

COMMISSION OF THE EUROPEAN COMMUNITIES

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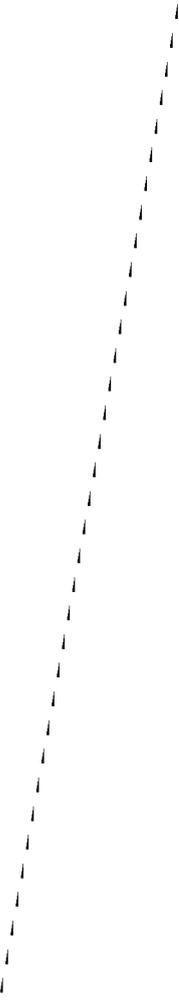
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Proposal for a
COUNCIL REGULATION (EEC)
establishing ceilings and Community supervision for
imports of certain products originating in Egypt,
Jordan, Lebanon and Syria (1979)

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

1. The Interim Agreements between the European Economic Community and Egypt, Jordan, the Lebanon and Syria provide, from the date of their coming into force, for the total suspension of customs duties for goods originating in these countries and imported into the Community.
Notwithstanding this provision, special arrangements are laid down for a certain number of sensitive products : annual ceilings may be imposed on the volume of such products. When a ceiling is reached the Community may reintroduce until the end of the calendar year the customs duties applicable for the goods in question to third countries.

The initial volumes of the annual ceilings operative for 1977 are fixed by the Agreements themselves. The ceilings are to be fixed annually and their levels increased by 5%. They will be abolished not later than 31 December 1979.

- The operation of the ceiling arrangements and the power to reintroduce customs duties will necessarily require the adoption of detailed common rules to be applied uniformly by all Member States. This can take the form of a Community system of supervision of actual imports from the partner State. To this end, the Member States should take appropriate measures to permit the rapid collection of statistical returns for the whole Community. In this connection only imports of the products in question should be taken into account, as and when they are submitted to the customs authorities under cover of a declaration of entry for home use and accompanied by a movement certificate conforming to the rules contained in the Agreements referred to under 1.

.../...

These returns are to be made up by each Member State at the end of every month and forwarded before the fifteenth day of the following month to the Commission so as to enable the latter to communicate by telex to all the Member States an overall, product-by-product statement for the preceding month of the imports in question. The system of supervision will require of the responsible departments of the Member States and the Commission diligence and close cooperation. In view of the fact that the products concerned are sensitive products and that duty free imports in excess of the ceilings could cause disturbance of the Community market, it is absolutely essential that all Member States respect rigorously the fifteenth-day time limit referred to above.

The following procedure is to be adopted for setting in train machinery to reintroduce duties : if one of the overall monthly statements drawn up by the Commission reveals that 75% of the ceiling fixed for a given product has been reached, the Member States would be informed and consultations could be held, in particular in the Working Party on Economic Tariff Problems, either at the request of a Member State or the Commission's initiative. The aim of these consultations would be to examine, case by case, whether or not the customs duties applicable to non-member countries should be reintroduced once the target ceiling is actually reached.

Monthly returns would still be made in respect of imports of the product in question or, if the Commission so requested, it would be notified by telex of such imports every ten days. In the latter case, the time limit for forwarding the information would be five days.

In this way, the Commission would be able to take, within the shortest possible time, measures leading to the reintroduction by Regulation, of customs duties in respect of the partner State which would apply until the end of the calendar year. In the above hypothesis, the reintroduction of the customs duties on the product under consideration would, naturally, be effected within a time limit fixed by the Regulation putting an end to the exemption of duties provided for in the Agreements in question.

1. As far as application of the rule on ceilings and reintroduction of duties is concerned, the attached proposal makes provision for the Council to confer powers upon the Commission.

The proposed Regulation does no more than outline how these powers are to be exercised so that, in consultation with the Member States, the machinery to be set in train may be adapted flexibly and rapidly. It is with the same view to maximum efficiency and rapidity that the proposed Regulation provides that the Commission would be responsible for reintroducing, in respect of the partner State, the duties applicable to non-member countries.

ANNEX :

Proposal for a Council Regulation.

