



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.02.1998
COM(1998) 107 final

98/ 0069 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

on the import into the Community of agricultural products originating in Turkey,
repealing Regulation (EEC) No 4115/86 and amending Regulation (EC) No 3010/95

(presented by the Commission)

EXPLANATORY MEMORANDUM

The purpose of this proposal for a Regulation is to enable the Commission to implement the concessions provided for in the latest decision of the EC-Turkey Association Council on the trade regime for agricultural products.

For fishery products, there is a special provision making application of the preferential tariff subject to observance of import and reference prices.

It also provides for the abolition of the former concessions by repealing Council Regulation (EEC) No 4115/86¹ as regards the concessions provided for in Decision No 1/80 of the Association Council, and certain provisions on Turkey laid down in Council Regulation (EC) No 3010/95².

In view of the very strict time limits, it is proposed that this Regulation should enter into force on the day following its publication in the Official Journal of the European Communities.

¹ OJ 380, 31.12.1986, p. 16.

² OJ 314, 28.12.1995, p. 1. Regulation amended by Council Regulation (EC) No 540/96, OJ 79, 29.3.1996, p. 8.

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of

on the import into the Community of agricultural products originating in Turkey,
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THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Decision No .../98 of the EC-Turkey Association Council of 1998 on the trade regime for agricultural products establishes the system of preferences applicable to imports into the Community of agricultural products originating in Turkey; whereas provision should be made to allow the Commission to adopt special detailed rules for the application of that new import regime, without prejudice to Articles 6 and 7 of Council Regulation (EC) No 1981/94 opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, West Bank and Gaza strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas⁵;

Whereas, in the case of products for which Community regulations require a certain import price to be observed, application of the preferential tariff system is subject to observance of that price;

¹ OJ 199, 2.8.1994, p. 1. Regulation as last amended by Commission Regulation (EC) No 1667/97 (OJ 236, 27.8.1997, p. 3.)

Whereas Council Regulation (EEC) No 4115/86 of 22 December 1986⁴ lays down the arrangements applicable to imports into the Community of agricultural products originating in Turkey on the basis of Decision No 1/80 of the EEC-Turkey Association Council; whereas the provisions on agriculture of that Decision were repealed by Decision No/98 of the Association Council; whereas, as a result, Regulation (EEC) No 4115/86 should be repealed;

Whereas the tariff concessions for the three products originating in Turkey laid down in Council Regulation (EC) No 3010/95 of 18 December 1995 totally or partially suspending the customs duties applicable to certain products falling within Chapters 1 to 24 and Chapter 27 of the Combined Nomenclature originating in Malta and Turkey⁵, as amended by Council Regulation (EC) No 540/96 of 25 March 1996⁶, should also be abolished;

Whereas the Decision of the Association Council applies from 1 January 1998; whereas, in view of the urgency, this Regulation should enter into force on the day following its publication in the Official Journal of the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

For the products listed in Annex II to the EC Treaty originating in Turkey and allowed for importation into the Community under the conditions laid down in Decision No/98 of the EC-Turkey Association Council, detailed rules for the application of the import regime shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC⁷ or, where applicable, in the corresponding Articles of the other regulations on the common organisation of agricultural markets, without prejudice to Articles 6 and 7 of Council Regulation (EC) No 1981/94.

² OJ 380, 31.12.1986, p. 16.

³ OJ 314, 28.12.1995, p. 1.

⁴ OJ 79, 29.3.1996, p. 8.

⁵ OJ 172, 30.9.1966, p. 3025/66.

Article 2

In the case of products for which Community regulations require a certain import price to be observed, application of the preferential tariff system shall be subject to observance of that price.

In the case of fishery products for which a reference price is set, application of the preferential tariff shall be subject to observance of that reference price.

Article 3

Council Regulation (EEC) No 4115/86 is hereby repealed.

Article 4

Regulation (EC) No 3010/95 is hereby amended as follows:

1. The title is replaced by the following:

“Council Regulation (EC) No 3010/95 of 18 December 1995 totally or partially suspending the customs duties applicable to certain products falling within Chapters 1 to 24 of the Combined Nomenclature originating in Malta”.

2. The text of Article 1 is replaced by the following:

“Imports into the Community of the products originating in Malta listed in the Annex to this Regulation shall be subject to the customs duties indicated for each product”.

3. The text of Article 2 is replaced by the following:

“For the purposes of applying this Regulation, the rules of origin shall be those in force at any given time for the purposes of the Agreements establishing an association between the European Economic Community and Malta”.

4. Annex I with the list of products falling within Chapters 1 to 24 originating in Malta is entitled “Annex”.

5. Annex II with the list of products falling within Chapters 1 to 24 originating in Turkey is repealed.

Article 5

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

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

Done at Brussels, 1998

For the Council

FINANCIAL STATEMENT

1.	BUDGET HEADING: Chapter 10 - agricultural duties	APPROPRIATIONS: ECU 623.8 million			
2.	TITLE: Council Regulation on the import into the Community of agricultural products originating in Turkey, repealing Regulation (EEC) No 4115/86 and amending Regulation (EC) No 3010/95				
3.	LEGAL BASIS: Article 113 of the Treaty				
4.	AIMS: To implement the concessions provided for in Decision No .../98 of the EC-Turkey Association Council.				
5.	FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR	
		(ECU million)	(97) (ECU million)	(98)	(98) (ECU million)
5.0	EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL AUTHORITIES - OTHER	-	-	-	-
5.1	REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-	-	-	-
5.0.1	ESTIMATED EXPENDITURE	1997	1998	1999	2000
5.1.1	ESTIMATED REVENUE	-	-	-	-
5.2	METHOD OF CALCULATION:				
6.0	CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?				YES/NO
6.1	CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?				YES/NO
6.2	WILL A SUPPLEMENTARY BUDGET BE NECESSARY?				YES/NO
6.3	WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY?				YES/NO
OBSERVATIONS: This proposal for a Council Regulation implements the concessions provided for in Decision No .../98 of the EC-Turkey Association Council, for which statement No 002/IT1/CG/da was drawn up. This proposal has no additional financial implications.					

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DOCUMENTS

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