

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 477 final
Brussels, 7 September 1979

Proposal for a
COUNCIL REGULATION (EEC)

on the total or partial suspension of Common Customs
Tariff duties on certain agricultural products originating
in Turkey (1980)

(submitted to the Council by the Commission)

COM(79) 477 final

EXPLANATORY MEMORANDUM

(1) The Additional Protocol and the Supplementary Protocol, concluded by the Community with Turkey provide for certain partial or total suspensions for agricultural products mentioned in Chapters 1 - 24 of the Common Customs Tariff.

Furthermore, the Council has decided that as from 1 January 1974 Turkey should not be treated less favourably than the countries and territories benefiting from generalised tariff preferences.

(2) The proposal for a regulation is aimed at securing implementation of these decisions. They extend to Turkey for 1980, on an autonomous basis, the total or partial suspensions of duties proposed by the Commission under the generalised tariff preference scheme; these suspensions would, however, be confined to the products mentioned in Chapters 1 - 24, in respect of which no provision is made for more favourable treatment in the agreements with Turkey.

(3) As the proposal for a regulation is based on Articles 43 and 113 of the Treaty, the European Parliament has to be consulted.

(4) It is pointed out that :

- the proposal for a regulation is based on the interim Agreement whose period of validity extends until the entry into force of the Supplementary Protocol;
- the enacting terms of the regulation and the list of products in annex to it are based on the one hand on the proposal forwarded by the Commission to the Council concerning generalised tariff preferences for the agricultural products mentioned in Chapters 1 - 24.

This proposal would therefore have to be amended should the Supplementary Protocol comes into force, and will have to be harmonized with the final text of the regulation on suspensions under the generalised preference scheme when this has been adopted by the Council.

Proposal for a
COUNCIL REGULATION (EEC) No .../79

of

on the total or partial suspension of Common Customs Tariff duties on certain
agricultural products originating in Turkey (19 80)

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 arrange-
ments applicable to certain goods resulting from the
processing of agricultural products⁽¹⁾, and in parti-
cular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parlia-
ment,

Whereas, under Annex 6 of the Additional Protocol
laying down the conditions, procedures and timetables
for implementing the transitional phase pursuant to
Article 4 of the Agreement establishing an association
between the European Economic Community and
Turkey, and under Article 1 of the Interim Agreement
between the European Economic Community and
Turkey consequent on the Accession of new Member
States to the Community, the Community must
totally or partially suspend the Common Customs
Tariff or duties applicable to certain products;
whereas it also appears necessary on a provisional
basis to adjust or supplement some of these tariff
advantages provided for in the abovementioned
Annex 6; whereas the Community should with regard
to the products originating in Turkey contained in the
list annexed to this Regulation, suspend until 31
December 1980 either the fixed component of the
charge applicable to the goods coming under Regula-
tion (EEC) No 1059/69 of the customs duty applicable
to the other products, at the levels indicated for each
of them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1980 the
products originating in Turkey listed in Annex A shall
be admitted for import into the Community at the
customs duties indicated for each of them.
2. For the purposes of application of this Regula-
tion, 'originating products' shall mean those products

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

which fulfil the conditions laid down in Association
Council Decision No 4/72 of 29 December 1972
annexed to Regulation (EEC) No 428/73 (2), as
amended by Decision No 1/75 of 26 May 1975
annexed to Regulation (EEC) No 1431/75 (3).

The methods of administrative cooperation which
ensure that the products listed in the annexes benefit
from the total or partial suspension shall be those laid
down in Association Council Decision No 5/72 of 29
December 1972 annexed to Regulation (EEC) No
428/73, as last amended by Decision No 1/78 of 18
July 1978 annexed to Regulation (EEC) No
2152/78 (4).

Article 2

When the imports of products benefiting from the
arrangements provided for in Article 1 come into the
Community in quantities or at prices which cause or
threaten to cause serious loss to the Community
producers of similar products or directly competitive
products, the Common Customs Tariff duties may be
partially or wholly reintroduced for the products in
question. These measures may also be taken in the
event of serious loss or the threat of serious loss
limited to a single region of the Community.

