$ 4/kg or ECU 3.4/kg Loss: 9 060 t x 0.036 x ECU 3.4/kg x 90% x 1 000 = ECU 998 050 Change or additional impact in relation to 1996 = 580 000 - 998 050 = - 418 050			
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?			YES/NO
6.2. IS A SUPPLEMENTARY BUDGET NECESSARY?			YES/NO
6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY?			YES/NO

OBSERVATIONS: This Regulation is an extension of the measure taken in 1996 (Council Regulation (EC) No 819/96)

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DOCUMENTS

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