

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 253 final.

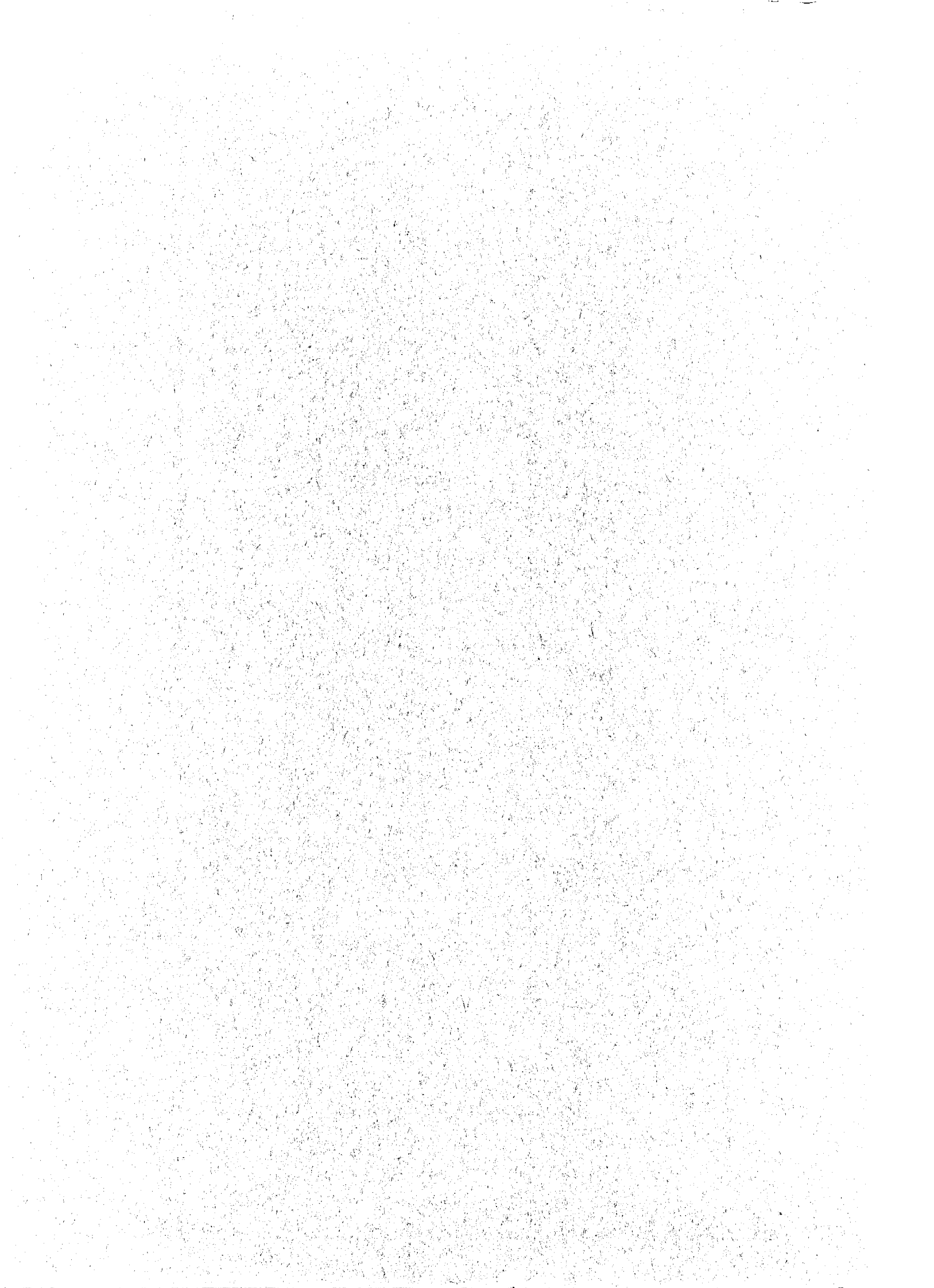
Brussels, 12 June 1978

Proposal for a
COUNCIL REGULATION (EEC)

on the procedure for amending the tariff nomenclature used
for agricultural products

(submitted to the Council by the Commission)

COM(78) 253 final.



Explanatory Memorandum

The aim of this proposal is to simplify the procedure in those cases where basic Regulations establishing a common market organization must be amended as a consequence of amendments in the nomenclature of the Common Customs Tariff or when the nomenclature used in such Regulations must be amended.

The amendments to be made in the basic Regulations concern references to subheadings or descriptions of products and are of purely technical nature. The proposal would allow such amendments to be made in accordance with the Management Committee procedure.

As regards products covered by Regulation (EEC) Nr. 827/68 for which no Management Committee exists, the Management Committee for oils and fats is designated as competent for the purposes of the proposed measures. It is not considered appropriate to designate different Committees dealing with assimilated products, because the task of the proposed Committee will be of a purely technical nature.

Since the proposal is based on Article 43 of the Treaty, the European Parliament must be consulted.

There are no financial repercussions on the Community budget.

COUNCIL REGULATION (EEC)

on the procedure for amending the tariff nomenclature used
for agricultural products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 827/68 of 28 June 1968 on the
common organization of the market in certain products listed in Annex II to
the Treaty¹, as last amended by Regulation (EEC) No 2560/77², and in parti-
cular Article 6 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the tariff nomenclature for agricultural products is based on the
nomenclature of the Customs Cooperation Council; whereas nomenclatures are
instruments which need to be adjusted regularly, in the light of experience
in order to ensure their uniform application; whereas it is also necessary
to ensure that the tariff nomenclature is at all times a suitable means of
implementing the common agricultural policy; whereas, therefore, the said
nomenclature requires frequent amendment, and whereas, although such amend-
ments do not affect customs duties, in certain cases they have to be intro-
duced by Regulations based on Article 43 of the Treaty;

Whereas in many Council Regulations the tariff nomenclature is used as a means
of distinguishing between different categories of goods and of describing
products;

Whereas amendments to the nomenclature may necessitate amendments to the text
of these Regulations;

¹OJ No L 151, 30.6.1968, p. 16.

²OJ No L 303, 28.11.1977, p. 1.

Whereas the existing procedures do not always allow the Regulations involved to be amended sufficiently rapidly; whereas it should therefore be possible for such amendments to be made in accordance with the procedure laid down in Article 38 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats³, as last amended by Regulation (EEC) No 2560/77, or the corresponding provisions of the other Regulations on common organizations of the markets for agricultural products,

HAS ADOPTED THIS REGULATION :

Sole Article

1. Without prejudice to existing provisions, the Commission may, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC and the corresponding articles of the other Regulations on common organizations of the markets, amend the nomenclature of the Common Customs Tariff applicable to agricultural products covered by a common organization of the market, and also the text of other Council Regulations when such amendments are the consequence of amendments to the said nomenclature.
2. For the purposes of this Regulation, the Committee established by Article 37 of Regulation No 136/66/EEC is hereby designated as competent in respect of products covered by Regulation (EEC) No 827/68.

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

Done at Brussels,

³OJ No L 172, 30.9.1966, p. 3025/66.