

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 152 final

Brussels, 26 March 1982

Proposal for a

COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of  
a Community tariff quota for fresh table grapes falling  
within subheading ex 08.04 A I of the Common Customs Tariff  
and originating in Cyprus (1982)

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(submitted to the Council by the Commission)

COM(82) 152 final



EXPLANATORY MEMORANDUM

1. Article 2 of Regulation (EEC) 3746 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1981 provides for the period 8 to 30 June 1982 for the opening of a Community tariff quota for the importation into the Community of 2 980 tonnes of fresh table grapes, originating in Cyprus, falling within subheading ex 08.04 A I a) of the Common Customs Tariff. The customs duty applicable within the limits of this quota is equal to 40% of the duty actually applied to third countries.

Accordingly the tariff quota in question has to be opened.

2. In this case it is the question of a tariff quota of a very short period of application. Therefore the whole quota volume should be allocated to the Community reserve and there should be provided for the possibility of those Member States in which needs might arise drawing appropriate quantities from that reserve.
3. This is the subject of the proposal annexed hereto.

ANNEX : 1 proposal for a Regulation.

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a Community tariff quota for fresh table grapes falling wi-  
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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 3140/81 of 21 December 1981  
laying down the arrangements applicable to trade with Cyprus beyond 31 December  
1981 (1) provides, for the period 8 to 30 June 1982, for the opening  
of a Community tariff quota of 2 980 tonnes of fresh table grapes,  
falling within subheading ex 08.04 A I a) of the Common Customs  
Tariff and originating 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 therefore be opened for this  
period;

Whereas it is necessary, in particular, to ensure for 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 tariff quota involved is of a rela-  
tively low volume and the period of application is very  
short, it seems possible to allocate the whole quota  
volume to the Community reserve and to provide for  
the possibility of those Member States in which needs  
might arise drawing appropriate quantities from that  
reserve; whereas the shares thus drawn from the  
reserve must be valid until the end of the quota  
period; whereas this method of management requires  
close cooperation between the Member States and the  
Commission and the latter must, in particular, be able  
to monitor the rate at which the quota is used up and  
inform the Member States thereof;

(1) OJ No L 374, 31.12.1981, p. 4.

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, any operation concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 8 June to 30 June 1982, the Common Customs Tariff duty for fresh table grapes falling within subheading ex 08.04 A I a) 2 of the Common Customs Tariff and originating in Cyprus shall be suspended at 7.2% within the limits of a Community tariff quota of 980 tonnes.

Within the limits of this tariff quota, Greece shall apply the customs duties calculated in accordance with the relevant provisions of the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community (1).

The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation<sup>(2)</sup>, annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State, the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

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(1) OJ No L 174, 30.6.81, p. 2

(2) OJ No L 339, 28. 12. 1977, p. 19.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 June 1982.

*Article 2*

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 1 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.

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

4. The extent to which a Member State has used up its share shall be determined on the basis of the

imports charged in accordance with the conditions set out in paragraph 3.

*Article 3*

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

*Article 4*

The Member States and the Commission shall cooperate closely in order to ensure compliance with this Regulation.

*Article 5*

This Regulation shall enter into force on 8 June 1982.

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

Done at Brussels,

For the Council