

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 399 final, Brussels, 22 September 1977

Recommendation for a regulation (EEC) of the Council on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community and repealing Regulation (EEC) No. 158/76

(submitted to the Council by the Commission)

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EXPLANATORY NOTE

Article 16 of the Lomé Convention foresees the putting into action of a system designed to guarantee the stabilization of earnings for certain exports of raw materials from the ACP States to the Community as listed in Article 17 of the Convention.

Council Decision (EEC) No 76/568 of 29 June 1976 concerning the association of the overseas countries and territories with the European Economic Community extended the system of stabilizing export earnings to the overseas countries and territories.

ACP-EEC Council of Ministers Decision No 3 of 14 April 1977 introduced new products into the system.

In addition certain texts the adoption of which was envisaged by Council Regulation (EEC) No 158/68 of 20 January 1976 have in the meantime been introduced.

Therefore it seems sensible to list the ACP countries and overseas countries affected.

The use of the statistical data upon which the system is based implies that the Member States send details of actual imports to the services of the Commission.

This is the subject of the annexed recommendation for a Regulation, needed to replace Council Regulation (EEC) No 158/76 of 20 January 1976.

Recommendation for a Regulation (EEC) No /77 of
on the system for guaranteeing the stabilization of earnings from certain
commodities exported by the ACP States and the overseas countries and terri-
tories associated with the Community and repealing Regulation (EEC) No 158/76

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular Article 213 thereof,

Having regard to the recommendation from the Commission,

Whereas Article 17 of the ACP-CEE Convention of Lomé signed on 28 February
1975 (1) establishes the list of products covered by the system of stabili-
zation of export earnings of the ACP States ;

Whereas by Council Decision 76/568/EEC of 29 June 1976 on the association of
the overseas countries and territories with the European Economic Community (2)
the Council extended the system of stabilization of export earnings to the
said countries and territories ;

Whereas Council Regulation (EEC) No 158/76 of 20 January 1976 on the system
for guaranteeing the stabilization of earnings from certain commodities
exported by the ACP States and the overseas countries and territories asso-
ciated with the Community (3), provides for the sending by the Member States
to the Commission of statements of imports of the products covered by the
system of stabilization of export earnings ;

Whereas ACP-EEC Council of Ministers Decision No 3 of 14 April 1977 has amended
the list set out in Article 17 of the Lomé Convention ;

Whereas the ACP States and the countries and territories covered by the system
of stabilization of export earnings should be listed ;

Whereas Regulation (EEC) No 158/76 should consequently be replaced by this
Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

Before the end of each month, Member States shall forward to the Commission
a statement of imports during the previous month of the products listed in
Annex I to this Regulation :

- from the ACP States (listed in Annex II),
- from the countries and territories (listed in Annex III).

Article 2

The statement referred to in Article 1 shall give details of all products :

- which are released for home use in the Member State concerned,
- which are brought under the inward processing arrangements there in order
to be processed.

(1) OJ No L 25, 30.1.1976, p. 1

(2) OJ No L 176, 1.7.1976, p. 8

(3) OJ No L 18, 27.1.1976, p. 3

Article 3

The statement referred to in Article 1 shall show the country of origin of the products, according to the common geographical code in force, the quantities imported and the cif values of these imports, in the national currencies of the Member States.

Article 4

Regulation (EEC) No 158/76 is hereby repealed.

Article 5

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

It shall apply into effect from 1 January 1977.

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

Done at Brussels,

For the Council

The President

ANNEX I

List of products which are the subject of this Regulation

| Nimex code | Tariff description |
|--|---|
| <p>(a) <i>Ground-nut products</i> 12.01.31 to 12.01.35 15.07.74 and 15.07.87 23.04.10</p> | <p>Oil seeds and oleaginous fruit, whole or broken : Ground-nuts, in shell or shelled Ground-nut oil for the manufacture of foodstuffs for human consumption, crude Ground-nut oil for the manufacture of foodstuffs for human consumption, other Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other : Of ground-nuts</p> |
| <p>(b) <i>Cocoa products</i> 18.01.00 18.03.10 to 18.03.30 18.04.00</p> | <p>Cocoa beans, whole or broken, raw or roasted Cocoa paste (in bulk or in block), whether or not defatted : Not defatted Wholly or partly defatted Cocoa butter (fat or oil)</p> |
| <p>(c) <i>Coffee products</i> 09.01.11 to 09.01.17 21.02.10</p> | <p>Coffee, whether or not roasted or freed of caffeine ; coffee husks and skins ; containing coffee in any proportion Coffee, unroasted : Not freed of caffeine ; freed of caffeine Coffee, roasted : Not freed of caffeine ; freed of caffeine Extracts, essences or concentrates of coffee ; preparations with a basis of coffee extracts, essences or concentrates</p> |
| <p>(d) <i>Cotton products</i> 55.01.10 to 55.01.90 55.02.10 to 55.02.90</p> | <p>Cotton, not carded or combed Cotton linters, raw and other</p> |
| <p>(e) <i>Coconut products</i> 08.01.71 to 08.01.75 12.01.42 15.07.29, 15.07.77 and 15.07.92</p> | <p>Coconuts : Desiccated coconut : Other Oil-seeds and oleaginous fruit, whole or broken : Copra Coconut or copra oil for technical or industrial uses, crude Coconut or copra oil for the manufacture of foodstuffs for human consumption, crude Coconut or copra oil for the manufacture of foodstuffs for human consumption, other</p> |