Article 3

1. In order to ensure the application of Article 2,
the Commission may decide by means of a Regula-
tion to reintroduce Common Customs Tariff duties
for a limited period.
2. Where the Commission has been requested by a
Member State to take action it shall take a decision
within a maximum period of 10 working days from
receipt of the request and shall inform the Member
States of the action taken.
3. Any Member State may refer the Commission's
action to the Council within a period of 10 working
days following the day of its notification. The interven-
tion of the Council shall not have a suspensory effect.
The Council shall meet without delay. It may by a
qualified majority amend or annul the measure taken.

Article 4

This Regulation shall enter into force on 1 January
1980.

(2) OJ No L 59, 5. 3. 1973, p. 73.
(3) OJ No L 142, 4. 6. 1975, p. 1.
(4) OJ No L 253, 15. 9. 1978, p. 1.

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

Done at Brussels, _____

For the Council
The President

ANNEX

List of products falling within Chapters 1 to 24 originating in Turkey for which there are grounds for total or partial suspension of the duties of the Common Customs Tariff

CCT heading No	Description	Rate of duty
03.01	Fish, fresh (live or dead), chilled or frozen : B. Saltwater fish : I. Whole, headless or in pieces : ex q) Other : — Aquarium fish II. Fillets : b) Frozen : ex 7. Other : — Of sharks and of halibut C. Livers and roes	Free 5 % 5 %
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried ; crustaceans, in shell, simply boiled in water : A. Crustaceans : ex V. Other (for example, Norway lobsters) — <i>Peurullus</i> spp B. Molluscs : II. Mussels	7 % 7 %
04.06	Natural honey	25 %
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared : A. Fresh : ex I. From 1 June to 31 October : — Orchids (family Orchidaceae) and Anthurium ex II. From 1 November to 31 May : — Orchids (family Orchidaceae) and Anthurium	15 % 15 %
07.01	Vegetables, fresh or chilled : ex T. Other : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench) ; <i>Moringa oleifera</i> (Drumsticks)	Free

CCT heading No	Description	Rate of duty
07.01 (cont'd)	<ul style="list-style-type: none"> — Aubergines, from 1 to 14 January — Other, excluding celery sticks, marrows and pumpkins and parsley, from 1 January to 31 March 	<p>9 %</p> <p>9 %</p>
07.03	<p>Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption :</p> <p>ex E. Other vegetables :</p> <ul style="list-style-type: none"> — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench) 	<p>Free</p>
07.04	<p>Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared :</p> <p>ex B. Other :</p> <ul style="list-style-type: none"> — Mushrooms, excluding cultivated mushrooms — Horse-radish (<i>Cochlearia armoracia</i>) 	<p>8 %</p> <p>Free</p>
07.06	<p>Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced ; sago pith :</p> <p>B. Other</p>	<p>Free</p>
08.01	<p>Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guaves and mangosteens, fresh or dried, shelled or not :</p> <p>ex B. Bananas :</p> <ul style="list-style-type: none"> — Dried 	<p>6 %</p>
08.02	<p>Citrus fruit, fresh or dried :</p> <p>ex E. Other :</p> <ul style="list-style-type: none"> — Limes and limettes (<i>citrus aurantifolia</i>, var <i>Lumio</i> and var <i>Limetta</i>) 	<p>9.6 %</p>
08.05	<p>Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not :</p> <p>D. Pistachios</p> <p>E. Pecans</p> <p>ex G. Other (excluding hazelnuts)</p>	<p>Free</p> <p>Free</p> <p>Free</p>
08.07	<p>Stone fruit, fresh :</p> <p>B. Other</p>	<p>7 %</p>
08.08	<p>Berries, fresh :</p> <p>F. Other</p>	<p>6 %</p>

