



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.02.1996
COM(96) 56 final

96/0047 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

ESTABLISHING CERTAIN CONCESSIONS IN THE FORM
OF A COMMUNITY TARIFF QUOTA FOR TURKEY IN 1996
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 Regulation (EC) No 1661/95, the Community took autonomous measures to remedy the situation as regards Turkey and Israel in 1995.

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

COUNCIL REGULATION (EC) No 1271/96

establishing certain concessions in the form
of a Community tariff quota for Turkey in 1996
in respect of hazelnuts

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 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 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, exploratory talks are under way with Turkey with a view to concluding a specific agreement on this matter;

Whereas, however, this agreement could not enter into force on 1 January 1996 owing to excessively tight deadlines;

Whereas in these circumstances 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,

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 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 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 1996.

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 298/95 (OJ No L 35, 15.2.1995, p. 6).

ANNEX

Preferential tariff quota opened for 1996

Order Number	CN code	Description	Conventional quota (in tonnes) ¹	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

¹ Existing quota opened under Community preferential agreements.

FINANCIAL STATEMENT

1. BUDGET HEADING: Article 120 (customs duties) APPROPRIATIONS: ECU 14.281m

2. TITLE:
 Proposal for a Council Regulation establishing certain concessions in the form of Community tariff quotas for Turkey in 1996 in respect of hazelnuts

3. LEGAL BASIS: Article 113 of the Treaty

4. AIMS OF PROJECT:
 Temporary adjustment of the Community tariff quotas granted to certain non-Community countries (Central and Eastern Europe, Israel, Turkey) following enlargement of the EU.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (96) (9 months)	FOLLOWING FINANCIAL YEAR (97) (1 month)
5.0.			
5.1. REVENUE - OWN RESOURCES OF THE EC CUSTOMS DUTIES	ECU 580 000	ECU 520 000	ECU 60 000
	1997	1998	1999
5.0.1. ESTIMATED EXPENDITURE			
5.1.1. ESTIMATED REVENUE			
	2000		

5.2. METHOD OF CALCULATION:
 Measure implemented on adoption in March: effect on 1996: 9 months
 effect on 1997: 1 month

Existing duty: 3.7% Proposed duty: 0%
 New autonomous quota: 9 060 tonnes
 Unit c.i.f. value: 3\$/kg or ECU 2.31/kg
 Loss: $\frac{10 \times 9\ 060t \times 0.037 \times \text{ECU } 2.31/\text{kg} \times 90\%}{12} = \text{ECU } 580\ 000$

6.0. CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES

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

6.2. IS A SUPPLEMENTARY BUDGET NECESSARY?

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY?

OBSERVATIONS:

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