

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(88) 66 final

Brussels, 29 February 1988

Proposal for a
COUNCIL REGULATION (EEC)
establishing a Community supervision for the imports of certain
agricultural products originating in the Canary Islands
(1988)

(submitted by the Commission)

EXPLANATORY MEMORANDUM

1. In Regulation (EEC) No. 1391/87, Articles 4 and 6, the Council has decided for the following agricultural products, originating in the Canary Islands a progressive reduction of the customs duties applicable in the limits of reference quantities with the possibility for the Community to replace in future the facilities by a system of tariff quotas if it should appear that under the preferential system imported quantities exceed, during the course of a determined year, the reference quantities laid down, and if simultaneously these imports cause damage on the Community market :
 - 2 100 tonnes avocados, falling within CN codes 0804 40 10 and 0804 40 90 (1.1 - 31.12)
 - 100 tonnes ^{each} melons weighing 600 grams or less, falling under CN code ex 0807 10 90 (1.1 - 31.3) and
 - 100 tonnes kiwis, falling under CN code 0810 90 10 (1.1 - 30.4) ,

2. If, during a given year and within a pre-established period, the volume of imports of one of these products exceeds the reference quantity, the Commission, having regard to an annual review of trade flows which it shall carry out, may, starting from the following year, make the product in question subject to a Community tariff quota, the volume of which shall be equal to the reference quantity.

3. The implementation of the system of "reference quantities" and the obligation foreseen to ensure that the imports benefit under the preferential system require the adoption of precise Common rules to be applied uniformly by all the Member States. These requirements may be setting up a Community system of surveillance of imports originating in Canary Islands. To that end the Member States must take appropriate measures to permit the rapid collection of statistical returns for the whole Community. In the connection imports of the products in question should be recorded only as and when they are entered with Customs authorities for free circulation accompanied by a movement certificate conforming to the laid down rules of origine.

These amounts will be established by each Member State according to the following time-scale :

- by 1st July 1988, the amounts set off for products mentioned under order nos 17.0003 and 17.0005,
- by 15th October 1988, the cumulative amounts set off for the period from 1 January up to 30 September, and by the 15th day of each following month those set off during the preceding month, for the product mentioned under order No 17.0001.

The surveillance system will require quick action and close cooperation between the relevant departments of the Member States and the Commission. Since the products in question belong to the sensitive products category and imports at reduced duties may disturb the Community market, it is absolutely essential that all the Member States observe strictly the abovementioned time limits.

This is the purpose of the attached proposal.

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Proposal for a
COUNCIL REGULATION (EEC)

establishing a Community supervision for the imports of certain agricultural products
originating in the Canary Islands (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1391/87 of 18 May 1987 concerning certain adjustments to the arrangements applied to the Canary Islands⁽¹⁾, and in particular Articles 4, 6 and 10 thereof,

Having regard to the proposal from the Commission,

Whereas in Regulation (EEC) No 1391/87, the Council has decided for certain agricultural products, originating in the Canary Islands a progressive reduction of the customs duties applicable in the limits of reference quantities with the possibility for the Community to replace in future the facilities by a system of tariff quotas if it should appear that under the preferential system imported quantities exceed, during the course of a determined year, the reference quantities laid down, and if simultaneously these imports cause damage on the Community market; whereas the application of such a system demands that the Community is regularly informed of the development of these imports originating in the Canary Islands; whereas it is therefore indicated to submit the imports of these products to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on setting off imports of the products in question against the reference quantities at Community level, as and when these products are entered with customs authorities for free circulation;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of amounts set off against the reference quantities and keep the Member States informed;

⁽¹⁾ OJ No L 133, 22. 5. 1987, p. 5.

Done at Brussels,

1. Imports into the Community of certain goods originating in the Canary Islands shall be subject to Community supervision and to annual reference quantities.

The description of the goods referred to in the preceding subparagraph, their order numbers, their tariff headings and statistical numbers and the levels and periods of application of the reference quantities are indicated in the annexed table.

2. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate.

If the movement certificate is submitted 'a posteriori', the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph.

The Member States shall periodically inform the Commission of imports effected in accordance with the above rules; such information shall be supplied under the conditions laid down in paragraph 3.

The Member States shall forward to the Commission :

- not later than the 1st July 1988, the final amounts set off for products mentioned under order Nos 17.0003 and 17.0005
- by the 15th October 1988, the cumulative amounts set off for the period from 1 January up to 30 September, and by not later than the 15th day of each following month those set off during the preceding month, for the product mentioned under order No 17.0001.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 3

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

It shall apply from 1 January 1988.

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

For the Council
The President

Annex

Order No	CN No	Description	Reference quantity - tonnes -
17.0001	0804 40 0804 40 10 0804 40 90	Dates, figs pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried : - Avocados : -- from 1 December to 31 May -- from 1 June to 30 November	2 100
17.0003	0807 10 ex 0807 10 90	Melons (including watermelons) and papayas (papayas), fresh : - Melons (including watermelons) : -- other --- Melons each weighing 600 grams or less from 1 January to 31 March	100
17.0005	0810 90 ex 0810 90 10	other fruit, fresh : - other : -- kiwifruit (Actinidia Chinensis Planch.) - from 1 January to 30 April	100