

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 133 final

Brussels, 27 March 1981

Proposal for a
COUNCIL REGULATION (EEC)
on measures applicable to imports of preserved mushrooms

(submitted to the Council by the Commission)

COM(81) 133 final

EXPLANATORY MEMORANDUM

The prices at which preserved mushrooms are offered in the main supplier countries are much below the Community cost price and the quantities available for export in those countries are such that they are liable to disturb the Community market.

Confronted with this situation, the Commission has since 1978 had to take various protective measures.

It has now become apparent that the circumstances which led to the taking of those protective measures are not likely to change in the near future. Those measures do not therefore, in themselves, constitute an adequate means of remedying the situation.

In the circumstances, provision should be made for a measure of market management to deal with the situation. The purpose of this Regulation is to introduce such a measure, consisting in the levying of an additional amount on all imports into the Community exceeding the quantities traditionally traded.

Proposal for a
COUNCIL REGULATION (EEC)
on measures applicable to imports of preserved mushrooms

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables¹, as amended by Regulation (EEC) No 3454/80², and in particular Article 13 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the prices at which preserved mushrooms are offered in the main supplier countries are substantially lower than the cost price of the Community industry and the quantities available in those countries are such that they are liable to disturb the Community market;

Whereas, confronted with this situation, the Commission has on several occasions since 1978 had to take protective measures with regard to imports of preserved mushrooms;

¹OJ No L 73 of 21.3.1977, p. 1.

²OJ No C 360 of 31.12.1980, p. 16.

Whereas it appears that this state of affairs is not likely to change in the near future and that the protective measures which have been taken do not, in themselves, constitute the most suitable means of remedying the situation;

Whereas provision should therefore be made for measures of market management consisting in the levying of an additional amount on all imports into the Community exceeding the quantities traditionally traded;

Whereas in view of the characteristics of non-member countries' supplies to the Community, its market may be protected by fixing the additional amount at a level corresponding to that of the cost of production in the Member State which is the most representative of Community production;

Whereas, given the very small volume of imports of products originating in the Maghreb countries and the ACP States and the preferential treatment which the Community offers those countries and States, no additional amount should be levied on those imports,

HAS ADOPTED THIS REGULATION :

Article 1

Save in the cases referred to in Article 4, an additional amount shall be levied on all preserved mushrooms, falling within subheading 20.02 A of the Common Customs Tariff, entering into free circulation in the Community, in excess of the quantities established pursuant to Article 3.

Article 2

1. The additional amount is hereby fixed at 175 ECU per 100 kilograms net.

2. This amount shall, as necessary, be adjusted in the light of the trend in the quantities imported in excess of those determined in accordance with Article 3 and of the trend in the production cost of Community products.

Article 3

The quantities referred to in Article 1 shall each year be fixed and allocated among the supplier countries, account being taken of traditional Community trade flows and, in an appropriate manner, of any new suppliers.

Article 4

All imports from Maghreb countries and from ACP States shall be exempt from the application of this Regulation on condition that the product originates in the country or State concerned and is accompanied by the movement certificate issued in accordance with the provisions of the Protocol concerning the definition of the concept of "originating products" and methods of administrative cooperation annexed to the Preferential Agreements concluded with those countries and States. However, should there be a substantial increase in imports, a decision may be taken in accordance with the procedure provided for in Article 20 of Regulation (EEC) No 516/77 to apply to those imports the arrangements provided for in this Regulation subject to the agreements concluded with those countries and States.

Article 5

Detailed rules for the application of this Regulation, in particular as regards the fixing of the quantities referred to in Article 1 and their allocation, shall be laid down in accordance with the procedure provided for in Article 20 of Regulation (EEC) No 516/77. Any adjustment of the additional amount shall be made in accordance with the same procedure.

Article 6

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.

FINANCIAL STATEMENT

Date : 5.3.1981

1. BUDGET HEADING : 120 APPROPRIATIONS : 6 274 million ECJ

2. TITLE : Proposal for a Council Regulation on measures applicable on import of preserved mushrooms

3. LEGAL BASIS : Article 13 of Council Regulation (EEC) N° 516/77

4. AIMS OF PROJECT : Replacement of the protective measures by a market management measure adapted to the preserved mushroom import situation

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (81)	FOLLOWING FINANCIAL YEAR (82)
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)			
- NATIONAL ADMINISTRATION			
- OTHER			
5.1 RECEIPTS			
- OWN RESOURCES OF THE EC (TAXES/CUSTOMS DUTIES)	p. m.	P.m.	p.m.
- NATIONAL			
.....			
5.0.1 ESTIMATED EXPENDITURE			
5.1.1 ESTIMATED RECEIPTS			

5.2 METHOD OF CALCULATION There will probably be practically no imports of preserved mushrooms subject to the additional amount

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

OBSERVATIONS :