REGULATION (EEC) No 1920/75 OF THE COMMISSION

of 25 July 1975

supplementing Regulation (EEC) No 824/75 as regards the importation of sugar under the Agreement with India on cane sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3330/74 [1] of 19 December 1974 on the common organization of the market in sugar, and in particular Articles 34 and 43 thereof;

Whereas in the joint Declaration of Intent on the development of trade relations with Ceylon, India, Malaysia, Pakistan and Singapore, appended to the Act of Accession [2], it is stated that the question of exports of sugar from India to the Community after the expiry of the Commonwealth Sugar Agreement on 31 December 1974 must be settled by the Community taking account of the provisions which may be adopted as regards imports of sugar from the independent Commonwealth countries listed in Protocol 22 appended to the Act of Accession; whereas the Agreement concluded between the European Economic Community and the Republic of India on cane sugar implements this undertaking by providing a preferential system for the import of cane sugar from India analogous with the preferential system for the countries listed in the ACP Sugar Protocol appended to the ACP-EEC Lomé convention;

Whereas Community provisions should be adopted for the implementation of this preferential import system; whereas, pending the establishment of basic rules concerning preferential imports of sugar into the Community, it is therefore necessary to adopt transitional measures and to supplement Commission Regulation (EEC) No 824/75 [3] of 24 March 1975 laying down transitional measures applicable to sugar imported by the Community under preferential arrangements, as amended by Regulation (EEC) No 1884/75 [4];

Whereas, until the Community rules of origin are adapted for India, those laid down in Council Regulation (EEC) No 802/68 [5] of 27 June 1968 on the common definition of the concept of the origin of goods, as amended by Regulation (EEC) No 1318/71 [6], apply to cane sugar imported into the Community under the Sugar Agreement concluded with India; whereas, in the meantime, in order to enable a check to be kept, and principally a statistical check, on such imports, supplementary certificates are required;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The following is added to Article 1 of Regulation (EEC) No 824/75:

'(c) the Agreement between the European Economic Community and the Republic of India on cane sugar'.

Article 2

In Article 7 (1) of Regulation (EEC) No 824/75 the opening words 'Sugar to be regarded for purposes of this Regulation ...' are amended to read as follows: 'Save as regards sugar originating in India, sugar to be regarded for purposes of this Regulation ...'.

Article 3

An Article 7a as follows is added to Regulation (EEC) No 824/75:

'*Article 7a*

1. For purposes of this Regulation preferential sugar originating in India is sugar for which proof of this origin has been furnished by production of a certificate of origin fulfilling the conditions laid down in Article 9 of Regulation (EEC) No 802/68.

2. The importer of sugar originating in India shall in addition submit to the customs authorities of the Community a certificate duly stamped by the competent authority of India.

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[1] OJ No L 359, 31. 12. 1974, p. 1.
[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 79, 28. 3. 1975, p. 8.
[4] OJ No L 191, 24. 7. 1975, p. 25.
[5] OJ No L 148, 28. 6. 1968, p. 1.
[6] OJ No L 139, 25. 6. 1971, p. 6.

This certificate shall :

— bear one of the following endorsements :
"Regulation (EEC) No 824/75 refers",
"Application réglement (CEE) n° 824/75",
"Anwendung von Verordnung (EWG) Nr. 824/75",
"Applicazione regolamento (CEE) n. 824/75",
"Toepassing van Verordening (EEG) nr. 824/75",
"Anvendelse af forordning (EØF) nr. 824/75" ;

— indicate the date of shipment of the goods and the delivery period concerned as defined for purposes of the undertakings given in respect of preferential sugar ; the indication of such period shall not, however, affect the applicability at the time of importation of the certificate referred to in paragraph 1 ;

— indicate the Common Customs Tariff subheading of the product in question.

3. The Member States shall forward to the Commission by the 21st of each month the copies of the certificate as referred to in paragraph 2 above submitted to them in respect of imports effected during the preceding calendar month.

These copies shall contain the particulars endorsed thereon in respect of importation, including details of the quantities actually imported'.

Article 4

The word 'India' is added to Annex I to Regulation (EEC) No 824/75.

Article 5

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities.*

It shall apply with effect from 18 July 1975

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

Done at Brussels, 25 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission