

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(88) 209 final

Brussels, 18 April 1988

Proposal for a

COUNCIL REGULATION (EEC)

establishing Community surveillance for imports of certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, (Israel) or Tunisia which are subject to reference quantities (1988)

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The Additional Protocols to the Agreements between the European Economic Community and Cyprus, Yugoslavia, Egypt, Jordan, (Israel) and Tunisia provide for the progressive reduction of the customs duties applying to certain agricultural products originating in those countries, by means of a system of reference quantities.

Where, under the respective Agreements, the rate of customs duty applied to imports into the Community as constituted on 31 December 1985 of a product subject to a reference quantity is lower than that applying in respect of Spain or Portugal or both, the process of dismantling begins once duty on imports of that product from Spain and Portugal has fallen below that applied to imports of the product in question from the other countries.

That is why the Annex to this proposal for a regulation lists only products in respect of which tariff dismantling begins in 1988. It is, however, understood that the list will be added to as appropriate during the transitional period until it includes all products subject to reference quantities under Article 1 of the Additional Protocol in each case.

2. If, in the course of 1988 and within a pre-established period, the volume of imports of any of these products exceeds the reference quantity, the Commission, having regard to an annual review of trade flows which it shall carry out, may, starting from the following year, make the product in question subject to a Community tariff quota, the volume of which shall be equal to the reference quantity.

3. Implementation of this proposal to establish Community surveillance for certain agricultural products will entail the adoption of precise, common rules to be applied uniformly by all Member States. These requirements can be met by the establishment of a system of Community surveillance of actual imports originating in the Mediterranean countries in question.

To this end, Member States should take suitable steps to enable statistical returns for the whole Community to be collected rapidly. The statistics should concern only imports of the products in question, as and when they are presented to customs under cover of an entry for free circulation and accompanied by a movement certificate conforming to the provisions of the Agreement referred to at point 1.

Member States must prepare the returns as follows:

- i. by 1 July 1988 at the latest in the case of returns showing the amounts charged against the reference quantities of the products bearing serial numbers 18.0010, 18.0040, 18.0060, 18.0140 or 18.0150;
- ii. by 15 September 1988 at the latest in the case of returns showing the amounts charged against the reference quantities of the product bearing serial number 18.0130;
- iii. by 15 October 1988, and not later than the fifteenth day of each subsequent month, in the case of the returns showing the cumulative amounts charged during the period from 1 January to 30 September, and during the preceding month respectively, against the reference quantities of the products bearing serial numbers 18.0090, 18.0170 or 18.0180;
- iv. by 15 November 1988, and not later than the fifteenth day of each subsequent month, in the case of the return showing cumulative amounts charged during the preceding month against the reference quantities of the products bearing serial number 18.0050.

The surveillance arrangements will require sustained effort and close cooperation between the authorities of the Member States and Commission departments. Since the products in question belong to the group of sensitive products and since imports at reduced rates of duty could disturb the Community market, it is absolutely essential that all the Member States observe the above deadlines strictly.

That is the aim of the attached proposal.

Proposal for a
COUNCIL REGULATION (EEC)

establishing Community surveillance for imports of certain agricultural
products originating in Cyprus, Yugoslavia, Egypt, Jordan, (Israel)
or Tunisia which are subject to reference quantities (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Agreements between the European
Economic Community and Cyprus,¹ Yugoslavia,² Egypt,³ Jordan,⁴ (Israel⁵)
and Tunisia⁶ have been concluded; whereas these Protocols provide for the
progressive reduction, subject to reference quantities and within a set
timetable, of the customs duties applicable to certain agricultural products
originating in those countries and covered by the respective Agreements;

Whereas, should imports of any such product within the set timetable exceed
the respective reference quantity, the Community may make

¹ OJ No L ...

² OJ No L 389, 31.12.1987, p. ...

³ OJ No L 297, 21.10.1987, p. 11.

⁴ OJ No L 297, 21.10.1987, p. 19.

⁵ OJ No L ...

⁶ OJ No L 297, 21.10.1987, p. 36.

- 2 -

the said product subject to a Community tariff quota, the volume of which shall be equal to the reference quantity in question;

Whereas the application of these arrangements requires that the Community be kept regularly informed of the progress of such imports originating in the countries referred to above; whereas it is therefore necessary to make import of the products subject to surveillance;

Whereas this objective may be achieved by means of an administrative procedure whereby imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation;

Whereas the said administrative procedure requires close and rapid cooperation between the Member States and the Commission, which must, in particular, be able to monitor the charging of amounts against the reference quantities and keep the Member States informed,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain products originating in Cyprus, Yugoslavia, Egypt, Jordan, (Israel) or Tunisia for which reference quantities shall be set within predetermined timetables shall be subject to Community surveillance.

The description of the products referred to in the preceding subparagraph, their serial numbers, Combined Nomenclature codes and the volumes and periods of application of the corresponding reference quantities are given in the table in the Annex.

2. Should the volume of imports of any of these products subject to a reference quantity charged in accordance with the procedure indicated in paragraph 3 exceed this reference quantity, the Commission, having regard to an annual review of trade flows which it shall carry out and in accordance with the procedure of the respective management committee, may make the product in question subject to a Community tariff quota, the volume of which shall be equal to the reference quantity.
3. Amounts shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate conforming to the rules contained in the Protocol concerning the definition of the concept of originating products annexed to each Agreement with the countries referred to in paragraph 1.

Where the movement certificate is produced at a later date, the amount shall be charged against the corresponding reference quantity at the date of acceptance of the declaration of release for free circulation.

4. Member States shall forward to the Commission:

- not later than 1 July 1988, the final returns for the amounts charged against the reference quantities of the products bearing serial numbers 18.0010, 18.0040, 18.0140 or 18.0150;
- not later than 15 September 1988, the final return for the amounts charged against the reference quantities of the product bearing serial number 18.0130;
- by 15 October 1988, and not later than the fifteenth day of each subsequent month, the returns for the cumulative amounts charged during the period 1 January to 30 September, and during the preceding month respectively, against the reference quantities of the products bearing serial numbers 18.0090, 18.0170 or 18.0180;
- by 15 November 1988, and not later than the fifteenth day of each subsequent month, the return for the cumulative amounts charged during the preceding month against the reference quantities of the products bearing serial number 18.0050.

The level of utilization of a reference quantity shall be determined at Community level on the basis of imports charged against it in the manner described above.

Article 2

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 1988.

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

Done at Brussels,

For the Council
The President

A N N E X

Serial No	Combined Nomenclature Code	Description	Timetable	Origin	Reference quantity (tonnes)
(1)	(2)	(3)	(4)	(5)	(6)
18.0010	ex 0701 90 51	New potatoes	1.1-31.3	Tunisia	2 600
18.0040	ex 0707 00 11	Cucumbers of a length not exceeding 15 cm	1.1-29.2 1.1-29.2	Egypt Jordan	100 100
18.0050	ex 0709 10 00	Artichokes	1.10-31.12 1.10-31.12	Egypt Cyprus	100 100
18.0090	ex 0712 90 90	Garlic	1.1-31.12	Egypt	1 000
18.0130	ex 0806 10 15	Fresh table grapes	1.2-30.6	Israel	1 900
18.0140	ex 0807 10 90	Melons of a weight not exceeding 600 g	1.1-31.3 1.1-31.3	Egypt Jordan	100 100
18.0150	ex 0810 90 10	Kiwis (<i>Actinidia Chinensis</i> Planch.)	1.1-30.4 1.1-30.4	Israel Cyprus	200 200
18.0170	2001 10 00	Cucumber	1.1-31.12	Yugoslavia	3 000
18.0180	ex 2004 90 30 2005 30 00	Sauerkraut	1.1-31.12	Yugoslavia	150

FICHE FINANCIERE

1. Ligne budgétaire concernée : Chap. 12 art.120
2. Base juridique : art. 113 du traité
3. Intitulé de la mesure tarifaire : Proposition de règlement (CEE) n°/87 du Conseil portant établissement d'une surveillance communautaire de certains produits agricoles originaires de Chypre, de Yougoslavie, d'Egypte, de Jordanie, (d'Israël) et de Tunisie soumis à quantité de référence (1988).

Objectif :

Mise en place d'une surveillance communautaire pour les produits soumis à une quantité de référence afin de permettre à la Commission l'application des mesures prévues par l'article premier des protocoles additionnels aux accords entre la CEE et les pays méditerranéens susmentionnés.

5. L'application des dispositions de ce règlement ne conduit pas à des pertes de recettes supplémentaires.

FICHE D'IMPACT SUR LA COMPETITIVITE
ET L'EMPLOI

Cette proposition est formulée en conformité avec un engagement contractuel de la Communauté. L'impact découlant de cette concession a été pris en considération lors de la prise de décision d'adoption de ce contingent et il n'aura pas un caractère sérieux sur la compétitivité et l'emploi dans la Communauté.

11