

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 208 final.

Brussels, 18 April 1983

Draft of  
COUNCIL REGULATION (EEC)  
temporarily suspending the autonomous Common Customs Tariff duties  
on a number of agricultural products

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(Submitted to the Council by the Commission)

COM(83) 208 final.



## EXPLANATORY MEMORANDUM

1. The subject of the following draft regulation is the temporary suspension of duties in the Common Customs Tariff for a number of agricultural items, as requested by the Member State.

It is partly a prolongation and partly a new measure.

2. It seems appropriate to the Commission that a duty suspension is justified for the goods listed in the annex to this regulation.

The Commission proposes a total suspension for those products for which Community production does not exist or is minimal. A partial suspension is proposed in cases where the Community production covers only a part of the requirements. The rate of the partially suspended duty depends on the extent of the possible Community supply to the Community users. The Commission is also looking for the right balance between the interests of the suppliers, users and the consumers in the Community. It also takes into account the need to protect employment.

3. The Commission proposes, in order to avoid disturbance of the Community trade for certain agricultural products, to make the temporary suspension of duties in the Common Customs Tariff conditional on the observance of the possible reference price.
4. The proposed measures are confined to a fixed period because of the difficulties of estimating the evolution of the basic factors.
5. For a number of items for which the Member States also requested duty suspensions the Commission does not propose a tariff measure because the necessary conditions are not fulfilled. This concerns the following items :

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CCT heading No	Description
ex 03.01 A I b)	Salmon, frozen and headless, for the processing industry for manufacture into pastes or spreads
03.01 A I b)	Salmon, intended for smoking
ex 03.01 B I e) 1	Flaps of piked dog-fish ( <i>Squalus acanthias</i> ), fresh, chilled or frozen
ex 03.01 B I h) 1	Cod ( <i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i> ), fresh or chilled, whole, headless or in pieces intended for processing
ex 03.01 B I ij) 1	Saithe ( <i>Pollachius virens</i> ), fresh or chilled, intended for processing
ex 03.01 B I k)	Haddock ( <i>Melanogrammus aeglefinus</i> ), fresh, chilled or frozen, whole, headless or in pieces, intended for processing
ex 03.01 B I t)	Hake ( <i>Merluccius</i> spp), fresh, chilled or frozen, whole, headless or in pieces, intended for processing
ex 03.01 B II a) and B II b) 9	Fillets of hake ( <i>Merluccius</i> spp), fresh, chilled or frozen, intended for processing
ex 16.04 B I	Salmon for the processing industry for manufacture into pastes or spreads
ex 16.04 C II	Spiced and salted herrings, in immediate packings of a net capacity of 10 kg or more with an average weight for 4 whole herrings or 6 headless herrings exceeding 1 kg
02.01 A II b)	Meat of bovine animals frozen
ex 24.01 B	Tobacco refuse for the manufacture of reconstituted tobacco falling within subheading 24.02 E or snuff falling within subheading 24.02 D

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6. Attention is drawn to the fact that the Council Resolution of 27.6.1974 simplifying the task of the customs administrations (OJ C 79/74) requires the publication of the attached Regulation at least six weeks before this entry into force.

Draft

**COUNCIL REGULATION (EEC)**

**temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products**

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas production in the Community of the products specified in this Regulation is currently inadequate or non-existent; whereas producers thus cannot meet the needs of user industries in the Community;

Whereas in certain cases it is in the interest of the Community to suspend the autonomous Common Customs Tariff duties only partially, particularly since the goods in question are produced in the Community, and in the other cases to suspend them totally;

Whereas, in view of the difficulty of assessing accurately short-term trends in the economic situation in the relevant sectors, suspension measures should be taken only temporarily by fixing their period of validity by reference to the interests of Community production,

Whereas Article 21 of Council Regulation (EEC) No 3796/81<sup>1)</sup> makes provision for the annual fixing of reference prices for certain products valid for the Community, for the purpose of avoiding disturbance of Community trade;

Whereas it is therefore important, in order not to prejudice the scope of these provisions, to make the grant of temporary suspension of Common Customs Tariff duties for the products which are subject to reference prices subject to observance of those prices -

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1) OJ No L 379, 31.12.1981, p. 1.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The autonomous Common Customs Tariff duties for the products listed in the tables annexed hereto shall be suspended at the level indicated against each of them.

These suspensions shall be applicable :

- from 1 July to 31 December 1983 for the products listed in Table I,
- from 1 July 1983 to 30 June 1984 for the products listed in Table II.

2. When a product has been made subject to a fixed reference price, the concession of the temporary suspension of duties of the Common Customs Tariff referred to in paragraph 1 shall be conditional on observance of that price.

*Article 2*

This Regulation shall enter into force on 1 July 1983.

