



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 08.01.1997
COM(96)709 final

96/0315 (ACC)

Proposal for a
COUNCIL REGULATION (EC)

on the conclusion of an Agreement in the form of an
exchange of letters between the European Community and Cyprus
on the adjustment of the regime for imports into the European
Community of oranges originating in Cyprus
and amending Council Regulation (EC) No 1981/94

(presented by the Commission)

Explanatory Memorandum

Within the negotiations on agriculture following the Uruguay Round, Cyprus has requested a preferential regime on the entry price of oranges. Cyprus and the Commission came to an agreement which will be presented to the Council for approval and conclusion. Within this package, a preferential regime on the entry price applied to Cypriot oranges imported into the Community has been agreed. For 48,200 tonnes of Cypriot oranges, reduced entry prices during the period from 1 December until 31 May of each season will apply. This quantity reflects the EC average imports of Cypriot oranges in the 92-94 period (within the December-May calendar). The agreed reduced prices are similar to those agreed with other Mediterranean partners.

The global agreement will not be in force by 1 December 1996. In order to avoid disturbances in the import of Cypriot oranges in the 96/97 market season, it would be advisable to put into force in advance, on a provisional basis and until the entry into force of the global agreement, the regime foreseen for this product.

The Council is therefore requested to conclude the present agreement.

The provisions of this Agreement shall commence on 1 December 1996.

This Agreement is contained in an exchange of letters (attached).

The implementation of this Agreement with Cyprus requires a modification of Council Regulation (EC) No 1981/94. In order to ensure timely implementation and for reasons of efficiency, the approval of the agreement and the modifications to the Council regulation are contained in the same legal text.

The Commission herewith recommends this Agreement to the Council for adoption.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113, in conjunction with the first sentence of Article 228 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, in the context of the Uruguay Round of multilateral trade negotiations, the import regime for oranges has been changed;

Whereas, within the negotiations concluded with Cyprus concerning the impact of the Uruguay Round on the trade relations between the parties, certain adjustments to the import regime for oranges from Cyprus are foreseen;

Whereas an agreement has been reached to put into force in advance and until the entry into force of the definitive agreement the provisions regarding the import regime for oranges;

Whereas this Agreement should now be approved;

Whereas Council Regulation (EC) no 1981/94 of 25 July 1994¹, opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas,

¹OJ No L 199 of 2.8.1994, p.1.

as last amended by Council Regulation (EC) No 1877/96², should be modified to implement the new regime for imports into the European Community of oranges originating in Cyprus, as provided for in the above-mentioned Agreement, with effect from 1 December 1996;

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Community and Cyprus on the adjustment of the regime for imports into the European Community of oranges originating in Cyprus is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement so as to bind the Community.

Article 3

Annex V to Council Regulation (EC) No 1981/94 shall be amended as follows:

- 1) Order No 09.1431 shall be inserted as follows between Order Nos 09.1409 and 09.1407:

²OJ No L 249 of 1.10.1996, p. 1

Order No	CN code	Description	Quota volume per year or indicated period(in tonnes)	Rate of duty(%)
09.1431	0805 1001 0805 1005 0805 1009 0805 1011 0805 1015 0805 1019 0805 1021 0805 1025 0805 1029 0805 1031 0805 1033 0805 1035 0805 1061 0805 1065 0805 1069	Fresh oranges from 1 December to 31 May of the following year	48 200 ³	-

- 2) At the end of annex V a footnote (3) shall be added:

 "(3) Within this quota, the agreed entry price beyond which the specific additional duty provided in the Community's list of concessions to the WTO is reduced to zero, is:

- 273 ECU/tonne from 1 December 1996 to 31 May 1997
- 271 ECU/tonne from 1 December 1997 to 31 May 1998
- 268 ECU/tonne from 1 December 1998 to 31 May 1999
- 266 ECU/tonne from 1 December 1999 to 31 May 2000
- 264 ECU/tonne, for every period thereafter, from 1 December to 31 May.

If the entry price for a consignment is up to 2,4,6 or 8% lower than the agreed entry price, the specific customs' duty shall be equal respectively to 2,4,6 or 8% of this agreed entry price. If the entry price for a consignment is less than 92% of the agreed entry price, the specific customs' duty bound within the WTO shall apply."

Article 4

The Commission shall adopt detailed rules for the application of this regulation, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72⁴, as last amended by Regulation (EC) No 1363/95⁵.

Article 5

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Communities. It shall apply from 1 December 1996.

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

Done at Brussels,1996

For the Council

The President

⁴ OJ No L 118 of 20.5.1972, p.1

⁵ OJ No L 132 of 16.6.1995, p. 8

AGREEMENT

in the form of an exchange of letters between the European Community and Cyprus on the adjustment of the regime for imports into the European Community of oranges originating in Cyprus

A. Letter from the Community

Sir,

I have the honour to refer to the negotiations on agriculture between the Cypriot authorities and the European Commission concerning the impact of the Uruguay Round on the trade relations between the parties, in which certain adjustments to the import regime for oranges from Cyprus are foreseen; an agreement has been reached to put into force in advance on a provisional basis and pending the entry into force of the global package the provisions regarding the import regime for oranges as follows:

1. From 1 December to 31 May of each season for 48,200 tonnes of oranges originating in Cyprus and imported into the EC the specific duties will be reduced to zero if the following entry price levels are respected :

1996/1997: 273 Ecu/tonne

1997/1998: 271 Ecu/tonne

1998/1999: 268 Ecu/tonne

1999/2000: 266 Ecu/tonne

2000/2001 and following: 264 Ecu/tonne.

2. If the entry price of a particular lot is up to 2%, 4%, 6% or 8% below the entry price agreed upon under paragraph 1, the specific duty shall be 2%, 4%, 6% or 8% of the agreed entry price, as appropriate.

3. If the entry price of a particular lot is below 92% of the agreed entry price, the specific duty bound within the WTO shall apply.

This Agreement shall enter into force upon the signature of both parties. It shall be applicable as from 1 December 1996 and until the entry into force of the global package.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration

For the Council of the European Union

B. Letter from Cyprus

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

" Sir,

I have the honour to refer to the negotiations on agriculture between the Cypriot authorities and the European Commission concerning the impact of the Uruguay Round on the trade relations between the parties, in which certain adjustments to the import regime for oranges from Cyprus are foreseen; an agreement has been reached to put into force in advance on a provisional basis and pending the entry into force of the global package the provisions regarding the import regime for oranges as follows.

1. From 1 December to 31 May of each season, for 48,200 tonnes of oranges originating in Cyprus and imported into the EC the specific duties will be reduced to zero if the following entry price levels are respected :

1996/1997: 273 Ecu/tonne
1997/1998: 271 Ecu/tonne
1998/1999: 268 Ecu/tonne
1999/2000: 266 Ecu/tonne
2000/2001 and following: 264 Ecu/tonne.

2. If the entry price of a particular lot is up to 2%, 4%, 6% or 8% below the entry price agreed upon under paragraph 1, the specific duty shall be 2%, 4%, 6% or 8% of the agreed entry price, as appropriate.

3. If the entry price of a particular lot is below 92% of the agreed entry price; the specific duty bound within the WTO shall apply.

This Agreement shall enter into force upon the signature of both parties. It shall be applicable as from 1 December 1996 and up to the entry into force of the global package.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration."

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Cyprus

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