

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 174 final

Brussels, 23 April 1975

PROPOSAL FOR A COUNCIL REGULATION (EEC)

relating to the arrangements applicable to certain agricultural
and processed agricultural products originating in the
African, Caribbean and Pacific States
(or in the Overseas Countries and Territories)

(submitted to the Council by the Commission)

COM(75) 174 final

EXPLANATORY MEMORANDUM

1. Article 2(2) of the Lomé Convention signed on 28 February 1975 between the African, Caribbean and Pacific States (ACP) and the Community lays down that, for those agricultural products which come under a common organization of the market within the meaning of Article 40 of the Treaty and those which are subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy, the Community will ensure, as a general rule, more favourable treatment than the general treatment applicable to the same products originating in third countries, where these products originate in the ACP States and where Community rules provide, in addition to customs duties, for the application of other measures relating to their importation.

This Convention provides furthermore, for exemption from customs duties for those products which come under a common organization of the market and for which Community provisions in force at the time of importation do not provide, apart from custom duties, for the application of any other measure relating to their importation.

[The Council Regulation on the Association of the Overseas Countries and Territories (OCT) with the European Economic Community contains identical provisions relating to agricultural and processed agricultural products originating in these Countries and Territories provided that this Regulation is concluded in sufficient time to permit its entry into force in respect of products originating in the OCT as well.]

2. On the occasion of the signing of this Convention, the Community and the ACP States agreed in an exchange of letters to apply autonomously from 1 July 1975 certain provisions of the Convention relating to trade in goods, including those of Article 2(2)(a).

[The Community also decided to implement from 1 July 1975 identical provisions relating to the trade with the OCT.]

3. (a) The object of the following proposal for a regulation is to fulfil the obligation entered into by the Community in respect of the following products :

- Beef and veal,
- Fishery products,
- Oleaginous products,
- Certain cereals,
- Products processed from cereals and rice,
- Rice and broken rice,
- Certain fruit and vegetables,
- Products processed from fruit and vegetables,
- Certain goods resulting from the processing of agricultural products,
- Other products subject to a common organization of the market but for which there are no import measures other than customs duties.

This regulation lays down the arrangements for the importation into the Community as a whole of the above products originating in the States and Countries in question.

(b) For raw tobacco and certain fresh and or chilled fruits and vegetables, the Community should be enabled, in the event of its market in these products being disturbed by imports from the States, Countries and Territories, to take appropriate measures until such time as these disturbances have disappeared.

(c) In addition, there is provision for special measures in respect of exports of beef and veal, maize and rice, from the States, Countries and Territories to the Overseas Departments of the French Republic.

4. This proposal covers the bulk of the agricultural products subject in the Community to a common organization of the market and exported by the States, Countries and Territories to the Community.

The Council of the Communities agreed, during the negotiations with the ACP States, to the special arrangements in question.

5. Financial implications

On the basis of trade in 1971 and 1972 in general (for maize, in 1968 and 1969) and on the basis of application of the Common Customs Tariff, the amount not collected in customs duties and in levies will be of the order of 45 to 55 million units of account per annum.

Proposal for
REGULATION (EEC) N° of the COUNCIL
of

relating to the arrangements applicable to agricultural and processed agricultural products originating in the African, Caribbean and Pacific States or in the Overseas Countries and Territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) N° 1059/69¹ of 23 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation², and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament³;

Whereas the EEC-ACP Lomé Convention, hereinafter called "the Convention", between the African, Caribbean and Pacific States, hereinafter called the "ACP States", and the European Economic Community was signed on 28 February 1975;

Whereas Article 2(2)(a) of that Convention lays down that : "Products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty; or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy;

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- i) those products shall be imported free of custom duties for which Community provisions in force at the time of importation do not provide, apart from custom duties, for the application of any other measure relating to their importation;

¹OJ N° L 141, 12.6.1969, p.1

²OJ N°

³OJ N°

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 July 1975.
This Regulation shall be binding in its entirety and directly applicable in all Member States.