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

Done at Brussels,

*For the Council*  
*The President*

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## ANNEX

TABLE I

CCT heading No	Description	Rate of autonomous duty (%)
ex 03.01 B I e) 1	Piked dog-fish ( <i>Squalus acanthias</i> ), fresh, chilled or frozen, whole, headless or in pieces	6
ex 03.02 A I e)	Salmon, salted or in brine, whole, headless or in pieces	4
ex 03.02 A I f)	Saithe ( <i>Pollachius virens</i> ), salted or in brine, whole, headless or in pieces, intended for smoking or drying (a)	8
ex 03.02 A II d)	Fillets of saithe ( <i>Pollachius virens</i> ), salted or in brine, intended for smoking or drying(a)	9
ex 03.03 A I	Crawfish heads, (c) for the processing industry(a)	10
ex 08.10 D	Boysenberries, frozen, no sugar added	16.5
ex 15.07 D I b) 2	<p>Purified soya-bean oil in glass bottles. Each bottle holds 10 litres of purified soya-bean oil containing by weight :</p> <ul style="list-style-type: none"> <li>— a minimum of 8.5 % and a maximum of 12 % of palmitic acid esters,</li> <li>— a minimum of 2.5 % and a maximum of 4.7 % of stearic acid esters,</li> <li>— a minimum of 22.4 % and a maximum of 29 % of oleic acid esters,</li> <li>— a minimum of 46.6 % and a maximum of 53.7 % of linoleic acid esters,</li> <li>— a minimum of 7.4 % and a maximum of 11 % of linoleic acid esters,</li> </ul> <p>and containing :</p> <ul style="list-style-type: none"> <li>— not more than 5 millimoles of free fatty acid per kg of oil,</li> <li>— phosphalipids corresponding to a nitrogen content not exceeding 0.04 mg per gram of oil.</li> </ul> <p>The soya-bean oil covered by this description is destined for the preparation of emulsions for injections (a)</p>	<p>8 with a maximum duty of 125 ECU per 100 kg net weight, plus a compensatory amount in certain conditions</p>

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CCT heading No	Description	Rate of autonomous duty (%)
ex 16.05 A	Crabs of the species "King"(Paralithodes camtchaticus), "Hanasaki" (Paralithodes brevipes), "Kegani" (Erimacrus isenbecki), and "Queen" (Chionocetes spp), "Red" (Geryon quiquedens) and "Rough stone" (Neolithodes asperrimus) and Lithodes antarctica, simply boiled in water and shelled, whether or not frozen, in immediate packings of a net capacity of 2 kg or more	0
ex 16.05 B	Lobster flesh, cooked, to be used by the processing industry for the manufacture of butters based on lobster, pâtés and pastes, soups or sauces (a) (c)	10
ex 16.05 B	Shrimps and prawns of the species 'Pandalus borealis' boiled in water and shelled, whether or not frozen or dried, intended for the industrial processing of products falling within heading No 16,05 (a) (c)	16



TABLE II

CCT heading No	Description	Rate of autonomous duty (%)
ex 03.01 B I g) 2	Lesser or Greenland halibut ( <i>Reinhardtius hippoglossoides</i> ) fresh, chilled or frozen, whole, headless or in pieces	0
ex 03.01 B I v)	Sturgeons, fresh, chilled or frozen, whole, headless or in pieces, intended for processing (a) (b)	0
ex 03.01 C	Soft roes, frozen, intended for the manufacture of deoxyribonucleic acid (DNA) (a)	0
ex 03.01 C	Hard fish roes, fresh, chilled or frozen	0
ex 03.02 C	Hard fish roes, salted or in brine	0
07.01 G III	Horse-radish ( <i>Cochlearia armoracia</i> ) fresh or chilled	11
ex 07.03 B	Mushrooms, excluding cultivated mushrooms within the meaning of subheading 07.01 Q I, in salted or sulphur water or to which other substances ensuring their temporary preservation have been added, but not specially prepared for immediate consumption	0
ex 07.04 B	Mushrooms, excluding cultivated mushrooms within the meaning of subheading 07.01 Q I, dried, dehydrated or evaporated, whole or in identifiable slices or pieces, intended for treatment other than simple repacking for retail sale (a) (c)	0
ex 07.04 B	Sweet red or green peppers, dried, dehydrated or evaporated, in pieces, with a moisture content not exceeding 9.5% but not further prepared	10
ex 07.05 B I	Beans, white, dried, of the species 'Phaseolus vulgaris'	0
ex 08.01 A	Dates, fresh or dried, intended for the processing industry, other than for the production of alcohol (a)	0
ex 08.01 A	Dates, fresh or dried, for packing for retail sale into immediate packings of a net capacity not exceeding 11 kg (a)	0
ex 08.09	Rose-hips, fresh	0
08.10	Fruit of the species <i>Vaccinium</i> , whether or not cooked, in frozen state, not containing added sugar	0
ex B, C and ex D		
ex 08.10 D	Rose-hips, whether or not cooked, in frozen state, not containing added sugar	0
ex 08.10 D	Dates, frozen, in immediate packings of a net capacity of 5 kg or more, not intended for the production of alcohol (a)	0
ex 09.04 B I	Ground paprika for use in animal feedingstuffs (a)	0
ex 16.04 A II	Hard fish roes, washed, cleaned of adherent organs and simply salted or in brine	0
ex 23.07 A	Fish or marine mammal solubles	0

(a) Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The suspension shall apply to fish intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations:

- cleaning, gutting, tailing, heading,
- cutting (excluding filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (or operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.

(c) However, the suspension is not allowed where the treatment is carried out by retail sale or catering undertakings.

