

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 679 final

Brussels, 17 November 1981

Recommendation for a
COUNCIL REGULATION (EEC)

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco on imports into the Community of prepared and preserved sardines originating in Morocco

Recommendation for a
COUNCIL REGULATION (EEC)

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia on imports into the Community of prepared and preserved sardines originating in Tunisia

(submitted to the Council by the Commission)

COM(81) 679 final

EXPLANATORY MEMORANDUM

1. Article 19 of the EEC-Morocco Cooperation Agreement and Article 18 of the EEC-Tunisia Cooperation Agreement state that prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff originating in Morocco and Tunisia may be imported into the Community free of customs duties subject to observance of the minimum prices agreed in an exchange of letters.

Pending this exchange of letters, the Community has opened autonomous annual tariff quotas.

2. When the regulations dealing with the quota system for 1981 were adopted, the Council pointed out that the treatment to be accorded to Morocco and Tunisia for prepared and preserved sardines in 1982 would have to conform to the relevant provisions of the Cooperation Agreements (Articles 19 and 18 respectively) and therefore asked the Commission to do everything within its power to ensure that the exchanges of letters referred to in the above-mentioned articles take place by 31 December 1981 at the latest, with due regard for Community preference.
3. The Commission has carried out a detailed study on the conditions governing the production and marketing of the products in question on the Community market.

Basing itself on the results of this survey, inter alia, the Commission considers that minimum import prices should be fixed at the levels indicated in the scale annexed to the attached draft regulations.

It recommends that the Council authorize it to negotiate the attached exchanges of letters with the countries concerned.

4. In view of the time required to complete the procedures, the Commission is submitting to the Council now the regulations concerning the conclusion of exchanges of letters which it proposes to negotiate with the countries in question.

It recommends that the Council should adopt these regulations as soon as the Commission informs it that the negotiations have been completed and forwards the definitive text of the exchange of letters.

Recommendation for a
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concerning the conclusion of the Agreement
in the form of an exchange of letters
between the European Economic Community and
the Kingdom of Morocco 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 113 thereof,

Having regard to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco (1), and in particular Article 19 thereof,

Having regard to the recommendation from the Commission,

./.....

(1) OJ L 264, 27.9.1978, p. 1.

Whereas the agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco on imports into the Community of prepared and preserved sardines originating in Morocco should be approved,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning imports into the Community of prepared and preserved sardines originating in Morocco is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

This Regulation shall enter into force on the day following that of 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

For the Council

AGREEMENT IN
THE FORM OF AN EXCHANGE OF
LETTERS BETWEEN THE EUROPEAN
ECONOMIC COMMUNITY AND THE
KINGDOM OF MOROCCO CONCERNING
IMPORTS INTO THE COMMUNITY OF
PREPARED AND PRESERVED SARDINES
ORIGINATING IN MOROCCO

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LETTER NO. 1

Sir,

Pursuant to Article 19 of the Cooperation Agreement between the European Economic Community and Morocco, and following mutual clarifications as to the conditions under which prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff may be imported into the Community, I have the honour to inform you that Morocco undertakes to ensure that the prices of imports into the Community will not be less than those given in the annex and that there will be no deflection of trade.

I would point out that the prices shown in the annex are valid for one year starting 1 January 1982.

I should be obliged if you would acknowledge receipt of this letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government

LETTER NO. 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

"Pursuant to Article 19 of the Cooperation Agreement between the European Economic Community and Morocco, and following mutual clarifications as to the conditions under which prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff may be imported into the Community, I have the honour to inform you that Morocco undertakes to ensure that the prices of imports into the Community will not be less than those given in the annex and that there will be no deflection of trade.

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I should be obliged if you would acknowledge receipt of this letter."

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the
European Communities

1 bis

ANNEX

Size		Net weight		Semi-gross weight less packaging g	Capacity cm ³	Coefficients	Minimum price customs duties included in ECU per carton of 100 tins	
Tariff specification	Total height mm	Ounces	g				Community	
							In olive oil	In another sauce
Rectangular bottom							19,09	17,63
¹ / ₁₀ club	20	2	56	95	53	0.60	22,28	20,58
¹ / ₈ club	25	2 ³ / ₄	80	120	75	0.70	24,52	22,63
¹ / ₄ reduced	18	2 ⁵ / ₈	74	130	73	0.77	25,48	23,50
¹ / ₄ club	30	3 ¹ / ₂	90	140	93	0.80	27,05	24,98
¹ / ₄ special	25	3 ¹ / ₄	90	140	90	0.85	28,65	26,45
¹ / ₈ low plat	24	3 ³ / ₈	95	145	96	0.90		
¹ / ₄ club	30	4 ³ / ₈	125	190	125	1.00	31,82	27,74
¹ / ₄ P 25				176	125			
¹ / ₄ usual	22	3 ³ / ₄	105	180	106	1.00	31,82	27,74
¹ / ₆ (club 30)				188	130			
¹ / ₄ usual	24	4 ³ / ₈	125	195	125	1.10	35,01	32,32
¹ / ₄ usual	30	5 ¹ / ₄	150	240	169	1.30	41,38	30,19
¹ / ₄ club	40	6 ¹ / ₄	175	250	178			
¹ / ₄ P 30				250	187	1.60	50,92	47,01
¹ / ₄ American	30	7	200	300	207			
¹ / ₄ usual	40	9 ¹ / ₄	260	326	250	1.80	57,28	52,88
¹ / ₃ P				337	250			
¹ / ₄ club long	40	8 ³ / ₄	248	320	241	2.20	70,01	64,62
¹ / ₂ low	30	9 ¹ / ₄	260	370	245			
¹ / ₄ usual long	40	11 ¹ / ₂	325	423	313	2.50	79,57	73,44
¹ / ₄ usual	48	11	310	390	297	2.60	82,74	76,38
¹ / ₄ large	40	11 ¹ / ₂	325	460	330	2.70	85,93	79,31
¹ / ₂ P				476	375			
¹ / ₁				902	750	4.65	148,00	136,61
³ / ₄	80	27 ¹ / ₂	780	950	771			
Oval bottom								
¹ / ₂ oval	40	15	425	555	452	3.40	108,20	99,89

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concerning the conclusion of the Agreement
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originating in Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia (1), and in particular Article 18 thereof,

Having regard to the recommendation from the Commission,

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ECONOMIC COMMUNITY AND THE
REPUBLIC OF TUNISIA CONCERNING
IMPORTS INTO THE COMMUNITY OF
PREPARED AND PRESERVED SARDINES
ORIGINATING IN TUNISIA

LETTER NO. 1

Sir,

Pursuant to Article 18 of the Cooperation Agreement between the European Economic Community and Tunisia, and following mutual clarifications as to the conditions under which prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff may be imported into the Community, I have the honour to inform you that Tunisia undertakes to ensure that the prices of imports into the Community will not be less than those given in the annex and that there will be no deflection of trade.

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For the Government

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LETTER NO. 2

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1/8 club	25	2 3/4	80	120	75	0.70	22,28	20,58
1/4 reduced	18	2 3/8	74	130	73	0.77	24,52	22,63
1/8 club	30	3 1/4	90	140	93	0.80	25,46	23,50
1/4 special	25	3 1/6	90	140	90	0.85	27,05	24,98
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1/1				902	750	4.65	148,00	136,61
1/4	80	27 1/2	780	950	771			
Oval bottom								
1/2 oval	40	15	425	555	452	3.40	108,20	99,89

FINANCIAL MEMORANDUM

DATE :

1. NUMBER OF RELEVANT BUDGET HEADING : Chap. 12 Art. 120
2. TITLE OF PROJECT : Application of the provisions of Article 19 of the EEC-Morocco Agreement and Article 18 of the EEC-Tunisia Agreement
3. LEGAL BASIS : Cooperation Agreements
4. AIMS OF PROJECT : Amendment of the terms of the tariff concessions provided for in the Cooperation Agreements

5. FINANCIAL IMPLICATIONS	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR ()	FOLLOWING FINANCIAL YEAR ()
5.0. EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)			
- CHARGED TO NATIONAL ADMINISTRATION			
- CHARGED TO OTHER NATIONAL SECTORS			
5.1. REVENUE			
- OWN RESOURCES OF THE EC (XXXXXXXX/CUSTOMS DUTIES)			- 5.6 million ECU
- NATIONAL			

	YEAR 1982	YEAR 1983	YEAR 1984
5.0.1. MULTIANNUAL TIMETABLE OF EXPENDITURE			
5.1.1. MULTIANNUAL TIMETABLE OF REVENUE	million ECU - 5.6	- 6.4	- 7.2

5.2. METHOD OF CALCULATION

82	14.000 t x 1.600 ECU/t x 0.25 = approx. 5.6 million ECU
83	15.000 t x 1.700 ECU/t x 0.25 = approx. 6.4 million ECU
84	16.000 t x 1.800 ECU/t x 0.25 = approx. 7.2 million ECU

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

COMMENTS : The loss to the Community budget resulting from the proposed concession can be fairly compared to the loss resulting from the system applied to Morocco up to now (14.000 t zero-rated and 6.000 t at 10 %). As regards Tunisia, the quantities are marginal and their incidence on the budget comes within the margin allowed for when the estimates for Morocco were drawn up.