Proposal for a Council Regulation relating to the arrangements applicable to certain agricultural and processed agricultural products, originating in the African, Caribbean and Pacific States [or in the overseas countries and territories]

(Submitted to the Council by the Commission on 25 April 1975)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69 ⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No ..., and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the EEC-ACP Lomé convention, hereinafter called 'the convention', between the African, Caribbean and Pacific States, hereinafter called the 'ACP States', and the European Economic Community was signed on 28 February 1975;

Whereas Article 2 (2) (a) of that convention lays down that:

'products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the

implementation of the common agricultural policy,

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of custom duties for which Community provisions in force at the time of importation do not provide, apart from custom duties, for the application of any other measure relating to their importation;
- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure, as a general rule, more favourable treatment than the general treatment applicable to the same products originating in third countries to which the most-favoured-nation clause applies';

Whereas, when this convention was signed, the Community and the ACP States agreed in an exchange of letters to apply autonomously from 1 July 1975 certain provisions of the convention relating to trade in goods, including those of Article 2 (2) (a);

Whereas:

- Council Regulation (EEC) No 805/68 ⁽²⁾ of 2 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No ...;

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

- Council Regulation (EEC) No 2142/70 ⁽¹⁾ of 20 October 1970 on the common organization of the market in fishery products, as last amended by Regulation (EEC) No ... ,
- Council Regulation No 136/66/EEC ⁽²⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No ... ,
- Council Regulation No 120/67/EEC ⁽³⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No ... ,
- Council Regulation No 359/67/EEC ⁽⁴⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 1035/72 ⁽⁵⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 865/68 ⁽⁶⁾ of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 1059/69 of 28 May 1969,
- Council Regulation (EEC) No 727/70 ⁽⁷⁾ of 21 April 1970 on the common organization of the market in raw tobacco, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 1308/70 ⁽⁸⁾ of 29 June 1970 on the common organization of the market in flax and hemp, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 1696/71 ⁽⁹⁾ of 26 July 1971 on the common organization of the market in hops, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 845/72 ⁽¹⁰⁾ of 24 April 1972 laying down special measures to encourage silkworm rearing,
- Council Regulation (EEC) No 234/68 ⁽¹¹⁾ of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 2358/71 ⁽¹²⁾ of 26 October 1971 on the common organization of the market in seeds, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 827/68 ⁽¹³⁾ of 22 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty, as last amended by Regulation (EEC) No ... ,
- Council Regulation (EEC) No 1067/74 ⁽¹⁴⁾ of 30 April 1974 on the common organization of the market in dehydrated fodder, as last amended by Regulation (EEC) No ... ,

establish trade arrangements with third countries;

Whereas, on the one hand, these arrangements provide only for the application of customs duties on the importation of a number of products; whereas it should therefore be ensured that the exemption from duties provided for in Article 2 (2) (a) (i) of the convention is applied from 1 July 1975;

Whereas, on the other hand, these arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit

⁽¹⁾ OJ No L 236, 27. 10. 1970, p. 5.

⁽²⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽³⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽⁴⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁵⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁶⁾ OJ No L 153, 1. 7. 1968, p. 8.

⁽⁷⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽⁸⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽⁹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽¹⁰⁾ OJ No L 100, 27. 4. 1972, p. 1.

⁽¹¹⁾ OJ No L 55, 2. 3. 1968, p. 1.

⁽¹²⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽¹³⁾ OJ No L 191, 30. 6. 1968, p. 16.

⁽¹⁴⁾ OJ No L 120, 1. 5. 1974, p. 2.

and vegetables and oils and fats; whereas the obligations of the Community towards the ACP States arising from the provisions of Article 2 (2) (a) (ii) of the convention may be fulfilled by granting total or partial exemption from import charges for the products in question where they originate in those ACP States;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, annexed to the convention;

Whereas the provisions relating to the definition of the concept of 'originating products' and methods of administrative cooperation form part of the Council Decision relating to the advance implementation of certain provisions of the Convention relating to trade in goods;

Whereas these advantages should, according to the case, be combined with certain conditions and limited to certain annual and multiannual quantities; and whereas the necessary safeguard measures to be applied immediately in respect of certain products if disturbances in the Community markets occur as a result of a substantial increase in the Community in such products originating in the ACP States should be confirmed;

Whereas there have traditionally been trade flows from the ACP States towards the French overseas departments, and whereas provision should therefore be made for measures favouring imports of certain products originating in the ACP States into these French overseas departments;

[Whereas provisions identical to those for products originating in the ACP States exist for agricultural and processed agricultural products originating in the overseas countries and territories associated with the European Economic Community, hereinafter called 'countries and territories';

Whereas these provisions should also apply as from 1 July 1975 as well as the provisions relating to the definition of the concept of 'originating products' and methods of administrative cooperation],

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States [or countries and territories].

2. The rules of origin applied to these products shall be those set out in Protocol... concerning the definition of the concept of 'originating products' and methods of administrative cooperation, annexed to the convention [and the Regulation on the association of the countries and territories] and also to the Regulation(s) relating to the advance implementation of certain provisions of the convention relating to trade in goods [and to the interim arrangements for trade with the countries and territories].

