

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 736 final

Brussels, 13th December 1979

PROPOSAL FOR A COUNCIL REGULATION (EEC)
ON THE ARRANGEMENTS APPLICABLE TO AGRICULTURAL PRODUCTS
AND CERTAIN GOODS RESULTING FROM THE PROCESSING
OF AGRICULTURAL PRODUCTS ORIGINATING IN THE AFRICAN,
CARIBBEAN AND PACIFIC STATES OR IN THE
OVERSEAS COUNTRIES AND TERRITORIES

(submitted to the Council by the Commission)

COM(79) 736 final

EXPLANATORY MEMORANDUM

1. Under the ACP-EEC Convention of Lomé, signed on 31 October by the African, Caribbean and Pacific States (ACP) and the Community, specific treatment is accorded to the agricultural products and foodstuffs originating in the ACP States, provided that they are covered by a common market organization within the meaning of Article 40 of the Treaty, or by specific rules introduced as a result of the implementation of the common agricultural policy applied by the Community. This treatment is generally more favourable than that accorded to third countries where the Community provisions in force at the time of importation of these products provide for the application of other import measures apart from customs duties (e.g. levies, reference prices). Where the Community rules do not provide for such measures, exemption from customs duties is stipulated (Article 2 (2)).

The Council Decision on the association of the overseas countries and territories (OCT) with the European Economic Community lays down identical provisions for agricultural products and foodstuffs originating in the OCT.

2. In view of the period required for ratification of the Convention, it is proposed to apply in advance, when the present Convention expires on 29 February 1980, certain provisions of the new Convention relating to trade in goods, including Article 2 (2).

With regard to the OCT, the new Decision concerning their association with the Community is to come into force when the present Decision expires.

3. (a) The attached draft regulation covers agricultural products and foodstuffs subject in the Community to a common policy and exported to the Community by the ACP States and the OCT. It is designed

to meet the obligation assumed by the Community vis-à-vis the ACP States with regard to total or partial exemption from import duties on products originating in the ACP States including beef and veal, fishery products, oils and fats, certain cereals, rice and products processed from cereals and rice, fresh and processed fruit and vegetables, certain goods resulting from the processing of agricultural products, unmanufactured tobacco and live plants and flowers.

In certain cases (beef and veal, rice, fruit and vegetables, unmanufactured tobacco) certain conditions should be attached to these benefits and limits should be placed on certain annual or multiannual quantities.

(b) Special arrangements have been made for exports of beef and veal, maize and rice to the French overseas departments from the above-mentioned States, countries and territories.

4. This proposal for a regulation is designed in such a way that the arrangements can be applied without any changes from the start of the interim period and throughout the life of the Convention. At present, however, it would seem preferable to limit application of the arrangements to one year while enabling the Council of the Communities to extend them beyond that date, in the event of the entry into force of the Convention, for the entire period of application of the Convention.

Proposal for a
COUNCIL REGULATION (EEC)

on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (1), as last amended by Regulation (EEC) No 152/78 (2), and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (3),

Whereas the ACP-EEC Convention of Lomé hereinafter called 'the Convention', between the African Caribbean and Pacific States, hereinafter called 'the ACP States,' and the European Economic Community was signed on 31 October 1979;

Whereas Article 2 (2) (a) of that Convention lays down that: Products originating in the ACP States;

- listed in Annex II to the Treaty when they come under the common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

(1) OJ No L 141, 12.6.1969, p. 1
(2) OJ No L 23, 28.1.1978, p. 1
(3) OJ

- (i) those products shall be imported free of customs duties for which Community provisions in force at the time of importation do not provide, apart from customs duties, for the application of any other measure relating to their importation:
- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that applied to third countries by virtue of the most-favoured-nation clause for the same products;

Whereas it is laid down in Article 2 (2) (c) of the Convention that the arrangements referred to under paragraph (2) (a) shall enter into force at the same time as the Convention and shall remain applicable for its duration;

Whereas, however, the Community has agreed to start applying autonomously as early as 1 March 1980 Article 2(2)(a) of the Convention on trade in agricultural products and foodstuffs, that is to say before the Convention enters into force;