PROPOSAL FOR A
COUNCIL REGULATION (EEC)

establishing ceilings and Community supervision for imports of certain products
originating in Egypt, Jordan, Lebanon and Syria (1979)

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 proposal from the Commission,

Whereas the Cooperation Agreements between the European Economic Community and the Arab Republic of Egypt (1), the Hashemite Kingdom of Jordan (2), the Lebanese Republic (3) and the Syrian Arab Republic (4) each stipulate in Article 9 that products originating in these countries shall be imported into the Community duty free as from 1 July 1977; whereas, by way of derogation therefrom, Article 13 or 14, according to the Agreement concerned, provides that the reduction of duties shall apply to imports of the products listed therein only up to ceilings above which the customs duties applicable to third countries may be reimposed; whereas the ceilings to be applied in 1979, should therefore be established;

Whereas the application of ceilings requires that the Community be regularly informed of the trend of imports of the products in question originating in these countries;

whereas it is therefore desirable that imports of these products be subjected to a system of supervision ;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level, as and when these products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the reintroduction of customs tariff duties as soon as the ceilings have been reached at Community level;

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 ceilings and keep the Member States informed; whereas this cooperation must be all the closer in that the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings is reached;

Whereas the trend of imports of certain products not subject to ceilings should also be followed; whereas it is therefore desirable that imports of such products should also be subject to a system of supervision,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, imports of the products originating in Egypt, Jordan, Lebanon and Syria which are enumerated in Lists A of Annexes I, II, III and IV respectively shall be subject to annual ceilings and Community supervision.

- (1) OJ N° L
- (2) OJ N° L
- (3) OJ N° L
- (4) OJ N° L

The description of the products in question, their tariff headings and statistical numbers and the levels of the ceilings are given in the aforementioned lists.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for home use accompanied by a

movement certificate conforming to the rules contained in the Protocols on rules of origin to the Cooperation Agreements between the Community of the one part and Egypt, Jordan, Lebanon and Syria of the other part. However, in the case of products falling within Chapter 27, a certificate of origin may be substituted for the movement certificate.

Goods may be charged against the ceilings only if the movement certificate or, in the case of goods falling within Chapter 27, the certificate of origin is submitted before the date on which customs duties are reimposed.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

The Member States shall inform the Commission at the intervals and within the time limits specified in paragraph 4 of imports effected in accordance with the above rules.

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation imposing until the end of the calendar year the customs duties applicable to third countries.

of the quantities charged during the preceding month, They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days from the expiry of the preceding 10-day period.

Article 2

From 1 January until 31 December 1979, imports of the products referred to in lists B of Annexes I, II, III and IV which originate in Egypt, Jordan, Lebanon and Syria shall be subject to Community supervision.

Member States shall forward to the Commission, not later than the 15th day of each month, statements of imports of the products in question effected during the preceding month; only products submitted to the customs authorities under cover of a declaration that they are being entered for home use and accompanied by a movement certificate conforming to the rules contained in the Protocols on rules of origin to the Interim Agreements.

Article 3

The Commission shall take all measures in close cooperation with the Member States, for the purposes of applying this Regulation.

Article 4

4. Member States shall forward to the Commission not later than the 15th day of each month statements

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels,

For the Council
The President

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I ET 1 (cont'd)	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14-99	38.587
I ET 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30	
I ET 3	55.05	Cotton yarn, not put up for retail sale	55.05- all Nos	
I ET 4	55.09	Other woven fabrics of cotton	55.09- all Nos	3.583

LIST B

List of products referred to in Article 2 originating in Egypt

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II ET 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II ET 2	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II ET 3	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II ET 4	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II ET 5	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

ANNEX II

LIST A

List of products originating in Jordan subject to import ceilings in 1979

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I JOR 1	55.09	Other woven fabrics of cotton	55.09-all Nos	110

LIST B

List of products referred to in Article 2 originating in Jordan

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II JOR 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II JOR 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30
II JOR 3	31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus	31.05-04, 06 31.05-12, 14, 16, 19
II JOR 5	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II JOR 6	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II JOR 7	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
JOR 8	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
JOR 9	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

ANNEX III

LIST A

List of products originating in the Lebanon subject to import ceilings in 1979

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I RL 1	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates	31.03-15	16.537
		B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-30	
I RL 2	55.09	Other woven fabrics of cotton	55.09-all Nos	220

LIST B

List of products referred to in Article 2 originating in the Lebanon

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II RL 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II RL 2	42.02	Travel goods (for example, trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric	42.02-all Nos
II RL 3	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II RL 4	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II RL 5	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II RL 6	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II RL 7	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

LIST B

List of products referred to in Article 2 originating in Syria

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II SYR 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II SYR 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30
	31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers:	
II SYR 3		I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium	31.05-04, 06
II SYR 4		II. Containing the two fertilizing substances: nitrogen and phosphorus	31.05-12, 14, 16, 19
II SYR 5	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II SYR 6	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II SYR 7	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II SYR 8	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II SYR 9	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos