

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM (76) 155 Final

Brussels, 9 April 1976

proposal for a  
COUNCIL REGULATION (EEC)  
on imports into the Community of prepared  
and preserved sardines originating in Morocco.

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proposal for a  
COUNCIL REGULATION (EEC)  
on imports into the Community of prepared  
and preserved sardines originating in Tunisia

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(Presented by the Commission to the Council)

proposal for a  
COUNCIL REGULATION (EEC)  
on imports into the Community of prepared  
and preserved sardines originating in Morocco

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(Presented by the Commission to the Council)

EXPLANATORY MEMORANDUM

Article 19 of the cooperation Agreement to be signed shortly between the European Economic Community and the Kingdom of Morocco lays down provisions governing imports into the Community of prepared and preserved sardines originating in Morocco.

These provisions are set out in Article 12 of the interim Agreement, which is intended to implement the part of the Agreement relating to trade.

The provisions stipulate, inter alia, that a minimum price must be observed for imports into the European Economic Community of the products referred to above ; however, Morocco has requested that application of the arrangements provided for be suspended and the arrangements currently in force be maintained until the exchange of letters embodying the technical rules for the application of Article 19, and of Article 12 of the interim Agreement, concerning prepared and preserved sardines can enter into force ; in reply the Community negotiator undertook to recommend that a decision be adopted that would meet Morocco's preoccupations ; the Commission accordingly proposes that the Council, in order to avoid any interruption of trade in prepared and preserved sardines with Morocco, adopt this proposal for a regulation, the aim of which is to maintain in force temporarily, as regards the products in question, the arrangements introduced by Regulation (EEC) No 111/76 concerning imports into the Community of fishery products originating in Morocco.

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proposal for  
COUNCIL REGULATION (EEC)

on imports into the Community of prepared  
and preserved sardines originating in Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament (1),

Whereas Council Regulation (EEC) No 111/76 of 19 January 1976 concerning  
imports into the Community of fishery products originating in Morocco (2),  
established transitional arrangements for imports of carp, trout and  
preserved sardines and tunny originating in that country ;

Whereas those arrangements apply until the entry into force of a  
new Agreement between the European Economic Community and the Kingdom of  
Morocco ;

Whereas such a new Agreement was signed on ;

Whereas, in consequence, from the time of entry into force of the new Agreement  
or the interim Agreement (3) intended to implement certain provisions relating  
to trade in goods, the transitional arrangements referred to above are no longer  
applicable ;

Whereas the new Agreement, or the interim Agreement, concluded between the  
European Economic Community and the Kingdom of Morocco contain provisions  
relating to imports of the fishery products in question, which however will  
not apply to imports of prepared and preserved sardines until an exchange of  
letters has been concluded;

(1) O.J. No  
(2) O.J. No L 20, 19.1.1976, p. 51  
(3) O.J. No

Whereas, pending the conclusion of that exchange of letters, in order to avoid any interruption to trade in the said products between the Community and Morocco, the arrangements laid down by Regulation (EEC) No 111/76 should continue to apply on a transitional basis in the case of prepared and preserved sardines,

HAS ADOPTED THIS REGULATION :

Article 1

1. Member States shall maintain in force the import arrangements applied on 31 January 1972 to prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff and originating in Morocco.
2. However, Member States which open tariff quotas under the arrangements referred to in paragraph 1 may increase the quantity of such quotas by not more than 30 %.
3. The import arrangements applied to the products specified in paragraph 1 originating in Morocco shall in no case be less favourable than those applied to like products originating in third countries.

Article 2

1. This Regulation shall apply until the entry into force of the arrangements laid down by the exchange of letters referred to in Article 12 (4) of the interim Agreement and Article 19 (4) of the cooperation Agreement signed on \_\_\_\_\_ between the European Economic Community and Morocco or until 31 December 1976, whichever is the earlier.
2. This Regulation shall enter into force on \*

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

Done at Brussels,

For the Council  
The President

\* Date of entry into force of the interim Agreement.

proposal for a  
COUNCIL REGULATION (EEC)

on imports into the Community of prepared  
and preserved sardines originating in Tunisia

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(Presented by the Commission to the Council)

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EXPLANATORY MEMORANDUM

Article 18 of the cooperation Agreement to be signed shortly between the European Economic Community and the Republic of Tunisia lays down provisions governing imports into the Community of prepared and preserved sardines originating in Tunisia.

These provisions are set out in Article 11 of the interim Agreement which is intended to implement the part of the Agreement relating to trade.