Whereas :

- Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal (4), as last amended by Regulation (EEC) No 425/77 (5),
- Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products (6), as last amended by Regulation (EEC) No 2903/78 (7),
- Council Regulation No 136/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats (8), as last amended by Regulation (EEC) No 590/79 (9),
- Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (10), as last amended by Regulation (EEC) No 1547/79 (11),

(4) OJ No L 148, 28.6.1968, p. 24

(5) OJ No I, 61, 5.3.1977, p. 1

(6) OJ No I, 20, 28.1.1976, p. 1

(7) OJ No L 347, 12.12.1978, p. 1

(8) OJ No I, 172, 30.9.1966, p. 30 25/66

(9) OJ No L 78, 30.3.1979, p. 1

(10) OJ No L 281, 1.11.1975, p. 1

(11) OJ No L 188, 26.7.1979, p. 9

- Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice (1), as last amended by Regulation (EEC) No 1552/79 (2),
- Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables (3), as last amended by Regulation (EEC) No 1301/79 (4),
- Council Regulation (EEC) 516/77 of 14th March 1977 on the common organization of the market in products processed from fruit and vegetables (5), as last amended by Regulation (EEC) No 1639/79 (6),
- Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine (7), as last amended by Regulation (EEC) No 1303/79 (8),
- Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco (9), as last amended by Regulation (EEC) No 1579/79 (10),
- Regulation (EEC) No 1059/69,

- Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp (11), as last amended by Regulation (EEC) No 814/76 (12),
- Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops (13), as last amended by Regulation (EEC) No 235/79 (14),
- Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage (15), as last amended by Regulation (EEC) No 1225/79 (16),

(1) OJ No L 166, 25.6.1976, p. 1	(9) OJ No L 94, 28.4.1970, p. 1
(2) OJ No L 188, 26.7.1979, p. 9	(10) OJ No L 189, 27.7.1979, p. 1
(3) OJ No L 118, 20.5.1972, p. 1	(11) OJ No L 146, 4.7.1970, p. 1
(4) OJ No L 162, 30.6.1979, p. 26	(12) OJ No L 94, 9.4.1976, p. 4
(5) OJ No L 73, 21.3.1977, p. 1	(13) OJ No L 175, 4.8.1971, p. 1
(6) OJ No L 192, 31.7.1979, p. 3	(14) OJ No L 34, 9.2.1979, p. 4
(7) OJ No L 54, 5.3.1979, p. 1	(15) OJ No L 55, 2.3.1968, p. 1
(8) OJ No L 162, 30.6.1979, p. 28	(16) OJ No L 155, 22.6.1979, p. 10

- Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds (1), as last amended by Regulation (EEC) No 234/79 (2),
 - Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty (3), as last amended by Regulation (EEC) No 1117/78 (4), and
 - Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dehydrated fodder (4), as last amended by Regulation (EEC) No 2285/79 (5),
- establish trade arrangements with third countries;

Whereas, on the one hand, these arrangements provide only for the application of customs duties on the importation of a number of products; whereas, on the other hand, these trade arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an ad valorem duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables, and oils and fats; whereas the obligations of the Community towards the ACP States arising from Article 2 (2) (a) of the Convention may be fulfilled by granting total or partial exemption from import charges for the products in question where they originate in the ACP States;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the Convention are accorded only to originating products within the meaning of Protocol No 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the Convention;

(1) OJ No L 246, 5.11.1971, p. 1
(2) OJ No L 34, 9.2.1979, p. 2
(3) OJ No L 151, 30.6.1968, p. 16
(4) OJ No L 142, 30.5.1978, p. 1
(5) OJ No L 263, 19.10.79, p. 1

Whereas, until the entry into force of the Convention, the provisions relating to the definition of the concept of originating products and methods of administrative cooperation laid down in Annex to Council Regulation (EEC) No of on the advance application of certain provisions of the ACP-EEC Convention of Lomé relating to trade in goods (1) are applicable;