CCT heading No	Description	Rate of duty
ex 08.09	Other fruit, fresh : — Rose-hips fruit — Watermelons, from 1 November to 31 March — Other, excluding melons and watermelons	Free 6.5 % 6 %
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar : ex A. Bilberries (fruit of the <i>Vaccinium myrtillus</i>) blackberries (brambleberries), mulberries and cloudberries ex B. Other : — Quinces — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	9 % 11 % 8 %
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption): C. Papaws D. Bilberries (fruit of the <i>Vaccinium myrtillus</i>) ex. E. Other : — Quinces — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B and F and 08.09, excluding pineapples, melons and watermelons	Free 4 % 4 % Free
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05 : E. Papaws ex G. Other : — Tamarind (pods, pulp)	Free Free
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free
09.01	Coffee, whether or not roasted or free of caffeine ; coffee husks and skins ; coffee substitutes containing coffee in any proportion : A. Coffee : I. Unroasted : b) Free of caffeine II. Roasted : a) Not free of caffeine b) Free of caffeine B. Husks and skins C. Coffee substitutes containing coffee in any proportion	10 % 12 % 15 % 10 % 15 %

CCT heading No	Description	Rate of duty
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared :	
	A. In immediate packings of a net capacity of 1 kg or less	16 %
	B. Other	11 %
15.17	Degras ; residues resulting from the treatment of fatty substances or animal or vegetable waxes :	
	B. Residues resulting from the treatment of fatty substances or animal or vegetable waxes :	
	II. Other :	
	a) Oil foots and dregs ; soapstocks	Free
	b) Other	Free
16.02	Other prepared or preserved meat or meat offal :	
	A. Liver :	
	I. Goose or duck liver	14 %
	B. Other :	
	II. Game or rabbit meat or offal :	
	— Game	9 %
	— Rabbit	14 %
	III. Other :	
	b) Other :	
	1. Containing bovine meat or offal :	
	ex bb) Other :	
	— Prepared or preserved bovine tongue	17 %
	2. Other :	
	aa) Ovine meat or offal	18 %
	bb) Other	16 %
16.04	Prepared or preserved fish, including caviar and caviar substitutes :	
	A. Caviar and caviar substitutes :	
	I. Caviar (sturgeon roe)	12 %
	II. Other	16 %
	B. Salmonidae	4 %
	ex F. Bonito (<i>Sarda</i> spp.) and mackerel	19 %
	G. Other :	
	I. Fillets, raw, coated with batter or breadcrumbs, deep frozen	10 %
	II. Other	10 %

CCT heading No	Description	Rate of duty
16.05	Crustaceans and molluscs, prepared or preserved: ex B. Other, excluding shrimps of the Crangon spp type and snails	6 %
18.06	Chocolate and other food preparations containing cocoa: A. Cocoa powder, not otherwise sweetened than by the addition of sucrose C. Chocolate and chocolate goods, whether or not filled; sugar confectionary and substitutes therefor made from sugar substitution products, containing cocoa	3 % + vc 10 % + vc with a max. of 27 % + ads
ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	4 % + vc
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles E. Sauerkraut ex. H. Other, including mixtures: — Moringa oleifera (Drumsticks)	14 % 16 % Free
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13 % by weight: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex B. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	12 % + (L) 12 %
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13 % by weight: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex II. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples melons and watermelons	8 % + (L) 8 %

