

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 498 final.

Brussels, 20 September 1976.

Proposal for a
COUNCIL REGULATION (EEC)

temporarily suspending application of the Common Customs Tariff
duties on certain agricultural products for use as feedingstuffs.

(submitted to the Council by the Commission)

COM(76) 498 final.



EXPLANATORY MEMORANDUM

As the Commission has already pointed out to the Council⁽¹⁾, as a result of the drought during the 1976 season, there is a serious supply problem in the Community regarding products for use as animal feed. In addition to the measures already adopted and in particular those designed to discourage exports of straw and fodder products⁽¹⁾, the Commission considers it necessary to facilitate the access to the Community market of substitute products which can be used for animal feeding or be incorporated in compound feedingstuffs. A temporary total suspension of the Common Customs Tariff duties applicable to those products may ease the Community supply situation and thereby prevent further increases in products costs, which constitute one of the causes of a rise in the cost of living.

The proposed measure is therefore intended to offset temporarily the harmful effects of the drought in the sector in question; such a measure of an essentially provisional nature should normally have been taken under the powers conferred upon the Council by Articles 40 and 43 and in accordance with the procedure laid down in those Articles, in particular after consulting the European Parliament. It should be pointed out, however, that the proposed Commission procedure which, in emergencies such as this, would enable the necessary measures to be taken rapidly, has not yet been adopted⁽³⁾.

In these circumstances the Commission considers that it should propose to the Council the tariff measure contained in the attached Regulation, subject to its being subsequently inserted in the common agricultural policy.

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- (1) Commission Communication to the Council concerning the consequence of the drought in agriculture (R/2096/76 (AGRI 611) (FIN 551).
 - (2) Commission Regulation (EEC) No 1667/76 of 8 July 1976 (OJEC No 185, 9.7.1976, p. 26 laying down protective measures applicable to exports of fodder products, as last amended by Regulation (EEC) No 2031/76 (OJRC No L 233, 24.8.1976, p. 26)
 - (3) Proposal for a Council Regulation concerning the procedure for the notification and suspension of customs duties applicable to agricultural products subject to the common organization of markets (OJEC No C 25/11 of 14.3.1972).

PROPOSAL

for Council Regulation (EEC)

temporarily suspending application of the
Common Customs Tariff duties on certain
agricultural products for use as
feedingstuffs

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas the drought in 1976 has severely reduced the availability in the
Community of a number of products normally used for cattle feed; whereas
this situation has led to an increased demand for substitute products
for use in feeding animals or for incorporation in compound feed; whereas
as a result the prices for these products on the Community market have
risen to a degree which appreciably increases production costs and is
indirectly likely to increase the cost of living;

Whereas to forestall such a development and increase supplies of these
products on the Community market, it is necessary that the Common Customs
Tariff duties on these products should be totally suspended;

Whereas the suddenness of the situation with which the Community is
confronted, the urgency of the measures to be taken and their temporary
nature and the absence of any provision in the Regulation on the
common organization of the market in certain products listed in Annex II
to the Treaty for dealing with such a situation with the necessary speed
may be taken to justify recourse to Article 103 of the Treaty as an exceptional
measure, subject to later integration of this measure into the common
agricultural policy,

HAS ADOPTED THIS REGULATION:

..../...

Article 1

Until 31 March 1977 the Common Customs Tariff duties on the products listed in the Annex hereto shall be totally suspended.

Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

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

Done at Brussels,

For the Council

ANNEX I

CCT heading No	Description
07.05	<p>Dried leguminous vegetables, shelled, whether or not skinned or split:</p> <p>B. Other (than those for sowing):</p> <p>I. Peas (including chick peas) and beans (of the species Phaseolus)</p> <p>II. Lentils</p> <p>III. Other</p>
07.06	<p>Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or insulin content, fresh or dried, whole or sliced; sago pith:</p> <p>B. Other</p>
12.08	<p>Locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading:</p> <p>A. Locust beans</p>
12.10	<p>Mangolds, swedes, fodder roots; hay, lucerne, clover, sainfoin, forage kale, lupines, vetches and similar forage products:</p> <p>A. Mangolds, swedes and other fodder roots</p>
23.02	<p>Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables:</p> <p>B. Of leguminous vegetables</p>
23.06	<p>Products of vegetable origin of a kind used for animal food, not elsewhere specified or included:</p> <p>B. Other (than acorns, horse chestnuts and pomace or marc of fruit)</p>
23.07	<p>Sweetened forage; other preparations of a kind used in animal feeding:</p> <p>A. Fish or marine mammal solubles</p> <p>C. Other (containing no starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, nor milk products)</p>

FINANCIAL STATEMENT

DATE : 15 September 1976.

1. BUDGET LINE CONCERNED : Chapter 12.

2. ACTION : Proposed Council Regulation providing for the temporary suspension of duty under the common customs tariff for certain agricultural products intended for use as animal feed.

3. LEGAL BASIS : Temporary suspension of customs duty for certain animal foodstuffs to alleviate the effects of the drought.

4. OBJECTIVES :

5. FINANCIAL CONSEQUENCE

5.0 EXPENDITURE

-CHARGED TO THE EC BUDGET
(REFUNDS/INTERVENTIONS)

-CHARGED TO NATIONAL ADMINISTR.

-CHARGED TO OTHER NATIONAL GROUPS

5.1 RECEIPTS

-OWN RESOURCES OF THE EC
(LEVIERS/CUSTOMS DUTIES)

-NATIONAL

FOR THE MARKETING YEAR

CURRENT FINANCIAL YEAR

FOLLOWING FINANCIAL YEAR

(76)

(77)

-8-10 M u.a.

-2-3 M u.a.

-2-3 M u.a.

YEAR YEAR YEAR

5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE

5.1.1 PLURIANNUAL PATTERN OF RECEIPTS

Measure limited to the period ending 1/4/1977.

5.2 METHOD OF CALCULATION

Import value figure for 1974 with duty calculated at autonomous and conventional rates; the result has been reduced by 50% to take account, firstly, of the duration limited to 6 months, and secondly, of the expected exemption for all the products when consigned from ACP countries and for most of the products from GSI

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ?

YES/NO

6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ?

YES/NO

6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ?

YES/NO

6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ?

YES/NO

COMMENTS :

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