Whereas, furthermore, these advantages should be combined with certain conditions and limited to certain annual and multiannual quantities on a case-by-case basis;

Whereas there have traditionally been trade flows from the ACP States to the French overseas departments; whereas measures should therefore be introduced to encourage the importation of certain products originating in the ACP States into these French overseas departments to cover local consumption requirements, including consumption following processing; whereas provision should be made for altering the arrangements governing access to the Markets in products originating in the ACP States referred to in Article 2 (2) of the Convention, particularly in the light of the said departments' economic development requirements;

Whereas it should be stipulated that the safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced under the common agricultural policy are applicable; whereas the provisions of Article 12 (1) of the ACP-EEC Convention of Lomé apply as a complementary measure; whereas the provisions of Council Regulation (EEC) No (2) determine the procedure for implementing this safeguard clause;

Whereas a Council Decision on the association of the overseas countries and territories listed in Annex II (hereinafter called 'the countries and territories') with the European Economic Community is envisaged; whereas this decision will contain provisions similar to those drawn up for agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States with regard to import arrangements, the rules of origin and the special rules on safeguard measures; whereas from the entry into force of the decision, the provisions which it contains will apply, and, in the case of the safeguard clauses, will apply as complementary measures;

(1) OJ No L
(2) OJ No L

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States listed in Annex I or in the countries and territories listed in Annex II.
2. The rules of origin applicable to such of these products as are imported from the ACP States or the countries and territories shall be respectively those set out in Annex to Regulation (EEC) No (ACP) and those of the Annex to Regulation (EEC) No (OCT). These provisions shall cease to apply with effect from the entry into force of the similar rules contained in the Convention and in the Decision to be taken on the association of the countries and territories.
3. If there is a change in the status of the countries and territories listed in Annex II, the list of States, countries and territories referred to in Annexes I and II shall be adapted by the Council, acting by a qualified majority on a proposal from the Commission.

TITLE I
Beef and veal

Article 2

The products of the beef and veal sector referred to in Article 1 of Regulation (EEC) No 805/68 shall be imported free of customs duties.

Article 3

Where, in the course of a year, imports into the Community of products referred to in Article 1(a) of Regulation (EEC) No 805/68 originating in an ACP State or country or territory exceed a quantity equivalent to that of the average annual imports into the Community of the origin in question over the last three years for which statistics are available, plus an annual growth rate of 7%, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 22.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

Article 4

1. Within the limit of the quantities referred to in Article 5, import duties other than customs duties applied to products originating in the ACP States as referred to in Article 3 shall be reduced by an amount fixed each quarter by the Commission corresponding to 90% of the average import duties applicable during a reference period.
2. Paragraph 1 shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction referred to in that paragraph has been collected by the exporting country.

Article 5

1. The reduction in import duties provided for in Article 4 shall be confined to a quantity of 30 000 tonnes per calendar year, expressed as boned meat and allocated as follows :

Botswana	18 916:	tonnes,
Kenya	142:	tonnes,
Madagascar	7 579:	tonnes
Swaziland	3 363:	tonnes

Depending on the dates of entry into force and expiry of this Regulation, the quantities shown above, expressed by calendar year, shall be reduced or increased pro rata temporis.

2. However, if the ACP States referred to in paragraph 1 should so request during a given year, the total quantity may be broken down differently among those States for that or the following year, in accordance with the procedure laid down in Article 22 of this Regulation.

TITLE II
Fishery products

Article 6

The fishery products referred to in Article 1 of Regulation (EEC) No 100/76 shall be imported free of customs duties.

TITLE III
Oils and fats

Article 7

The oil and fat products referred to in Article 1 (2) (a) and (b) of Regulation No 136/66/EEC shall be imported free of customs duties.

TITLE IV
Cereals

Article 8

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 1.81 ECU per tonne.
2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum falling within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 50%.

TITLE V
Rice

Article 9

The levy applicable to imports of rice falling within heading No 10.06 B of the Common Customs Tariff shall be equal, per 100 kg of product, to the levy applicable to imports of rice from third countries, reduced as follows:

- (a) in the case of paddy rice falling within subheading 10.06 B I (a) of the Common Customs Tariff:

- by 50%, and
- by 0.36 ECU;

(b) in the case of husked rice falling with subheading 10.06 of the Common Customs Tariff:

- by 50%, and
- by 0.36 ECU;

(c) in the case of semi-milled rice falling within subheading 10.06 B II (a) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76 converted by reference to the conversion rate between milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation,
- by 50% of the levy thus reduced, and
- by 0.54 ECU;

(d) in the case of milled rice falling within subheading 10.06 B II (b) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76,
- by 50% of the levy thus reduced and
- by 0.54 ECU;

(e) in the case of broken rice falling within subheading 10.06 B III of the Common Customs Tariff:

- by 50%, and
- by 0.30 ECU;

Article 10

1. The provisions of Article 9 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States or in the countries and territories is, at the time of exportation, for that quantity, equal to or more than;

- in the case of husked rice, milled rice and broken rice, the threshold price less, respectively, 0.36, 0.54 and 0.30 ECU;

- in the case of paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the husked state to the paddy state, less 0.36 ECU;
- in the case of semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the round grain milled state, less 0.54 ECU.

2. In order to permit the necessary checks,

the documents accompanying the products must show the cif price at which the product is sold and the date of exportation, together with all details regarding quality enabling the product to be defined. These documents must be stamped by the competent authorities of the exporting ACP States, countries or territories.

Article 11

1. Article 13 (2) of Regulation (EEC) No 1418/76 shall not apply to the levies to be charged on imports of rice originating in the ACP States or in the countries and territories.
2. As regards such imports, however, the levy applicable on the day of exportation shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of Regulation (EEC) No 1418/76, to an importation to be effected during the period of validity of the licence.

Article 12

Where, in the course of a year, imports into the Community of rice originating in an ACP State or in a country or territory exceed a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the last three years for which statistics are available, plus 5%, the provisions of Article 9 shall be totally or partially suspended in respect of products of the origin in question in accordance with the procedure laid down in Article 22.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE VI

Products processed from cereals and rice

Article 13

1. The levy applicable to imports of the products listed in Annex A to Regulation (EEC) No 2727/75 and of the products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76 shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.
2. The variable component of the levy shall be reduced :
 - by 0.181 ECU per 100 kg for products falling within subheading 07.06 A of the Common Customs Tariff;
 - 0.363 ECU per 100 kg for products falling within heading No 11.04 C of the Common Customs Tariff, excluding flour and meal of arrowroot;
 - by 50% for products falling within subheading 11.08 A V of the Common Customs Tariff, excluding arrowroot starch;
3. The variable component of the levy shall not be charged in respect of imports of :
 - arrowroot falling within subheading 07.06 A of the Common Customs Tariff;
 - flour and meal of arrowroot falling within subheading 11.04 C of the Common Customs Tariff;

arrowroot starch falling within subheading 11.08 A V of the Common Customs Tariff.

TITLE VII

Fruit and vegetables

Article 14

1. The products listed belows shall be imported free of customs duties:

CCT heading No	Description of goods
07.01	Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex. IV. Other: - Radishes (<i>Raphanus sativus</i>), known as "Mooli"

CCT heading No	Description of goods
	S. Sweet peppers
	T. Other
08.02	Citrus fruit, fresh or dried:
	D. Grapefruit
	E. Other
08.08	Berries, fresh:
	E. Papaws
	F. Other: ex II: - Passion fruit
08.09	Other fruit, fresh

2. Subject to the special provisions laid down in paragraph 3, customs duties shall be reduced as follows for the products listed below:

CCT heading No	Description of goods	Rate of reduction
07.01	Vegetables, fresh or chilled:	
	G. Carrots, turnips, salad betroot, salsify, celeriac, radishes and similar edible roots: ex II: Carrots and turnips:	
	- Carrots, from 1 January to 31 March	40 %
	ex H. Onions, shallots and garlic:	
	- Onions, from 15 February to 15 May	60 %
	ex K. Asparagus:	
	- from 15 August to 31 January	40 %
	M. Tomatoes:	
	- from 15 November to 30 April	60.%*