CCT heading No	Description	Rate of duty
20.05	<p>Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar :</p> <p>B. Jams and marmalades of citrus fruit :</p> <p>ex I. With a sugar content exceeding 30 % by weight, excluding orange jam and marmalade</p> <p>ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight, excluding orange jam and marmalade</p> <p>ex III. Other, excluding orange jam and marmalade</p> <p>C. Other :</p> <p>I. With a sugar content exceeding 30 % by weight :</p> <p>ex b) Other :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex III. Other :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p>	<p>19 % + (L)</p> <p>19 % + (L)</p> <p>19 %</p> <p>12 % + (L)</p> <p>12 % + (L)</p> <p>12 %</p>
20.06	<p>Fruit, otherwise prepared or preserved, whether or not containing added sugar or spirit :</p> <p>B. Other :</p> <p>I. Containing added spirit :</p> <p>a) Ginger</p> <p>b) Pineapples, in immediate packings of a net capacity :</p> <p>1. Of more than 1 kg :</p> <p>aa) With a sugar content exceeding 17 % by weight</p> <p>bb) Other</p> <p>2. Of 1 kg or less :</p> <p>aa) With a sugar content exceeding 19 % by weight</p> <p>bb) Other</p> <p>c) Grapes :</p> <p>1. With a sugar content exceeding 13 % by weight</p> <p>2. Other</p>	<p>10 %</p> <p>10 % + (L)</p> <p>10 %</p> <p>10 % + (L)</p> <p>10 %</p> <p>25 % + (L)</p> <p>25 %</p>

CCT heading No	Description	Rate of duty
20.06 (cont'd)	<p>d) Peaches, pears and apricots, in immediate packings of a net capacity:</p> <p>1. Of more than 1 kg:</p> <p>aa) With a sugar content exceeding 13 % by weight</p> <p>bb) Other</p> <p>2. Of 1 kg or less:</p> <p>aa) With a sugar content exceeding 15 % by weight</p> <p>bb) Other</p> <p>e) Other fruits:</p> <p>ex 1. With a sugar content exceeding 9 % by weight, excluding cherries</p> <p>ex 2. Other, excluding cherries</p> <p>f) Mixtures of fruit:</p> <p>1. With a sugar content exceeding 9 % weight</p> <p>2. Other</p> <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p>3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids</p> <p>4. Grapes</p> <p>ex 8. Other fruits:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Tamarind (pods, pulp)</p> <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> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <p>3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids</p> <p>4. Grapes</p>	<p>25 % + (L)</p> <p>25 %</p> <p>25 % + (L)</p> <p>25 %</p> <p>25 % + (L)</p> <p>25 %</p> <p>25 % + (L)</p> <p>25 %</p> <p>25 % + (L)</p> <p>25 %</p> <p>19 % + (L)</p> <p>18 % + (L)</p> <p>8 % + (L)</p> <p>8 % + (L)</p> <p>12 % + (L)</p> <p>20 % + (L)</p> <p>19 % + (L)</p>

CCT heading No	Description	Rate of duty
20.06 (cont'd)	<p>ex 8. Other fruits :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <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> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>c) Not containing added sugar, in immediate packings of a net capacity :</p> <p>1. Of 4.5 kg or more :</p> <p>ex dd) Other fruits :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex ee) Mixtures of fruit :</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons, in which no single fruit exceeds 50 % of the total weight of the fruits</p> <p>2. Of less than 4.5 kg :</p> <p>ex bb) Other fruit and mixtures of fruit :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons, in which no single fruit exceeds 50 % of the total weight of the fruits</p>	<p>8 % + (L)</p> <p>12 % + (L)</p> <p>8 %</p> <p>12 %</p> <p>8 %</p> <p>12 %</p>
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>A. Of a specific gravity exceeding 1.33 at 15 °C :</p> <p>III. Other :</p> <p>ex a) Of a value exceeding 30 EUA per 100 kg net weight :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p>	<p>15 %</p>

CCT heading No	Description	Rate of duty
20.07 (cont'd)	<p>b) Of a value not exceeding 30 EUA per 100 kg net weight:</p> <p>ex 1. With an added sugar content exceeding 30 % by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex 2. Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>B. Of a specific gravity of 1.33 or less at 15 °C :</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 EUA per 100 kg net weight:</p> <p>3. Lemon juice or other citrus fruit juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Excluding lemon juice</p> <p>ex bb) Other:</p> <p>— Excluding lemon juice</p> <p>6. Other fruit and vegetable juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of, grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar</p> <p>22. Other</p>	<p>15 % + (L)</p> <p>15 %</p> <p>13 %</p> <p>13 %</p> <p>10 %</p> <p>17 %</p> <p>10 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p>