TITLE I

Beef and veal

Article 2

The products of the beef and veal sector referred to in Article 1 of Council Regulation (EEC) No 805/68 shall be imported free of customs duties.

Article 3

Should imports into the Community of beef and veal of tariff subheading 02.01 A II a) exceed in a year, for a state, [country or territory] of origin in question, a quantity equivalent to the quantity of imports into the Community in the year between 1969 and 1974 in which the greatest quantity of Community imports of the origin in question increased by an annual growth rate of 7% was recorded, the exemption from custom duties shall be partially or totally suspended in respect of the products of the origin in question in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68. In that event, the Commission shall report to the Council which, on a proposal from the Commission and acting by a qualified majority, shall adopt the arrangements to be applied to the imports in question.

TITLE II

Fishery products

Article 4

The fishery products referred to in Article 1 of Council Regulation (EEC) No 2142/70 shall be imported free of customs duties.

TITLE III

Oils and fats

Article 5

The products of the oils and fats sector referred to in Article 1 (2) (a) and (b) of Council Regulation No 136/66/EEC shall be imported free of customs duty.

Article 6

Should the volume of imports of any of the oil seeds (subheading ex 12.01 B of the Common Customs Tariff) referred to in Article 1 (2) (a) of Regulation No 136/66/EEC undergo appreciable changes in relation to the present situation, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt special measures.

TITLE IV

Cereals

Article 7

1. The levy applicable to imports of maize (subheading 10.05 B of the Common Customs Tariff) shall be that fixed in accordance with Article 13 of Council Regulation No 120/67/EEC, reduced by 1.50 units of account per metric ton.

2. The levy applicable to imports of millet (subheading 10.07 B of the Common Customs Tariff) and of grain sorghum (subheading 10.07 C of the Common Customs Tariff) shall be that fixed in accordance with Article 13 of Council Regulation No 120/67/EEC reduced by 50 %.

TITLE V

Rice

Article 8

The levy applicable to imports of rice (heading No 10.06 of the Common Customs Tariff) shall be equal, per 100 kg of product, to the levy applicable to imports of rice from third countries, reduced as follows:

- (a) for paddy rice (subheading 10.06 A I of the Common Customs Tariff):
 - by 50 %, and
 - by an amount of 0.30 unit of account;
- (b) for husked rice (subheading 10.06 A II of the Common Customs Tariff):
 - by 50 %, and
 - by an amount of 0.30 unit of account;
- (c) for semi-milled rice (subheading 10.06 B I of the Common Customs Tariff):
 - by the component for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC, converted by reference to the rate of conversion from milled rice to semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation,
 - by 50 % of the levy as thus reduced, and
 - by an amount of 0.45 unit of account;
- (d) for milled rice (subheading 10.06 B II of the Common Customs Tariff):
 - by the component for the protection of the industry referred to in Article 14 (3) of Council Regulation No 359/67/EEC,
 - by 50 % of the levy thus reduced, and
 - by an amount of 0.45 unit of account;
- (e) for broken rice (subheading 10.06 C of the Common Customs Tariff):
 - by 50 %, and
 - by an amount of 0.25 unit of account.

Article 9

1. The provisions of Article 8 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States [or the countries and territories] is at the time of exportation, for that quantity, equal to or more than:

- for husked rice, milled rice and broken rice, the threshold price of each of these products, reduced by amounts of 0.30, 0.45 and 0.25 unit of account respectively;
- for paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, manufacturing costs and the value of the

by-products to be taken for conversion from the husked state to paddy rice, reduced by an amount of 0.30 unit of account;

- for semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, manufacturing costs and the value of the by-products to be taken for conversion from the round grain milled state to the round grain semi-milled state, reduced by an amount of 0.45 unit of account.

2. In order to permit the necessary checks, the documents accompanying the goods must show the cif price at which the product is sold and the date of exportation, together with all details regarding quality enabling the product to be defined. This document must be stamped by the relevant authorities in the exporting state [or country and territory].

Article 10

1. Article 13 (2) of Regulation No 359/67/EEC shall not apply to the levies to be charged on imports of rice originating in the ACP States [or the countries and territories].

2. As regards such imports, however, the levy applicable on the day of exportation shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of the above Regulation, to an importation to be effected during the period of validity of the licence.

