

A S S O C I A T I O N
between
THE EUROPEAN ECONOMIC COMMUNITY
and
THE UNITED REPUBLIC OF TANZANIA
THE REPUBLIC OF UGANDA
and
THE REPUBLIC OF KENYA

COMPILATION OF TEXTS

II

1 July 1971 - 30 June 1972

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(¹) This decision was rendered applicable within the Community by Council Regulation (EEC) No 686/72 of 5 April 1972 (OJEC No L 82, 6 April 1972).

DECISION No 2/72

of the Association Council amending Decision No 1/71
of the Association Council on the definition of the
concept of "originating" products for the purpose
of implementing Title I of the Agreement
and on the methods of administrative co-operation

THE ASSOCIATION COUNCIL,

HAVING REGARD to the Agreement establishing an Association
between the European Economic Community and the United
Republic of Tanzania, the Republic of Uganda and the
Republic of Kenya, signed on 24 September 1969, and in
particular to Title I and Protocol No 4 annexed to that
Agreement,

HAVING REGARD to the draft prepared by the Commission of
the European Communities,

WHEREAS in Decision No 1/71, the Association Council defined the concept of "originating" products for the purpose of implementing Title I of the Agreement and the methods of administrative co-operation;

WHEREAS in the light of the recommendation from the Customs Co-operation Council dated 9 June 1970 that the Brussels Nomenclature for the Classification of Goods in Customs Tariffs should be amended, certain alterations should be made to Lists A and C of the afore-mentioned Decision;

WHEREAS in order to ensure that the texts of the afore-mentioned Decision are aligned in the various languages certain alterations must be made to the German, Italian and Dutch versions of List A,

HAS DECIDED:

Article 1

Lists A and C annexed to Decision No 1/71 shall be amended as indicated in the Annex to this Decision.

Article 2

In the German version of the List A referred to in Article 1, the descriptions relating to headings 11.02 and 62.05 shall be replaced by the following descriptions:

11.02	Grobgriess und Feingriess; Getreidekörner, geschält, perlförmig geschliffen, geschrotet oder gequetscht (einschliesslich Flocken), ausgenommen geschälter, geschliffener oder glasierter Reis und Bruchreis; Getreidekeime, auch gemahlen
62.05	Andere konfektionierte Waren aus Geweben, einschliesslich Schnittmuster zum Herstellen von Bekleidung

Article 3

In the Italian version of the List A referred to in Article 1, the descriptions relating to headings 59.10 and 59.12 shall be replaced by the following descriptions:

59.10	Linoleum per qualsiasi uso, anche tagliati; copripavimenti costituiti da una spalmatura applicata su supporto di materie tessili, anche tagliati
59.12	Altri tessuti impregnati o spalmati; tele dipinte per scenari di teatri, per sfondi di studio o per usi simili

Article 4

In the Dutch version of the List A referred to in Article 1, the description relating to heading 11.02 shall be replaced by the following description:

11.02	Gries en griesmeel; grutten, gort en parelgort en andere gepelde, geparelde, gebroken of geplette granen (vlokken daaronder begrepen), met uitzondering van gepelde, geglansde, gepolijste of bij het pellen gebroken rijst; graankiemen, ook indien gemalen
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Article 5

The Partner States of the East African Community, the Member States and the Community shall be required, to the extent to which each is concerned, to take the necessary steps to implement this Decision.

This Decision shall enter into force on 1 April 1972.

Done at Nairobi, on 21 February 1972.

The President
of the Association Council
J.C. OSOGO

ANNEX

LIST A

1. The descriptions of the products obtained which relate to headings 03.02, 11.09, 15.01, 15.02, 19.02, ex 38.19, 44.21, 57.10, 59.08, 76.08, 85.15 and the rules corresponding to headings 03.02, 11.09, 57.10 (column 3 or 4) are to be replaced by the following descriptions and rules:

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met:
Customs Tariff No	Description		
1	2	3	4
03.02	Fish, dried, salted or in brine; smoked fish whether or not cooked before or during the smoking process	Drying, salting, placing in brine of fish; smoking of fish, whether or not accompanied by cooking	
11.09	Wheat gluten whether or not dried	Manufacture from wheat or wheat flour	
15.01	Lard, other pig fat and poultry fat, rendered or solvent extracted	Manufacture from products of 02.05	
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent extracted fats (including "premier jus") obtained from those unrendered fats	Manufacture from products of 02.05	
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	Manufacture from cereals and derived products, meat, milk and sugars	
ex 38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding: <ul style="list-style-type: none"> - fusel oil and Dippel's oil, - naphthenic acids and their non-water-soluble salts; esters of naphthenic acids, - sulphonaphthenic acids and their non-water-soluble salts; esters of sulphonaphthenic acids, - petroleum sulphates, excluding petroleum sulphates of alkali metals, of ammonium or of ethanolamines; chlorinated sulphonic acids of oils obtained from bituminous minerals and their salts, - mixed alkylbenzenes and mixed alkyl-naphthalenes, - ion exchangers, - catalysts, 		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No	Description		
1	2	3	4
ex 38.19 (cont'd)	<ul style="list-style-type: none"> - getters for vacuum tubes, - refractory cements, mortars and similar preparations, - alkaline iron oxide for the purification of gas, - carbon (other than artificial graphite falling within sub-heading ex 38.01) in metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufacture 		
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufacture from boards not cut to size
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03		Manufacture from raw jute or other raw textile bast fibres of heading No 57.03
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from yarn
76.08	Structures and parts of structures (for example hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Assembly in which the value of the "non-originating" parts does not exceed 40% of the value of the finished product provided that: at least 50% in value of the parts used are "originating" products

2. The following headings are to be inserted with the corresponding rules:

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No	Description		
1	2	3	4
ex 23.03	Residues of starch manufacture from maize (excluding concentrated malting water), with a dry weight protein content exceeding 40%	Manufacture from maize or maize flour	
ex Chapter 39	Woven fabrics not included under No 59.08, pursuant to Note 2(A) of Chapter 59		Manufacture from yarn

LIST C

1. The description of the products obtained which relate to heading ex 27.07 is to be replaced by the following description:

Customs Tariff No	Description
ex 27.07	Similar aromatic oils to those defined in Note 2 to Chapter 27 of which more than 65% by volume distills at a temperature of up to 250° C (including mixtures of petroleum spirit and benzol), intended for use as power or heating fuels

2. Heading ex 38.19 is to be deleted.

RULES OF PROCEDURE

of the EEC - East Africa
Customs Co-operation Committee

Article 1

The Customs Co-operation Committee shall be convened by its Chairman on the proposal of the Association Committee or at the request of either the European Community or the Partner States of the East African Community.

Article 2

1. The Chairman shall draw up the agenda for each meeting; the agenda shall include all matters of which discussion has been requested in writing.
2. The provisional agenda shall be communicated to the Chairman of the Association Committee and to the members of the Customs Co-operation Committee at least 21 days before the date of the meeting.
3. The agenda shall be adopted by the Customs Co-operation Committee at the beginning of each meeting.

Article 3

The agenda and working documents shall be drawn up in the Dutch, English, French, German and Italian languages.

Article 4

Summary minutes of each meeting shall be drawn up. A copy of the minutes shall be communicated to the Chairman of the Association Committee and to the members of the Customs Co-operation Committee.

Article 5

All communications concerning the Customs Co-operation Committee shall be addressed to the Chairman of the Committee, care of the Secretariat of the Committee.

All communications to the members of the Committee shall be addressed, in respect of the European Economic Community, to the Permanent Delegations of the Member States and to the Commission, and in respect of the Partner States of the East African Community, to the Governments of these States, to their Delegation to the European Economic Community and to the Secretary, Common Market and Economic Affairs, East African Community, Arusha.

At the request of a Member State of the European Economic Community or a Partner State of the East African Community, copies of communications shall be sent directly to the customs experts designated for the purpose by such State.

Article 6

The Secretariat of the Customs Co-operation Committee shall be provided in the manner laid down in Article 18 of the Rules of Procedure of the Association Council.

Article 7

The work of the Committee shall be kept confidential.

The Committee shall report regularly on all its work to the Association Committee.

