

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 549 final

Brussels, 9 September 1982

Proposal for a

COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for aubergines falling within subheading ex 07.01 T of the Common Customs Tariff and originating in Cyprus (1982)

(submitted to the Council by the Commission)

COM(82) 549 final

EXPLANATORY MEMORANDUM

Article 2 of Council Regulation (EEC) No 3746/81 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1981, as amended by Regulation (EEC) No...../82, provides for the opening of a Community tariff quota for the importation into the Community of 250 tonnes of aubergines originaring in Cyprus, falling within subheading ex 07.01 T of the Common Customs Tariff.

The customs duties applicable within the limits of this quota are equal to 40 % of the duties actually applied to third countries.

Accordingly the tariff quota in question has to be opened.

As the method of administration to be applied by all Member States, the Commission proposes the "greyhound system".

This is the subject of the proposal annexed hereto.

ANNEX : 1 proposal for a Regulation (EEC) of the Council.

Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff
quota for aubergines falling within subheading ex 07.01 T of the Common
Customs Tariff and originating in Cyprus (1982)

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 Article 2 of Council Regulation (EEC)
No. 3746/81 laying down the arrangements
applicable to trade with Cyprus beyond
31 December 1981 (1), as amended by
Regulation (EEC) No 1737/82 (2),

provides
for the opening, in respect of the period 1 October to
30 November 1982, of a Community tariff quota of
250 tonnes of aubergines, falling within subheading
ex 07.01 T of the Common Customs Tariff and origi-
nating in Cyprus, at a rate of customs duty equal to
40 % of the customs duty in the Common Customs
Tariff; whereas the Community tariff quota should be
opened for this period;

Whereas it is necessary in particular to ensure to all
Community importers equal and uninterrupted access
to the abovementioned quota and uninterrupted appli-
cation of the rates laid down for that quota to all
imports of the products concerned into all Member
States until the quota has been used up; whereas,
however, since the period of application of
the quota is very short

it seems possible to avoid allocating it
among the Member States, without pre-
judice to the
drawing against the quota volume of such
quantities as they may need, under the
conditions and according to the procedure
specified in article 1 (2); whereas this
method of management requires close
cooperation between the Member States and
the Commission and the latter must in

(1) OJ No L 374/, 30.12.1981, p. 4

; (2) OJ No L 190, 1.7.1982, p. 5

particular be able
to monitor the rate at which the quota is used up and
inform the Member States thereof;

Whereas since the Kingdom of Belgium, the
Kingdom of the Netherlands and the Grand Duchy of
Luxembourg are united within and jointly represented
by the Benelux Economic Union, all transactions
concerning the administration of shares allocated to
that economic union may be carried out by any one
of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 October until 30 November 1982 the
Common Customs Tariff duty for aubergines, falling
within subheading ex 07.01 T of the Common
Customs Tariff and originating in Cyprus, shall be
suspended at 6.4 % within the limits of a Community
tariff quota of 250 tonnes.

Within the limits of this tariff quota, Greece shall
apply customs duties calculated in accordance with
the relevant provisions in the 1979 Act of Accession
and the Protocol to the Agreement establishing an
association between the European Economic Commu-
nity and the Republic of Cyprus consequent on the
accession of the Hellenic Republic to the Commu-
nity (3).

2. If an importer notifies an imminent
importation of the product in question
in a Member State and requests the
benefit of the quota, the Member
State concerned shall inform the
Commission and draw an amount
corresponding to these requirements
to the extent to which the available
balance of the reserve permits this.

3. The shares drawn pursuant to
paragraph 2 shall be valid until
the end of the quota period.

(3) OJ No L 174, 30.6.1981, p. 2.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said goods have free access to the quota so long as the residual balance of the quota volume allows this.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

4. The extent to which the quota has been used up, shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 October 1982.

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

Done at Brussels,

For the Council
The President

