

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 687 final

Brussels, 4 December 1978

Proposal for a
COUNCIL REGULATION (EEC)

partially and temporarily suspending the Common Customs
Tariff duty for new potatoes falling within subheading
No 07.01 A II a) of the Common Customs Tariff, originating
in Cyprus

Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration
of a Community tariff quota for new potatoes falling
within subheading No 07.01 A II b) of the Common Customs
Tariff originating in Cyprus

(submitted to the Council by the Commission)

COM(78) 687 final

EXPLANATORY MEMORANDUM

On 1st July 1978, a protocol laying down certain provisions relating to trade in agricultural products between the EEC and Cyprus came into force.

This protocol envisaged, inter alia, for new potatoes originating in Cyprus falling within subheading 07.01 A II of the CCT :

- a reduction of 60% of the CCT duty for the period 1st January to 1st May 1979, and
- a reduction of 55% of the CCT duty within a Community tariff quota of 60 000 tonnes, for the period 16th May to 30th June 1979.

These concessions are subject to the adoption of Community rules for these products.

Discussion of the Commission's proposal for a common organisation of the market in potatoes (including Community rules for new potatoes) is currently in progress, but it is possible that these rules will not enter into force before 1st January 1979, the date envisaged in the Cyprus protocol. In view of the importance of this question for that country, and pending the decision on Community rules for potatoes, the Commission proposes as of now, that the tariff reductions outlined in the protocol are put into effect on the dates envisaged.

In view of the fact that the period of validity of the tariff quota is very short, the general rule regarding division of the tariff volume in two successive amounts will be waived and the whole quantity placed in the Community reserve.

The Commission maintain the view that an early decision in the Council on its proposal for a common market regulation on potatoes is needed.

Proposal for a
COUNCIL REGULATION (EEC)

partially and temporarily suspending the Common
Customs Tariff duty for new potatoes falling
within subheading 07.01 A II a) of the Common
Customs Tariff originating in Cyprus

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 the Protocol laying down certain provisions
relating to trade in agricultural products between the European
Economic Community and Cyprus (1) provides for a reduction of 60%
of the duty rate for new potatoes originating in Cyprus, falling
within subheading 07.01 A II a) of the Common Customs Tariff, for
the period 1 January to 15 May 1979; whereas this concession
is subject to the adoption of Community rules on new potatoes;
whereas, pending the entry into force of these rules, it is
appropriate to avoid disturbances to commercial trade in the
products in question; whereas, under these conditions, it is
necessary to suspend the customs duty for the products and
period in question :

HAS ADOPTED THIS REGULATION :

Article 1

From 1 January to 15 May 1979 the Common Customs Tariff duty
for new potatoes of subheading 07.01 A II (a) of the Common Customs Tariff
originating in Cyprus shall be suspended at 6%.

(1) OJ NO L 172, 28.6.1978, p. 10.

The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation (1) annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus shall be applicable.

Article 2

This Regulation shall enter into force on 1 January 1979.

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

Done at Luxembourg,

For the Council

The President

(1) OJ NO L 339, 28.12.1977, p. 19.

Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff originating in Cyprus

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 the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and Cyprus (1) provided for the opening of a Community tariff quota of 60 000 tonnes of new potatoes, falling within subheading 07.01 A II b) of the Common Customs Tariff originating in Cyprus, at a rate of customs duty equal to 45% of the customs duty in the Common Customs Tariff, for the period 16 May to 30 June 1979; whereas this concession is subject to the adoption of Community rules on new potatoes; whereas, pending the entry into force of these rules, it is appropriate to avoid disturbances to commercial trade in the products in question; whereas, under these conditions, it is necessary to open a Community tariff quota of 60 000 tonnes for the products and the period in question;

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(1) OJ NO L 172, 28.6.1978, p. 10.

Whereas it is necessary in particular to ensure to all Community importers equal and uninterrupted access to the abovementioned quota, and uninterrupted application 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 relatively 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;

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 the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 16 May to 30 June 1979, the Common Customs Tariff duty for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff originating in Cyprus shall be suspended at 9.4% within the limits of a Community tariff quota of 60 000 tonnes.

The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation (1) annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus shall be applicable.

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(1) OJ NO L 339, 28.12.1977, p. 19.

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.
4. The shares drawn pursuant to paragraph 3 shall be valid until 30 June 1979.

Article 2

1. Member States shall take all appropriate measures to ensure that shares drawn pursuant to Article 1 are opened in such a way that imports may be charged without interruption against their cumulative portions of the Community quota.
2. Member States shall ensure that importers of the said goods established in its territory have free access to the shares allocated to it.
3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.
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 paragraph 3.

Article 3

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

Article 4

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

Article 5

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 Luxembourg,

For the Council
The President