Done at Nairobi on 7 January 1972

The Secretaries

The Chairman of the Association Committee

R. SCHEIBER J.N. ONYANGO

N.W. OKULO

COUNCIL REGULATION (EEC) No 860/72

of 25 April 1972

on the treatment applicable to certain fruits and vegetables originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community and in particular to Article 43 thereof,

HAVING REGARD to the proposal of the Commission,

HAVING REGARD to the Opinion of the European Parliament,

WHEREAS the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya ⁽¹⁾ provides that in respect of such agricultural products as come under a common organization of the market and where the said States have an economic interest in exporting those products, the Community shall lay down for products originating in those States, import treatment more favourable than the general treatment applicable to like products originating in third countries;

WHEREAS imports into the Community of fruit and vegetables are subject to duties of the Common Customs Tariff and whereas under the common organization of the market in that sector, provisions governing trade with third countries have been laid down;

WHEREAS in order to fulfil the obligations of the Community vis-à-vis the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya such products originating in those States should be exempted, on import into the Community, from customs duties during either a part or the whole of the year, according to the individual product;

WHEREAS the States in question have been consulted,

(1) OJ No L 282 of 28.12.1970, p. 55.

HAS ADOPTED THIS REGULATION:

Article 1

The products listed hereafter, originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, shall be imported into the Community duty-free:

07.01 Vegetables, fresh or chilled:

F. Leguminous vegetables, shelled or unshelled:

ex I. Peas:

from 1 August to 29 February

ex II. Beans:

from 1 December to 30 April

III. Other

S. Pimentos or sweet peppers (*capsicum grossum*):

from 1 December to 30 April

T. Other:

- Aubergines:

from 1 November to 29 February

- Marrows and pumpkins:

from 1 October to 31 March

- Branch celery or rib celery:

from 1 May to 31 October

- not specified

08.08 Berries, fresh:

E. Papaws

F. Other:

- Passion fruit

08.09 Other fruit, fresh:

- Melons and the like:

from 1 September to 31 March

- not specified

Article 2

This Regulation shall enter into force on 1 May 1972.

It shall be applicable until 31 January 1975.

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

Done at Luxembourg, 25 April 1972.

For the Council
The President
G. THORN

COUNCIL REGULATION (EEC) No 1036/72

of 18 May 1972

amending, as regards the tariff nomenclature, Regulations (EEC) Nos 522/70 and 653/71 on the treatment applicable to cereal and rice-based processed products originating in the Associated African and Malagasy States or the Overseas Countries and Territories and originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community and in particular to Article 43 thereof,

HAVING REGARD to the proposal of the Commission,

HAVING REGARD to the Opinion of the European Parliament,

WHEREAS, following the recommendation by the Customs Co-operation Council on 9 June 1970, partially accepted by the Council Decision of 21 June 1971 ⁽¹⁾, the text of Annex A of Council Regulation No 120/67/EEC of 13 June 1967, establishing a common organization of the market in cereals ⁽²⁾ has been amended as regards the tariff nomenclature by Regulation (EEC) No 2727/71 ⁽³⁾; whereas Council Regulation (EEC) No 522/70 of 17 March 1970, on the treatment applicable to cereal and rice-based processed products originating in the Associated African and Malagasy States or the Overseas Countries and Territories ⁽⁴⁾ and Council Regulation (EEC) No 653/71 of 30 March 1971, on the treatment applicable to cereal and rice-based processed products originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya ⁽⁵⁾ should now be adapted to the new Common Customs Tariff Nomenclature resulting from this amendment,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

In Article 1 (2)(a) of Regulations (EEC) No 522/70 and 653/71, the words "falling under Common Customs Tariff heading No 07.06 B" shall be replaced by the words "falling under Common Customs Tariff heading No 07.06 A".

Article 2

This Regulation shall come into force on the day following that of its publication in the Official Journal of the European Communities.

It shall be applicable until 1 January 1972.

This Regulation shall be binding in its entirety and directly applicable in every Member State.

Done at Brussels, 18 May 1972.

By the Council

The President

M. MART

(1) OJ No L 137 of 23.6.1971, p. 10

(2) OJ No 117 of 19.6.1967, p. 2269/67

(3) OJ No L 282 of 23.12.1971, p. 8

(4) OJ No L 65 of 21.3.1970, p. 10

(5) OJ No L 76 of 31.3.1971, p. 2

THE EEC - ESTAF ASSOCIATION COUNCIL
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