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(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 June 1987

amending Decision 86/47/EEC establishing arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories (OCT) on the other

(87/342/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the draft Decision presented by the Commission,

Whereas Decision 86/47/EEC ⁽¹⁾, as extended by Decision 86/645/EEC ⁽²⁾, establishes arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories (OCT) on the other for the transitional period laid down by the Act of Accession of Spain and Portugal;

Whereas those arrangements were determined in the light of the arrangements applicable to the African, Caribbean and Pacific States (ACP);

Whereas the arrangements applicable to the ACP States were amended following the conclusion of the negotiations concerning the protocol referred to in Article 179 and 366 of the Act of Accession of Spain and Portugal;

Whereas the arrangements applicable to the OCT should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The Annex to Decision 86/47/EEC is hereby amended as follows:

1. The table in the second indent of Article 2 (2) is replaced by the following:

CCT heading No	Description	Basic duty
05.12	Coral and similar substances, unworked or simply prepared but not otherwise worked; shells, unworked or simply prepared but not cut to shape; powder and waste of shells	Free

⁽¹⁾ OJ No L 63, 5. 3. 1986, p. 95.

⁽²⁾ OJ No L 380, 31. 12. 1986, p. 66.

CCT heading No	Description	Basic duty
24.02	Manufactured tobacco; tobacco extracts and essences: A. Cigarettes B. Cigars C. Smoking tobacco D. Chewing tobacco and snuff E. Other, including agglomerated tobacco in the form of sheets or strip	50 % 55 % 46,8 % 26 % 10,4 %
27.09	Petroleum oils and oils obtained from bituminous minerals, crude	Free
44.03	Wood in rough, whether or not stripped of its bark or merely roughed down: ex B. other: — okoumé — makoré — other	Free
ex 44.04	Wood, roughly squared or halfsquared, but not further manufactured: — tropical timber	Free
44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm: ex C. other: — limba — sipo — other	Free
44.14	Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm: ex B. other: — tropical timber	Free

2. Article 6 (1) is replaced by the following:

'1. For products listed in Annex II to the Treaty establishing the European Economic Community, the Kingdom of Spain shall apply, subject to the special provisions which appear below, a duty which reduces the difference between the basic duty rate and the preferential duty rate in accordance with the following timetable:

- on 1 March 1986 the difference shall be reduced to 87,5 % of the initial difference,
- on 1 January 1987 the difference shall be reduced to 75,0 % of the initial difference,
- on 1 January 1988 the difference shall be reduced to 62,5 % of the initial difference,
- on 1 January 1989 the difference shall be reduced to 50,0 % of the initial difference,
- on 1 January 1990 the difference shall be reduced to 37,5 % of the initial difference,

- on 1 January 1991 the difference shall be reduced to 25,0 % of the initial difference,
- on 1 January 1992 the difference shall be reduced to 12,5 % of the initial difference.

The Kingdom of Spain shall apply the preferential rates in full as from 1 January 1993.

However, the following products originating in the OCT may be imported into Spain duty-free with immediate effect.

CCT heading No	Description
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips: C. Pineapple plants
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: F. Cashew nuts
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion A. Coffee: I. Unroasted: a) Not freed of caffeine
09.02	Tea: B. Other
09.04	Pepper of the genus <i>Piper</i> ; pimento of the genus <i>Capsicum</i> or the genus <i>Pimenta</i> : A. Neither crushed nor ground: I. Pepper
09.05	Vanilla
09.06	Cinnamon and cinnamon-tree flowers: A. Ground B. Others
09.07	Cloves (whole fruit, cloves and stems)
09.08	Nutmeg, mace and cardamoms: A. Neither crushed nor ground: II. Other: a) Nutmeg b) Other B. Crushed or ground: I. Nutmeg

CCT heading No	Description
09.10	Thyme, saffron and bay leaves; other spices: D. Ginger
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered: A. Pyrethrum (flowers, leaves, stems, peel and roots) D. Other: — Cinchona bark
18.01	Cocoa beans, whole or broken, raw or roasted'

3. The following paragraph is inserted in Article 6:

'1(a) For products covered by Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 467/87 ⁽²⁾, the customs duties shall be aligned progressively on the preferential rates in eight stages of 12,5 % at the beginning of each of the eight marketing years following the Accession of the Kingdom of Spain to the European Communities.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.'

4. The following paragraph is inserted in Article 12:

'1(a) By way of derogation from paragraph 1, the Portuguese Republic shall abolish the customs duties for the products listed below, starting from the duties actually applied by it *vis-à-vis* the Community on 1 January 1985.

