

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (89) 554 final

Brussels, 6 November 1989

Proposal for a COUNCIL REGULATION (EEC)

reducing the levies on certain agricultural products
originating in developing countries

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Commission's Action Plan for coordinated aid to Poland and Hungary, which was approved by the Council on 3 October, provides for the extension of the benefits of the Community's Generalised System of Preferences to Poland and Hungary and for additional agricultural concessions as a means for improving their access to the Community market. A proposal to extend the benefits of the Generalised System of Preferences to Poland and Hungary was transmitted to the Council on 13 October and modified by the proposal transmitted to the Council on 31 October.

In this context, the Commission considers it appropriate to accord to the beneficiaries of the Generalised System of Preferences certain concessions for agricultural products in the form of fifty per cent levy reductions within quantitative limits.

Proposal for a Council Regulation

reducing the levies on certain agricultural products
originating in developing countries

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 the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas, in view of the situation on agricultural markets both inside and outside the Community and taking account of the Community's interest in maintaining harmonious relations in agricultural trade with developing countries, adjustments should be made to certain specific aspects of the common organizations of the agricultural markets;

Whereas to this end a preference should be granted consisting, according to the product concerned, either in a reduction of the import levy within the limits of a fixed quota or in a reduction of the levy without quantitative restriction;

Whereas all interested Community traders should be ensured equal and continuous access to the said quotas and the levy laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the volumes laid down are exhausted; whereas, to this end, a system for using the Community quotas should be established based on presentation of a certificate of authenticity certifying the nature, country of last export and country of origin of the products;

Whereas the procedure for implementing this Regulation should be adopted in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat or the corresponding procedure in the Regulation on the common organization of the market for any other product concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1990 a reduced levy shall apply to imports into the Community of the products listed in Annex I, as indicated in the said Annex.
2. The arrangements laid down in paragraph 1 shall apply only to products originating in the countries or territories listed in Annex III to Council Regulation (EEC) No, excluding Korea.

Article 2

The procedure for implementing Article 1(1) shall be adopted in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75 or the corresponding Articles of the Regulation on the common organization of the market for any other product concerned, with regard in particular to:

- (a) provisions concerning the certification of the nature, country of last export and country of origin of the products;
- (b) provisions enabling the certification referred to in point (a) to be verified.

Article 3

Imports subject to a reduced levy under other Community preferential arrangements shall not be charged against the amounts listed in Annex I.

Article 4

If the Commission discovers that products covered by the arrangements laid down in Article 1 are being imported into the Community in such quantities or at such prices that they cause or threaten to cause serious injury to Community producers of like or directly competing products, the levies applied in the Community may be partly or completely re-established for the products concerned with regard to the countries or territories causing the injury. Such a measure may also be taken in the case of serious injury or the threat of serious injury to a region of the Community.

Article 5

1. In order to apply Article 4, the Commission may decide, by adopting a regulation, to re-establish the normal levy for a given period.
2. Should a Member State ask the Commission to take such action, the Commission shall take a decision within ten working days of receipt of the request and shall inform the Member States of its decision.
3. Any Member State may refer to the Council the measure taken by the Commission within ten working days following the day on which it was informed thereof. Such referral shall not have the effect of suspending the measure. The Council shall meet forthwith. It may, acting by a qualified majority, amend or cancel the measure in question.

Article 6

Articles 4 and 5 shall not prejudice the application of the safeguard clauses adopted pursuant to Article 43 of the Treaty within the framework of the common agricultural policy or pursuant to Article 113 of the Treaty within the framework of the common commercial policy.

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

Serial Number	CN code	Description	Rate of levy	Volume of fixed amount (tonnes)
(1)	(2)	(3)	(4)	(5)
50.0001	02.02-08*	Ducks, plucked and drawn, known as "63% ducks"	50% (L)	3 000
50.0002	02.02-14* 02.02-51* 02.02-71* 02.02-81* 02.02-87*	Geese, plucked and drawn 75% geese cuts....legs....paletots	50% (L)	25 000
50.0003	0203 29 13	Frozen loins and cuts thereof of domestic swine	50% (L)	4 000
50.0004	02.06-21* 02.06-27* 02.06-29*	Hams, bacons and parts... Loins and parts... Bellies and parts...	50% (L)	2 000
50.0003	16.01-92*	Sausages, dry or for spreading	50% (L)	4 000
50.0005	16.01-98*	Sausages, cooked, other than liver	50% (L)	1 500
50.0006	16.02-39*	Pigmeat preparations	50% (L)	6 800
52.1585	1108 13 00	Potato starch	50% (L)	no limit

* NIMEXE codes to be converted into CN codes by DG XXI

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