| Nimex code | Tariff description |
|---|---|
| 23.04.20 | Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : |
| | Other |
| (f) <i>Palm, palm nut and kernel products</i> | Of copra (= of coconut) |
| 15.07.19 and 15.07.61 and 15.07.63 | Palm oil, for technical or industrial uses, crude |
| | Palm oil, for the manufacture of foodstuffs for human consumption, crude |
| | Palm oil, for the manufacture of foodstuffs for human consumption, other |
| 15.07.31 and 15.07.78 and 15.07.93 | Palm kernel oil, for technical or industrial uses, crude |
| | Palm kernel oil, for the manufacture of foodstuffs for human consumption, solid or fluid, other than in packings of 1 kg or less, crude |
| | Palm kernel oil, for the manufacture of foodstuffs for human consumption, solid or fluid, other than in packings of 1 kg or less, other |
| 23.04.30 | Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : |
| | Other : |
| 12.01.44 | Of palm nuts or kernels |
| | Oil seeds and oleaginous fruit, whole or broken : |
| (g) <i>Raw hides, skins and leather</i> | Palm nuts and kernels |
| 41.01.11 to 41.01.95 | Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool |
| 41.02.05 to 41.02.50 | Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| 41.03.10 to 41.03.99 | Sheep and lamb skin leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| 41.04.10 to 41.04.99 | Goat and kid skin leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| (h) <i>Wood products</i> | |
| 44.03.20 to 44.03.99 | Wood in the rough, whether or not stripped of its bark or merely roughed down |
| 44.04.20 to 44.04.98 | Wood, roughly squared or half-squared, but not further manufactured |
| 44.05.10 to 44.05.79 | Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm |
| (i) <i>Fresh bananas</i> | Bananas : |
| 08.01.31 | Fresh |

| Nimex code | Tariff description |
|---|---|
| (i) Tea 09.02.10 to 09.02.90 | Tea in immediate packings of a net capacity not exceeding 3 kg : Other |
| 09.05.00 | Vanilla |
| 09.07.00 | Cloves (whole fruit, cloves and stems) |
| (k) Raw sisal 57.04.10 | Sisal fibres and other fibres of the Agave family, including waste of such fibres and pulled or garnetted rags or ropes |
| (l) Iron ore 26.01.12 to 26.01.18 | Metallic ores and concentrates and roasted iron pyrites : Iron ores and concentrates and roasted iron pyrites |
| (m) Wool 53.01.10 to 53.01.40 | Sheep's or lambs' wool not carded or combed |
| (n) Other animal hair (fine or coarse) | Fine animal hair of angora goats (mohair) |
| 53.02.95 | |
| (o) Gums 13.02.91 | Gum arabic |
| (p) Pyrethrum 12.07.10 and 13.03.15 | Pyrethrum (flowers, leaves stems, peel and roots) Saps and extracts from pyrethrum |
| (q) Essential oils 33.01.23 | Essential oils, terpeneless of Ylang Ylang |

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ANNEX II

ACP States

1. African States :

Mauritania, Mali, Upper Volta, Niger, Senegal, Ivory Coast, Togo, Benin (formerly Dahomey), Cameroon, Chad, Central African Republic, Gabon, Congo, Rwanda, Burundi, Somalia, Zaire, Kenya, Uganda, Tanzania, Botswana, Lesotho, Swaziland, Gambia, Ghana, Malawi, Nigeria, Sierra Leone, Zambia, Ethiopia, Guinea, Equatorial Guinea, Guinea-Bissau, Liberia, Sudan, Cap Verde, Sao Tomé and Principe.

2. Caribbean States :

Barbados, Gyyana, Jamaica, Bahamas, Grenada, Trinidad and Tobago, Surinam.

3. Pacific States :

Fiji, Western Samoa, Tonga, Papua-New Guinea.

4. Indian Ocean States :

Madagascar, Mauritius, Comores, Seychelles.

ANNEX III

List of countries and territories

1. Overseas countries of the Netherlands :

- the Netherlands Antilles (Aruba, Bonaire, Curaçao and St Martin, Saba, St Eustasius).

2. French overseas territories :

- Mayotte,
- New Caledonia and dependencies
- Wallis and Futuna Islands,
- French Polynesia,
- French Southern and Antarctic Territories.

3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland :

- Belize,
- Brunei,
- The Associated countries of the Caribbean (Antigua, Dominica, St Lucia, St Vincent, St Kitts - Nevis and Anguilla),
- The Cayman Islands,
- The Falkland Islands and dependencies,
- The Gilbert Islands,
- The Solomon Islands,
- Turks and Caicos Islands,
- British Virgin Islands,
- Monserrat,
- Pitcairn,
- St Helena and dependencies,
- British Antarctic territory,
- British Indian Ocean territory
- Tuvalu.

4. Republic of Djibouti (Status to be defined in regard to this Regulation).