Article 11

Should imports into the Community of rice originating in an ACP State [or a country or territory] exceed in a year a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the past three years for which statistics are available, increased by 5 %, the provisions of Article 8 shall be totally or partially suspended in respect of the products of the origin in question in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC. In that event the Commission shall report to the Council, which, on a proposal from the Commission and acting by a qualified majority, shall adopt the arrangements to be applied to the imports in question.

TITLE VI

Products processed from cereals and rice

Article 12

1. (a) The levy applicable to imports of the products listed in Annex A to Regulation No 120/67/EEC and those listed in Article 1 (1) (c) of Regulation No 359/67/EEC shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.
 - (b) The variable component of the levy shall be reduced:
 - by 0.15 unit of account per 100 kg for the products of subheading 07.06 A of the Common Customs Tariff;
 - by 0.30 unit of account per 100 kg for the products of heading No 11.06 of the Common Customs Tariff;
 - by 50 % for the products of subheading 11.08 A V of the Common Customs Tariff. This percentage may be reviewed every 12 months by the Council, acting by a qualified majority on a proposal from the Commission.
 - (c) The variable component of the levy shall not be charged in respect of the following products originating in the countries and territories:

CCT heading No	Description
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: ex A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes: — Arrowroot]

TITLE VII

Fruit and vegetables

Article 13

1. The products listed below shall be imported free of customs duties:

CCT heading No	Description
07.01	Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other
08.02	Citrus fruit, fresh or dried: D. Grapefruit E. Other
08.08	Berries, fresh: E. Papaws ex F. Other: — Passion fruit
08.09	Other fruit, fresh

2. The products listed below shall be imported subject to customs duties equal to 20 % of the Common Customs Tariff duties:

CCT heading No	Description
08.02	Citrus fruit, fresh or dried: A. Oranges B. Mandarines including tangerines and satsumas; clementines, wilkings and other similar citrus hybrids

Article 14

1. Any decision taken under Article 29 (2) and (3) of Regulation (EEC) No 1035/72 and relating to the products listed in Article 13 of this Regulation shall be communicated to the ACP States concerned.

2. In addition, if serious disturbances arise as a result of a substantial increase in imports of products listed in paragraphs 1 and 2 of Article 13 of this Regulation and originating in the ACP States [or the countries and territories], or if such imports create difficulties bringing about deterioration in the economic situation of a region in the Community, the Commission may take, or authorize the Member State or States concerned to take, the necessary safeguard measures, in implementation of Article 10 (1) of the convention [and of Article... of Council Regulation (EEC) No... on the association of the overseas countries and territories with the European Economic Community] and of the corresponding provisions in the Council Regulations on the implementation in advance of certain provisions of the convention [or on the interim arrangements for trade with the countries and territories].

TITLE VIII

Products processed from fruit and vegetables

Article 15

1. The products listed in Article 1 of Regulation (EEC) No 865/68 shall be imported free of customs duties.

2. Levies shall not be charged on imports of the products listed below:

CCT heading No	Description
20.06	<p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>B. Other:</p> <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 17 % by weight</p> <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruit:</p> <p>— Mixtures of pineapples, papaws and passion fruit</p> <p>ex bb) Other:</p> <p>— Pineapples, papaws and passion fruit</p> <p>b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 19 % by weight</p> <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:</p> <p>— Mixtures of pineapples, papaws and passion fruit</p> <p>ex bb) Other:</p> <p>— Mixtures of pineapples, papaws and passion fruit</p>
20.07	<p>Fruit juices (including grape must) and vegetables juices whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>5. Pineapple juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>8. Mixtures:</p> <p>bb) Other:</p> <p>ex II. With an added sugar content exceeding 30 % by weight:</p> <p>— Pineapple, papaws and passion fruit juice</p>

TITLE IX

Unmanufactured tobacco*Article 16*

The products of the tobacco sector listed in Article 1 of Council Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 17

1. Any decision taken under Article 10 (2) and (3) of Regulation (EEC) No 727/70 shall be communicated to the ACP States concerned.

2. In addition, if serious disturbances arise as a result of a substantial increase in duty-free imports of unmanufactured tobacco and tobacco refuse (heading No 24.01 of the Common Customs Tariff) originating in the ACP States [or the countries and territories], or if such imports create difficulties bringing about deterioration in the economic situation of a region in the Community, the

Commission may take, or authorize the Member State or States concerned to take, the necessary safeguard measures, in implementation of Article 10 (1) of the convention [and of Article ... of Council Regulation (EEC) No ... on the association of the overseas countries and territories with the European Economic Community] and of the corresponding provisions in the Council Regulations on the implementation in advance of certain provisions of the convention [or on the interim arrangements for trade with the countries and territories].