CCT heading No	Description
15.11	Glycerol and glycerol lyes: A. Crude glycerol and glycerol lyes
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages: C. Spirituous beverages: I. Rum, arrack and tafia, in containers holding: a) Two litres or less b) More than two litres
44.14	Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm: ex B. Other than tropical timber'

5. The following paragraphs are inserted in Article 18:

'1(a) For the products listed in Annex XIII (a), the Portuguese Republic shall apply a duty reducing the difference between the basic duty rate and the preferential duty rate in accordance with the following timetable:

- on 1 March 1986 the difference shall be reduced to 87,5 % of the initial difference,
- on 1 January 1987 the difference shall be reduced to 75,0 % of the initial difference,
- on 1 January 1988 the difference shall be reduced to 62,5 % of the initial difference,
- on 1 January 1989 the difference shall be reduced to 50,0 % of the initial difference,
- on 1 January 1990 the difference shall be reduced to 37,5 % of the initial difference,
- on 1 January 1991 the difference shall be reduced to 25,0 % of the initial difference,
- on 1 January 1992 the difference shall be reduced to 12,5 % of the initial difference.

The Portuguese Republic shall apply the preferential rates in full as from 1 January 1993.

1(b) The following products originating in the OCT may be imported into Portugal duty-free with immediate effect.

CCT heading No	Description
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: E. Coconuts F. Cashew nuts H. Other
09.01	Coffee, whether or not roasted or free of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion: B. Husks and skins
09.05	Vanilla
09.06	Cinnamon and cinnamon-tree flowers: A. Ground B. Other
09.07	Cloves (whole fruit, cloves and stems)
09.08	Nutmeg, mace and cardamoms: A. Neither crushed nor ground: II. Other: a) Nutmeg ex b) Other: — mace B. Crushed or ground: I. Nutmeg
09.10	Thyme, saffron and bay leaves; other spices: D. Ginger
18.02	Cocoa shells, husks, skins and waste'

6. Article 19 is replaced by the following:

‘Article 19

1. The Portuguese Republic shall apply to the products referred to in Article 18 (1), with immediate effect, the arrangements resulting from the Decision in respect of non-tariff benefits and more especially reductions in levies.
2. By way of derogation from paragraph 1, the Portuguese Republic shall postpone, until the beginning of the second stage as defined in Article 260 of the Act of Accession, application of the abovementioned arrangements for the products referred to in Article 18 (3).’

7. The following Annex is inserted:

‘ANNEX XIII(a)

List provided for in Article 18 (1) (a)

CCT heading No	Description
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: A. Onions ex B. Other: — Potatoes
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: A. For sowing: I. Peas and beans (<i>Phaseolus</i> spp.) B. Other: ex I. Peas and beans (<i>Phaseolus</i> spp.) II. Lentils ex III. Other, field beans
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: B. Other
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: ex E. Dehydrated coconut pulp
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: F. Areca (or betel) and cola
08.10	Fruit, (whether or not cooked), preserved by freezing, not containing added sugar: ex A. Strawberries
09.04	Pepper (of the genus <i>Piper</i>); pimento (of the genus <i>Capsicum</i> or the genus <i>Pimenta</i>): A. Neither crushed nor ground: II. Pimento: b) For the industrial manufacture of essential oils or resinoids c) Other

CCT heading No	Description
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered: ex D. Other: — Wood, roots, bark (other than cinchona)
16.03	Meat extracts, meat juices and fish extracts, in immediate packings of a net capacity of: A. 20 kg or more
18.01	Cocoa beans, whole or broken, raw or roasted
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts (including ground-nuts), roasted, in immediate packings of a net capacity: I. Of more than 1 kg
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: A. Flours and meals of meat and offals; greaves
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables: B. Of leguminous vegetables
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: B. Other
24.01	Unmanufactured tobacco; tobacco refuse: ex A. Flue-cured Virginia type and light air-cured Burley type tobacco (including Burley hybrids); light-air-cured Maryland type and fire-cured tobacco: — Fire-cured tobacco other than of the Kentucky type ex B. Other: Light air-cured tobacco: — not stripped — wholly or partly stripped Dark air-cured tobacco: — not stripped — wholly or partly stripped Flue-cured tobacco: — not stripped — wholly or partly stripped Other tobacco: — wholly or partly stripped Tobacco refuse

Article 2

This Decision shall be published in the *Official Journal of the European Communities*.
It shall take effect on 1 July 1987.

Done at Luxembourg, 25 June 1987.

For the Council

The President

H. DE CROO
