

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 618 final.

Brussels, 1 December 1975

Proposal for

A COUNCIL REGULATION

amending Council Regulation (EEC) No 1599/75 of 24 June 1975
on the arrangements applicable to agricultural products and
certain goods resulting from the processing of agricultural
products originating in the African, Caribbean and Pacific
States or in the overseas countries and territories.

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

1. When the ACP-EEC Convention of Lomé was signed on 28 February 1975, the Community declared its intention of admitting products falling within heading No. 06.03 or 06.04 of the Common Customs Tariff free of customs duties and of informing the ACP States as soon as possible of the date of entry into force of those arrangements, it being first necessary for the Community to settle the problems relating to the common import arrangements for those products. The Community also declared its intention of settling those problems by the end of 1975.

Since the discussions on a proposal for common import arrangements resulted in an agreement which enables that proposal to be submitted for approval by the Council at its meeting of 15 December 1975, under item A, and the entry into force of the common import arrangements to be set at 1 January 1976, products falling within heading No. 06.03 or 06.04 and originating in the African, Caribbean and Pacific States or the overseas countries and territories should be exempted from customs duties from that date.

2. Whereas Regulation (EEC) No 1599/75 lays down in respect of the products subject to levies or variable components total or partial exemption from such charges ; whereas deflections of trade could occur during the period of application of accession compensatory amounts in trade in these products between the Community as originally constituted and the new Member States ; whereas appropriate provisions should be made to enable measures to be taken in cases where there is a danger of deflection of trade.

PROPOSAL FOR A COUNCIL REGULATION

amending Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

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 the proposal from the Commission ;

Having regard to the Opinion of the European Parliament ;

Whereas Article 19 of Council Regulation (EEC) No 1599/75 (1) of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories lays down that the products referred to in Regulation (EEC) No 234/68 are to be imported free of customs duties, with the exception of products falling within heading No 06.03 or 06.04 of the Common Customs Tariff ;

Whereas the exemption of those products from customs duties was deferred until the problems relating to the unification of the import arrangements applied by each Member State with regard to non-member countries in respect of live plants and flowers could be settled ;

Whereas Council Regulation (EEC) No /75 of (2) has established the necessary common import arrangements ; whereas, consequently, products falling within heading No 06.03 or 06.04 and originating in the African, Caribbean and Pacific States or the overseas countries and territories should be exempted from customs duties from the date of entry into force of the said common import arrangements ;

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(1) OJ No L 166, 28.6.1975, p. 67
(2) OJ No

Whereas Regulation (EEC) No 1599/75 lays down in respect of the products subject to levies or variable components total or partial exemption from such charges ; whereas deflections of trade should be prevented during the period of application of accession compensatory amounts in trade in those products between the Community as originally constituted and the new Member States ; whereas appropriate provision should be made to enable measures to be taken in cases where there is a danger of deflection of trade ;

HAS ADOPTED THIS REGULATION :

Article 1

Article 19 of Regulation (EEC) No 1599/75 is amended to read as follows :
"The products referred to in Regulation (EEC) Nos 234/68, 827/68, 1308/70, 1696/71, 2358/71 and 1067/74 shall be imported free of customs duties".

Article 2

Article 22 of Regulation (EEC) No 1599/75 is amended to read as follows :
"The reductions provided for by this Regulation shall be calculated by reference to :
- the variable components of levies where the levies contain such components,
- the levies in other cases,
applicable to imports from third countries into the Community as originally constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as originally constituted and the new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure referred to in Article 23, if this proves necessary".

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Article 3

This Regulation shall enter into force on 1 January 1976.

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

Done at

For the Council

The President

FINANCIAL STATEMENT

Annex to Doc.

Date 18.11.1975

1. Line of the Budget concerned : Chapter 12 (customs duties)

2. Title of the action : Draft proposal for a Council Regulation amending Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural product and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

3. Legal basis : Article 43 of the Treaty

4. Objectives of the action : It is proposed that products falling within heading No 06.03 or 06.04 and originating in the ACP States or OCT should be exempted from customs duties from the date of the entry into force of the common import arrangements for live plants.

5.0 Cost of the action exemption from customs duties charge to the EC Budget	during the campaign	current exercise ()	following exercise(76)
charge to the national administrations			
charge to other national sectors			593.000 u.a.

5.1 Estimated costs Year 1976. Year 1977. Year 1978.
0,6 Mio u.a.

5.2 Method of calculation On the basis of trade (1973 for the EEC of 6 ; 1972 for the new Member States of the EEC), the non-collection of customs duties gives rise to the following figures for the whole of 1976 :
 4 Mio u.a., of which 29.000 u.a. at 8 %, 2,3 Mio u.a. at 10 %, 593.000 u.a. at 17 % and 1,07 Mio u.a. at 24 % = 593.000 u.a.

6.1 Possible financing by credits written into the relative chapter of the current Budget

Yes No

6.2 Possible financing by transfers between chapters of the current Budget

Yes No

6.3 Necessity for a supplementary Budget Yes No

6.4 Credits to be written into future budgets

Comments :The provisions of the Lomé Convention stipulate the abolition of customs duties for the above-mentioned products upon entry into force of common import arrangements for live plants.