TITLE X

Goods to which Regulation (EEC) No 1059/69 applies*Article 18*

1. No fixed component shall be charged on imports of goods to which Council Regulation (EEC) No 1059/69 applies.

2. The variable component shall not be charged on imports of the goods listed below:

CCT heading No	Description
17.04	Sugar confectionery, not containing cocoa: C. White chocolate
18.06	Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B. Other: 1. Containing no milk fats or containing less than 1.5 % by weight of such fats: d) Containing 45 % or more but less than 65 % by weight of starch
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.07	Bread, ships' biscuits and other ordinary bakers wares, not containing added sugar, honey, eggs, fats, cheese or fruit: D. Other, containing by weight of starch: ex II. 50 % or more, excluding ships' biscuits

CCT heading No	Description
19.08	<p>Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:</p> <p>B. Other:</p> <p>IV. Containing 50 % or more but less than 65 % by weight of starch:</p> <p>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>ex I. Containing no milk fats or containing less than 1.5 % by weight of such fats:</p> <p>— Biscuits</p> <p>V. Containing 65 % or more by weight of starch:</p> <p>ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>— Biscuits</p> <p>ex b) Other:</p> <p>— Biscuits</p>

3. The Council, acting by a qualified majority on a proposal from the Commission, may adapt the provisions of paragraphs 1 and 2, in particular to take account of the trend of the Community market. The measures in question shall first be notified to the Council of Ministers established by Article 69 of the convention and, where appropriate, shall be the subject of consultations within that Council.

TITLE XI

Other markets subject to common organization

Article 19

The products referred to in Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 2358/71, (EEC) No 845/72 and (EEC) No 1067/74 shall be imported free of customs duties, with the exception of the products listed below:

CCT heading No	Description
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared
06.04	Foliage, branches and other parts (other than flowers or buds) of trees, shrubs or bushes and other plants, and mosses, lichens and grasses, being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared

TITLE XII

Provisions relating to the overseas departments

Article 20

The levies shall not be applied to imports into the overseas departments of the French Republic of the products listed below which originate in the ACP States [or the countries and territories]:

CCT heading No	Description
01.02	Live animals of the bovine species: A. Domestic species: II. Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals: a) Of domestic bovine animals
10.06	Rice

Article 21

1. The levy applicable to imports into the overseas departments of the French Republic of maize of

subheading 10.05 B of the Common Customs Tariff which originates in the ACP States [or the countries and territories] shall be that fixed in accordance with Article 13 of Council Regulation No 120/67/EEC of 13 June 1967, reduced by six units of account per metric ton.

2. If imports into the French overseas departments of maize originating in the ACP States [or the countries and territories] have exceeded 4 500 metric tons in a year, and if such imports are causing or are likely to cause serious disturbances in the market, the Commission shall take the necessary measures, at the request of a Member State or on its own initiative.

3. Any Member State may, within three working days of notification of the measure taken by the Commission, refer it to the Council. The Council shall meet forthwith. It may amend or declare void the measure in question, acting by a qualified majority.

TITLE XIII

Article 22

1. The reductions provided for by this Regulation shall be calculated by reference to the levies and

variable components applicable to imports from third countries into the Community as originally constituted.

However, the amount resulting from such reduction may not be less than the highest accession compensatory amount that may be applicable on the day of importation in trade between the Member States.

2. The exemption referred to in Articles 12 (1)(c), 15 (2) and 18 (2) is limited to the highest accession compensatory amount actually applied, where appropriate, by the importing Member State the day of importation in its exchanges with the other Member States.

Article 23

If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC or in the corresponding articles of the other Regulations on the common organization of the agricultural markets, as the case may be.

Article 24

This Regulation shall enter into force on 1 July 1975. It shall be applicable until 29 February 1980.

Proposal for a Council Regulation extending the field of application of Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables, to new potatoes

(Submitted to the Council by the Commission on 25 April 1975)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42, 43 and 44 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the production of new potatoes is of particular importance in the agricultural economy of

certain regions of the Community; whereas for the farmers in these regions, this production represents a major part of their income; whereas, therefore, appropriate measures should be taken to encourage the rational marketing of this product and ensure stability of the market;

Whereas the situation of the market in new potatoes is comparable in many ways to that of certain fruit and vegetables; whereas, therefore, in order to achieve the objectives listed above, the provisions relating to Community standards and to the systems of trade with third countries, introduced by Council

