

COMMISSION OF THE ~~EUROPEAN~~ COMMUNITIES

COM(81) 214 final

Brussels, 29 April 1981

Draft

COUNCIL REGULATION (EEC)

temporarily suspending the autonomous Common Customs Tariff
duties on a number of agricultural products

(submitted to the Council by the Commission)

COM(81) 214 final

EXPLANATORY MEMORANDUM

1. The subject of the following draft regulation is the temporary suspension of duties in the Common Customs Tariff for a number of agricultural items, as requested by the Member States.
It is partly a prolongation and partly a new measure.
2. It seems appropriate to the Commission that a duty suspension is justified for the goods listed in the annex to this regulation.
The Commission proposes a total suspension for those products for which Community production does not exist or is minimal. A partial suspension is proposed in cases where the Community production covers only a part of the requirements. The rate of the partially suspended duty depends on the extent of the possible Community supply to the Community users. The Commission is also looking for the right balance between the interests of the suppliers, users and the consumers in the Community.
It also takes into account the need to protect employment.
3. The proposed measures are confined to a fixed period because of the difficulties of estimating the evolution of the basic factors.
4. For a number of items for which the Member States also requested duty suspensions the Commission does not propose a tariff measure because the necessary conditions are not fulfilled. This concerns the following items :

| CCT HEADING NO | DESCRIPTION |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03.01 A I b) | Salmon, fresh (live or dead), chilled or frozen |
| ex 03.01 B I b) | Cod (<u>Gadus morrhua</u> or <u>Gadus callarias</u>), fresh, chilled or frozen, whole, of a length of 40 cm or more for processing |
| ex 03.01 B I k) | Haddock, fresh, whole, of a length of 40 cm or more for processing |
| ex 03.01 B I q) | Hake (<u>Merluccius spp.</u>), fresh, ^{whole} of a length of 40 cm or more for processing |
| ex 03.01 B II a) and B II b) 7 | Fillets of hake (<u>Merluccius spp.</u>), fresh, chilled or frozen, intended for processing |
| ex 16.05 B | Shrimps and prawns other than those of the 'Crangon' variety, boiled in water and shelled, whether or not frozen or dried, for the industrial manufacture of products falling within heading No 16.05 |
| 18.01 | Cocoa beans, whole or broken, raw or roasted |

5. Attention is drawn to the fact that the Council Resolution of 27.6.1974 simplifying the task of the customs administrations (OJ C 79/74) requires the publication of the attached Regulation at least six weeks before its entry into force.

DRAFT
COUNCIL REGULATION (EEC)

temporarily suspending the autonomous Common Customs Tariff duties on a
number of agricultural products

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 28
thereof,

Having regard to the draft Regulation submitted by
the Commission,

Whereas production in the Community of the
products specified in this Regulation is currently
inadequate or non-existent, and whereas producers
thus cannot meet the needs of user industries in the
Community;

Whereas in certain cases it is in the interest of the
Community to suspend the autonomous Common
Customs Tariff duties only partially, particularly since
the goods in question are produced in the Commu-
nity, and in the other cases to suspend them totally;

Whereas, in view of the difficulty of assessing accu-
rately short-term trends in the economic situation in
the relevant sectors, suspension measures should be
taken only for temporary periods by fixing their

period of validity by reference to the interests of
Community production,

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties for
the products listed in the tables annexed to this Regu-
lation shall be suspended at the level indicated against
each of them.

These suspensions shall be applicable:

- from 1 July to 31 December 1981 for the products
listed in Table I,
- from 1 July 1981 to 30 June 1982 for the
products listed in Table II.

Article 2

This Regulation shall enter into force on 1 July 1981.

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

Done at Brussels,

For the Council
The President

ANNEX

TABLE I

| CCT heading No | Description | Rate of autonomous duty (%) |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| ex 03.01 B I e) | Piked dog-fish (<i>Squalus acanthias</i>), fresh, chilled or frozen, whole, headless or in pieces | 0 |
| ex 03.01 B II a) and B II b) 7 | Fillets of herring, fresh, chilled or frozen, for processing | 3 |
| ex 03.02 A I a) | Herring, dried, salted or in brine, whole, headless or in pieces | 8 |
| ex 03.02 A I b) | Coalfish (<i>Pollachius virens</i> or <i>Gadus virens</i>), salted or in brine, whole, headless or in pieces, intended for processing (a) (b) | 8 |
| ex 03.02 A II d) | Fillets of herring, dried, salted or in brine | 9 |
| ex 03.02 A II d) | Fillets of coalfish (<i>Pollachius virens</i> or <i>Gadus virens</i>), salted or in brine intended for processing (a) (b) | 8 |
| ex 03.03 A I | Tails of crawfish, chilled or frozen, shelled or not | 17.5 |
| ex 03.03 B I b) | Oysters, fresh (live), weighing no more than 12 g each | 9 |
| ex 07.04 B | Sweet red or green peppers, dried, dehydrated or evaporated, whole, cut or sliced, but not further prepared | 10 |
| ex 07.05 B I | Beans, dried, white, of the species <i>Phaseolus vulgaris</i> | 0 |
| ex 08.01 A | Dates, fresh or dried, for repacking for retail sale, in immediate packings of a net capacity not exceeding 11 kg (b) | 0 |
| ex 08.10 D | Dates, frozen, in immediate packings of a net capacity of 5 kg or more, not intended for the production of alcohol (b) | 0 |
| 09.10 C I | Saffron, neither crushed nor ground | 10 |
| ex 16.04 C II | Spiced and salted herrings, in immediate packings of a net capacity of 10 kg or more | 8 |
| ex 16.04 C II | 'Herring-flaps', prepared or preserved in vinegar, in immediate packings of a net capacity of 10 kg or more | 8 |
| ex 16.05 A | Crabs of the species 'King' (<i>Paralithodes camtchaticus</i>), 'Hanasaki' (<i>Paralithodes brevipes</i>), 'Kegani' (<i>Erimacrus isenbecki</i>), and 'Queen' (<i>Chionoecetes</i> spp), 'Red' (<i>Geryon quinquegens</i>) and 'Rough stone' (<i>Neolithodes asperimus</i>), simply boiled in water and shelled, whether or not frozen, in immediate packings of a net capacity of 2 kg or more | 0 |
| ex 16.05 B | Shrimps and prawns of the species "Pandalus borealis" boiled in water and shelled, whether or not frozen or dried, for the industrial manufacture of products falling within heading No 16.05 (b) | 0 |