* Within the limits of a Community tariff quota (of 2 000 t)

CCT heading No	Description of goods	Rate of reduction
08.02	Q. Mushrooms and truffles: IV Other Citrus fruit, fresh or dried: A. Oranges B. Mandarins including tangerines and satsumas; clementines, wilkings and other similar citrus hybrids	40 % 80 % 80 %

3. Imports of carrots falling within Tariff subheading 07.01 G II and of onions falling within Tariff subheading 07.01 H at the reduced rates of customs duty shown in paragraph 2 shall be subject to annual ceilings of 500 tonnes for each of these products, above which the customs duties actually applied in respect of third countries may be restored.

TITLE VIII

Products processed from fruit and vegetables

Article 15

1. The products listed in Article 1 of Regulation (EEC) No 516/77 shall be imported free of customs duties.
2. Levies shall not be charged on imports of the products listed below:

CCT heading No	Description of goods
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: I. Containing added spirit: b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg: aa) With a sugar content exceeding 17 % by weight

CCT heading No	Description of goods
	<p>2. Of 1 kg or less:</p> <ul style="list-style-type: none">aa) With a sugar content exceeding 19 % by weight <p>e) Other fruits:</p> <ul style="list-style-type: none">ex 1. With a sugar content exceeding 9 % by weight:<ul style="list-style-type: none">ex aa) of an actual alcoholic strength not exceeding 11.85 % mas<ul style="list-style-type: none">- Grapefruit segments- Passion fruit- Guavasex bb) Other:<ul style="list-style-type: none">- Grapefruit segments- Passion fruit- Guavas <p>f) Mixtures of fruit:</p> <ul style="list-style-type: none">1. With a sugar content exceeding 9 % by weight:<ul style="list-style-type: none">ex aa) of an actual alcoholic strength not exceeding 11.85 % mas<ul style="list-style-type: none">- Mixtures of pineapples, papaws and pomegranates <p>II. Not containing added spirit:</p> <ul style="list-style-type: none">a) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:<ul style="list-style-type: none">2. Grapefruit segments5. Pineapples:<ul style="list-style-type: none">aa) With a sugar content exceeding 17 % by weightex 8. Other fruits:<ul style="list-style-type: none">- Passion fruit- Guavas

CCT heading No	Description of goods
	<p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:</p> <ul style="list-style-type: none">- Mixtures of pineapples, papaws and pomegranate <p>ex bb) Other:</p> <ul style="list-style-type: none">- Mixtures of pineapples, papaws and pomegranate <p>b) Containing added sugar, in immediate packings of a net capacity not exceeding 1 kg:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 19 % by weight</p> <p>ex 8. Other fruits</p> <ul style="list-style-type: none">- Passion fruit- Guavas <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:</p> <ul style="list-style-type: none">- Mixtures of pineapples, papaws and pomegranate <p>ex bb) Other:</p> <ul style="list-style-type: none">- Mixtures of pineapples, papaws and pomegranate
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>B. Of a specific gravity exceeding 1.33 at 15°C:</p>

CCT heading No	Description of goods
	<p>III. Other:</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>1. With an added sugar content exceeding 30 % by weight</p> <p>ex bb) Other</p> <ul style="list-style-type: none">- Pineapple- Passion fruit- Guavas- Mixtures of pineapples, papaws and pomegranate <p>B. Of a specific gravity of 1.33 or less at 15°C:</p> <p>II. Other:</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>5. Pineapple juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>7. Other fruit and vegetable juices:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight</p> <p>8. Mixtures:</p> <p>bb) Other:</p> <p>ex 11. With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none">- Pineapple, papaws and pomegranate juice

TITLE IX
Wine
Article 15a

The products listed below shall be imported free of customs duties:

CCT heading No	Description of goods
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <ul style="list-style-type: none">A. Of a specific gravity exceeding 1.33 at 15°C:<ul style="list-style-type: none">1. Grape juice (including grape must):<ul style="list-style-type: none">ex a) Of a value exceeding 22 EUA per 100 kg net weight<ul style="list-style-type: none">- With an added sugar content exceeding 30 % by weightb) Of a value not exceeding 22 EUA per 100 kg net weight<ul style="list-style-type: none">1. With an added sugar content exceeding 30 % weightB. Of a specific gravity of 1.33 or less at 15°C:<ul style="list-style-type: none">I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice:<ul style="list-style-type: none">a) Of a value exceeding 18 EUA per 100 kg net weight:<ul style="list-style-type: none">1. Grape juice (including grape must):<ul style="list-style-type: none">aa) Concentrated:<ul style="list-style-type: none">11. With an added sugar content exceeding 30 % by weightbb) Other<ul style="list-style-type: none">11. With an added sugar content exceeding 30 % by weightb) Of a value of 18 EUA or less per 100 kg net weight:<ul style="list-style-type: none">1. Grape juice (including grape must):<ul style="list-style-type: none">aa) Concentrated:<ul style="list-style-type: none">11. With an added sugar content exceeding 30 % by weight

CCT heading No	Description of goods
	bb) Other: 11. With an added sugar content exceeding 30 % by weight TITLE X Raw tobacco Article 16

The tobacco products listed in Article 1 of Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 17

If serious disturbances occur as a result of a large increase in duty-free imports of products falling within heading No 24.01 of the Common Customs Tariff originating in the ACP States or in the countries and territories, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may, without prejudice to Article 25, take measures to counteract any deflection of trade.

TITLE IX

Goods to which Regulation (EEC) No 1059/69 applies

Article 18

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 1059/69 applies.
2. The variable component shall not be charged on imports of the goods listed below:

CCT heading No	Description of goods
17.04	Sugar confectionery, not containing cocoa: C. White chocolate
18.06	Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefore made from sugar substitution products, containing cocoa

CCT heading No.	Description of goods
19.02	<p>Extracts of malt; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa:</p> <p>B. Other:</p> <p>II. Other;</p> <p>a) Containing no milk fats or containing less than 1.5 % by weight of such fats:</p> <p>4. Containing 45 % or more but less than 65 % by weight of starch</p>
19.04	<p>Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches</p>
19.07	<p>Bread, ships biscuits and other ordinary bakers wares, not containing added sugar, honey, eggs, fats, cheese or fruit: Communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products</p> <p>D. Other, containing by weight of starch:</p> <p>ex II. 50 % or more, excluding ships' biscuits</p>
19.08	<p>Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:</p> <p>B. Other:</p> <p>IV. Containing 50 % or more but less than 65 % by weight of starch:</p> <p>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>ex 1. Containing no milk fats or containing less than 1.5 % by weight of such fats:</p> <p>- Biscuits</p>

CCT heading No	Description of goods
	<p>V. Containing 65 % or more by weight of starch:</p> <p>ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):</p> <p style="padding-left: 40px;">- Biscuits</p> <p>ex b) Other:</p> <p style="padding-left: 40px;">- Biscuits</p> <p style="text-align: center;">TITLE XII</p> <p style="text-align: center;">Other markets subjects to common organization</p> <p style="text-align: center;">Article 19</p>

The products covered by Regulations (EEC) Nos 1308/70, 1696/71, 234/68, 2358/71, 827/68 and 1117/78 shall be imported free of customs duties.

TITLE XIII

Provisions relating to the French overseas departments

Article 20

Subject to the provisions of paragraphs 2 and 3, the levies shall not be applied to direct imports into the French overseas departments of the products listed below originating in the ACP States or in the countries and territories:

CCT heading No	Description of goods
01.02	<p>Live animals of the bovine species:</p> <p>A. Domestic species:</p> <p style="padding-left: 40px;">II. Other</p>
02.01	<p>Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:</p> <p>A. Meat:</p> <p style="padding-left: 40px;">II. Of bovine animals:</p>
10.05 B	Maize
10.06	Rice

2. If imports into the French overseas departments of maize originating in the ACP States or in the countries and territories have exceeded 25.000 tonnes in a year, and if such imports are causing or are likely to cause serious disturbances on those markets, the Commission shall, at the request of a Member State or on its own initiative, take the necessary measures.

Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may, acting by a qualified majority, amend or annul the measure in question.

3. This Article shall apply to products released for home use in the French overseas departments. Such products may not be re-exported. If necessary, measures to ensure this may be taken in accordance with the procedure laid down in Article 22.

TITLE XIV

General and final provisions

Article 21

The reductions provided for by this Regulation shall be calculated by reference to:

- the variable components of levies where the levies contain such components,
- in other cases, the levies,

applicable to imports from third countries into the Community as now constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as now constituted and new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure laid down in Article 22, if this proves necessary.

Article 22

1. If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets.

2. In the case of beef and veal, these rules shall relate in particular to:

- (a) the basis for calculation and the reference period, to be taken into consideration for fixing the amount by which the import duties are to be reduced;
- (b) the arrangements for fixing the corresponding amount to be collected by the exporting country;
- (c) the issue of import licences;
- (d) the forms of proof acceptable and checking procedures.

Article 23

On the basis of the economic development requirements of the French overseas departments, the Council, acting by a qualified majority on a proposal from the Commission, may alter the arrangements governing access to those departments' markets for the products covered by this Regulation.

Article 24

This Regulation shall be without prejudice to the operation of Article 72 of the Act concerning the Conditions of Accession of the Hellenic Republic and the Adjustments to the Treaties.

Article 25

1. The safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced in pursuance of the common agricultural policy shall be applicable to the products covered by this Regulation.
2. As regards relations with the ACP States, the provisions of Article of Regulation (EEC) No shall apply by way of complement to the said safeguard measures.
3. As regards the countries and territories, the provisions of Article of Regulation (EEC) No shall apply by way of complement to the said safeguard measures.

Article 26 ●

This Regulation shall enter into force on 1 March 1980. It shall apply until 1 March 1981.

The Council, acting by a qualified majority on a proposal from the Commission, may decide to extend this Regulation beyond that date.

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

Done at

For the Council

LIST OF THE STATES REFERRED TO IN ARTICLE 1

Bahamas	Mali
Barbados	Mauritania
Benin	Mauritius
Botswana	Niger
Burundi	Nigeria
Cameroon	Papua New Guinea
Cape Verde	Rwanda
Central African Republic	Samoa
Chad	Sao Tome and Principe
Comoros	Senegal
Congo	Seychelles
Djibouti	Sierra Leone
Dominica	Solomon Islands
Ethiopia	Somalia
Equatorial Guinea	St Lucia
Fiji	St Vincent
Gabon	Sudan
Gambia	Surinam
Ghana	Swaziland
Grenada	Tanzania
Guinea	Togo
Guinea-Bissau	Tonga
Guyana	Trinidad and Tobago
Ivory Coast	Tuvalu
Jamaica	Uganda
Kenya	Upper Volta
Kiribati	Zaire
Lesotho	Zambia
Liberia	
Madagascar	
Malawi	

List of the countries and territories referred to in Article 1

(This list does not prejudice the status of these countries and territories now or in the future.)

1. Overseas countries of the Kingdom of the Netherlands:

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

2. Overseas territories of the French Republic:

- 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,
- Associated States in the Caribbean (Antigua, St Kitts, Nevis and Anguilla),
- Falkland Islands and Dependencies,
- Turks and Caicos Islands,
- British Virgin Islands,
- Montserrat,
- Pitcairn,
- St Helena and Dependencies,
- British Antarctic Territory,
- British Indian Ocean Territory.

4. Anglo-French Condominium of the New Hebrides.

FINANCIAL MEMORANDUM

DATE : 11.10.1979

1. Number of relevant budget heading : Chapter 10 Appropriations : 1,706 M EUA
Chapter 12 Appropriations : 4,745.5 M EUA (1979)

2. Title of measures : Draft proposal for a Council regulation (EEC) on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

3. LEGAL BASIS : Articles 43 and 113

4. Aims of measures : Partial or total reduction of import duties following the second Lomé Convention. This is largely a continuation of the benefits accorded under the first Lomé Convention, with certain improvements (particularly for beef and veal).

5. FINANCIAL Implications	FOR THE YEAR	CURRENT FINANCIAL YEAR (79)	FOLLOWING FINANCIAL YEAR (80)
5.0 EXPENDITURE			
-CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)			
-CHARGED TO NATIONAL BUDGETS			
-CHARGED TO OTHER SECTORS			
5.1 REVENUE			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)	285 M EUA	-	238 M EUA (10 months)
-NATIONAL			

	YEAR ...1981.....	YEAR ...1982.....	YEAR
5.0.1 Forecasts of expenditure			
5.1.1 Forecasts of revenue	285 M EUA	285 M EUA	

5.2 METHOD OF CALCULATION Generally speaking, on the basis of 1977 imports and the import duties applied to the various products during that period; for beef and veal, on the basis of the quantitative concessions granted (see breakdown in annex).

6.0 YES NO

6.1 YES NO

6.2 YES NO

6.3 Will future budget appropriations be necessary? YES NO

COMMENTS :

Unité : t et 1000 UC.
Année de référence : 1977

PRODUITS	IMPORTATIONS		TAUX DES DROITS	INCIDENCE
	q	v		
1. Viande bovine				
02.01 A II -	30.000	40.253	20 % + P (1)	} 60.435
02.01 B		40	9 % (2)	
16.02 B		13.136	26 %	
2. Pêche				
03.01; 03.02; 03.03		40.714	16 % (2)	} 15.130
16.04; 16.05; 23.01 B		43.096	20 % (2)	
3. Matières grasses ex 15.07		314.000	10 % (2)	31.400
4. Céréales				
10.05 B	255		1,5 (7)	} 770
10.07 A	28		33,93 (3)	
B	19.127		40,26 (3)	
5. Riz				
10.06 A II	27.274		62,923 (3)	} 3.300
10.06 B I, II	6.000		242,152 (3)	
10.06 C	5.155		24,906 (3)	

- (1) Hypothèse de réduction des droits à l'importation non-tarifaires : 1.395 ECU /t. (moyenne 1979 appliquée au contingent global de 30.000 t. par an). (2) Moyenne. (3) Moyenne du montant de diminution par tonne, applicable en 1977, exprimé en UC. (4) sur base d'une incidence de 5 % pour les produits concernés (environ 48 MUC). (5) Hypothèse de réduction des droits à l'importation : 271,2 UC/t (la réduction constatée du 1/8 au 31/10/1977 varie entre 103,6 et 438,8 UC/t). (6) Année de référence : 1976. (7) Montant de diminution par tonne.

PRODUITS	IMPORTATIONS		TAUX DES DROITS	INCIDENCE
	q	v		
6. Produits transformés à base de céréales et de riz				
07.06 A	4.000 t		1,5 (7)	
11.02 D V	2.000 t		11,02 (3)	100
11.08 A V	1.000 (6)		66,58 (3)	
11.04	100 (6)		3,0 (7)	
7. Fruits et légumes				
- à l'état frais ou réfrigéré		18.350	12 % (2)	2.200
- transformés y compris jus de raisins		67.400	21 % (2) + d.a.s. (4)	16.500
8. Tabacs bruts		82.300	17,3 % (2)	14.240
9. Certaines marchandises résultant de la transformation des produits agricoles transformés				
19.04 entre autres		2.400	11 % (2)	} 2.840
18.06 entre autres	9.500	8.700	(5)	
10. Importations dans les DOM	2.300	5.700	18 % (2) + P(1)	3.970
01.02 A II et 02.01 A II				
10.05 B	5.700		77,11 (7)	440
10.06	17.000		109,993 (3)	1.870
11. Plantes vivantes		15.700	15 % (2)	2.360
Semences		6.000	6 % (2)	360
Règlement solde (07.05 B; ex 08.01, 09 et 18 entre autres		1.292.000	10 % (2)	129.200
12. Total 1 à 11				285.115