The provisions stipulate, inter alia, that a minimum price must be observed for imports into the European Economic Community of the products referred to above; however, Tunisia has requested that application of the arrangements provided for be suspended and the arrangements currently in force be maintained until the exchange of letters embodying the technical rules for the application of Article 18, and of Article 11 of the interim Agreement, concerning prepared and preserved sardines can enter into force; in reply the Community negotiator undertook to recommend that a decision be adopted that would meet Tunisia's preoccupations; the Commission accordingly proposes that the Council, in order to avoid any interruption of trade in prepared and preserved sardines with Tunisia, adopt this proposal for a regulation, the aim of which is to maintain in force temporarily, as regards the products in question, the arrangements introduced by Regulation (EEC) No 112/76 concerning imports into the Community of fishery products originating in Tunisia.

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proposal for

COUNCIL REGULATION (EEC)

on imports into the Community of prepared  
and preserved sardines originating in Tunisia

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament <sup>1</sup>,

Whereas Council Regulation (EEC) No 112/76 of 19 January 1976 concerning  
imports into the Community of fishery products originating in Tunisia <sup>2</sup>  
established transitional arrangements for imports of carp, trout and pre-  
served sardines and tunny originating in that country;

Whereas those arrangements apply until the entry into force of a  
new Agreement between the European Economic Community and the Republic of  
Tunisia;

Whereas such a new Agreement was signed on

Whereas, in consequence, from the time of entry into force of the new Agree-  
ment or the interim Agreement <sup>3</sup> intended to implement certain provisions re-  
lating to trade in goods, the transitional arrangements referred to above  
are no longer applicable;

Whereas the new Agreement, or the interim Agreement, concluded between the  
European Economic Community and the Republic of Tunisia contain provisions  
relating to imports of the fishery products in question, which however will  
not apply to imports of prepared and preserved sardines until an exchange  
of letters has been concluded;

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<sup>1</sup> OJ No

<sup>2</sup> OJ No L 20, 19.1.1976, p. 51

<sup>3</sup> OJ No L

.../...

Whereas, pending the conclusion of that exchange of letters, in order to avoid any interruption to trade in the said products between the Community and Tunisia, the arrangements laid down by Regulation (EEC) No 112/76 should continue to apply on a transitional basis in the case of prepared and preserved sardines,

HAS ADOPTED THIS REGULATION :

Article 1

1. Member States shall maintain in force the import arrangements applied on 31 January 1972 to prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff and originating in Tunisia.
2. However, Member States which open tariff quotas under the arrangements referred to in paragraph 1 may increase the quantity of such quotas by not more than 30 %.
3. The import arrangements applied to the products specified in paragraph 1 originating in Tunisia shall in no case be less favourable than those applied to like products originating in third countries.

Article 2

1. This Regulation shall apply until the entry into force of the arrangements laid down by the exchange of letters referred to in Article 11 (4) of the interim Agreement and Article 18 (4) of the cooperation Agreement signed on \_\_\_\_\_ between the European Economic Community and Tunisia or until 31 December 1976, whichever is the earlier.
2. This Regulation shall enter into force on . \*

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

Done at Brussels,

For the Council

The President

\* Date of entry into force of the interim Agreement

# FINANCIAL STATEMENT

Annex to Doc. ....

Date 30.3.1976

1. Line of the Budget concerned : Own resources : Art. 12.(Customs Duties)

2. Title of the action : Draft Council Regulation concerning the importation into the Community of prepared and preserved sardines originating in Morocco and Tunisia

3. Legal basis : Art. 43 of the Treaty

4. Objectives of the action : Maintenance until 31 December 1976 of the system applicable to imports of prepared and preserved sardines from Morocco and Tunisia.

5.0 Cost of the action	Amendment - revenue	during the campaign	current exercise ( )	following exercise( )
from customs duties				
charge to the EC Budget				
charge to the national administrations				
charge to other national sectors				

5.1 Estimated costs      Year .....      Year .....      Year .....  
 Measure restricted to 1976 only.

5.2 Method of calculation Since it is proposed to prolong until 31.12.1976 the import system in question (already provided for in R. 112/76) no amendments are called for in customs duties revenue as against those figuring in the financial statement attached to proposal n° COM/75 522 (fin).

6.1 Possible financing by credits written into the relative chapter of the current Budget  
 Yes                      No

6.2 Possible financing by transfers between chapters of the current Budget  
 Yes                      No

6.3 Necessity for a supplementary Budget      Yes      No

6.4 Credits to be written into future budgets

Comments :