(a) The suspension shall apply to fish intended to undergo any treatment unless they are intended to undergo exclusively one or more of the following treatments:

- cleaning, gutting, heading, tailing,
- cutting (excluding filleting or cutting of frozen blocks),
- sorting,
- labelling,
- packing,
- icing,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products on which otherwise qualifying treatments are intended to be carried out at retail or catering level.

The suspension shall apply only to fish intended for human consumption.

(b) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

TABLE II

| CCT heading No | Description | Rate of autonomous duty (%) |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| ex 03.01 B I g) | Lesser or Greenland halibut (<u>Hippoglossus reinhardtius</u> otherwise known as " <u>Reinhardtius hippoglossoides</u> "), fresh, chilled or frozen, whole, headless or in pieces | 0 |
| ex 03.01 B I q) | Sardinops sagax or ocellata (pilchards), fresh, chilled or frozen: (a) whole, of a length of 20 cm or more, (b) headless, of a length of 15 cm or more, intended for processing (a) (b) | 4 |
| ex 03.01 B I q) | Flaps of Sardinops sagax or ocellata (pilchards), fresh, chilled or frozen, of a length of 12 cm or more, for processing (a) (b) | 0 |
| ex 03.01 B I q) | Sturgeons, fresh, chilled or frozen, whole, headless or in pieces, for processing (a) (b) | 0 |
| ex 03.01 C | Soft roes, frozen, for the manufacture of deoxyribonucleic acid (DNA) (b) | 0 |
| ex 03.01 C | Hard fish roes, fresh, chilled or frozen | 0 |
| 03.02 A I e) | Salmon, salted or in brine, whole, headless or in pieces | 4 |
| ex 03.02 C | Hard fish roes, salted or in brine | 0 |
| 07.01 G III | Horse-radish (<i>Cochlearia armoracia</i>), fresh or chilled | 11 |
| ex 07.03 E | Mushrooms, excluding cultivated mushrooms falling within subheading 07.01 Q I, preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption | 0 |
| ex 07.04 B | Mushrooms, excluding cultivated mushrooms falling within subheading 07.01 Q I, dried, dehydrated or evaporated, whole or in identifiable pieces or slices, for treatment other than simple repacking for retail sale (b) (c) | 0 |

(a) The suspension shall apply to fish intended to undergo any treatment unless they are intended to undergo exclusively one or more of the following treatments:

- cleaning, gutting, heading, tailing,
- cutting (excluding filleting or cutting of frozen blocks),
- sorting,
- labelling,
- packing,
- icing,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products on which otherwise qualifying treatments are intended to be carried out at retail or catering level.

The suspension shall apply only to fish intended for human consumption.

(b) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(c) However, the duty suspension shall not apply where the treatment is carried out by retail sale or catering undertakings.

| CCT heading No | Description | Rate of autonomous duty (%) |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| ex 08.01 A | Dates, fresh or dried, intended for processing other than for the production of alcohol (b) | 0 |
| ex 08.09 | Rose-hips, fresh | 0 |
| 08.10 ex B, C and ex D | Fruit of the species <i>Vaccinium</i> (whether or not cooked), preserved by freezing, not containing added sugar | 0 |
| ex 08.10 D | Rose-hips, whether or not cooked, preserved by freezing, not containing added sugar | 0 |
| ex 09.04 B I | Paprika, ground, for use in animal feedingstuffs (b) | 0 |
| ex 15.07 D I b) 2 | <p>Purified soya-bean oil in glass bottles. Each bottle holds 10 litres or purified soya-bean oil containing by weight :</p> <ul style="list-style-type: none"> - a minimum of 8.5% and a maximum of 12% of palmitic acid esters, - a minimum of 2.5% and a maximum of 4.7% of stearic acid esters, - a minimum of 22.4% and a maximum of 29% of oleic acid esters, - a minimum of 46.6% and a maximum of 53.7% of linoleic acid esters, - a minimum of 7.4% and maximum of 11% of linolenic acid esters, <p>and containing :</p> <ul style="list-style-type: none"> - free fatty acids not greater than 5 millimoles per kg of oil, - phosphalipids corresponding to a nitrogen content not exceeding 0.04 milligrammes per gramme of oil <p>The soya-bean oil covered by this description is destined for the preparation of emulsions for injections (b)</p> | 8 with a maximum duty of 50 EUA per 100 kg net weight, plus a compensatory amount in certain conditions |
| ex 16.04 A II | Hard fish roes, washed, cleaned of adherent organs and simply salted or in brine | 0 |
| ex 16.04 B I | Salmon for the processing industry for further manufacture into pastes or spreads (b) | 0 |
| 23.07 A | Fish or marine mammal solubles | 0 |

(b) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

