REGULATION (EEC) No 1958/75 OF THE COUNCIL

of 30 July 1975

extending certain transitional measures for rum, arrack and tafia in relation with certain overseas countries and territories

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 Act of Accession [1], and in particular Article 119 (3) thereof;

Having regard to the Opinion of the Commission;

Whereas, with a view to the advance implementation of Article 2 (1) of the ACP-EEC Lomé convention and Protocol 7 thereto, which was announced by the Community when that convention was signed, the Council, by Regulation (EEC) No 1600/75 [2], opened a duty-free Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the ACP States; whereas special import arrangements should therefore be made for these products when they originate in the overseas countries and territories;

Whereas Council Decision No 70/549/EEC [3] of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community, expired on 31 January 1975; whereas, under Decision No 75/89/EEC [4], Decision No 70/549/EEC and its Annexes, and the provisions adopted for their implementation continue to apply beyond 31 January 1975 until the entry into force of the provisions which are to replace this Decision or until 31 July 1975, whichever is the earlier; whereas, however, Council Decision No 75/463/EEC [5] of 22 July 1975 on the extension of certain transitional measures in relations with certain overseas countries and territories, maintains in force Decision No 70/549/EEC provided that no new provisions relating to the same fields have entered into force or until 31 July 1976, whichever is the earlier;

Whereas Regulation (EEC) No 1957/75 [6], which enters into force on 1 August 1975, lays down interim trade arrangements with the overseas countries and territories associated with the European Economic Community similar to those laid down for products originating in the ACP States; whereas Article 1 of this Regulation provides that certain products originating in the overseas countries and territories shall be imported into the Community free of customs duties and charges having equivalent effect; whereas, however, the abovementioned Regulation provides for the adoption of a special Regulation for products falling within subheading 22.09 C I of the Common Customs Tariff;

Whereas, pursuant to Article 115 (3) of the Act of Accession the Council, by Decision No 75/462/EEC [7] maintained in force the arrangements provided for in Articles 109 (1), 114 and 119 (1) of that Act;

Whereas, pursuant to Article 119 of the Act of Accession, the arrangements resulting from Decision No 70/549/EEC shall not apply in relations between the new Member States and the overseas countries and territories;

Whereas the import arrangements for the products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the overseas countries and territories are not covered by Regulation (EEC) No 1957/75; whereas the Council has agreed to adopt texts laying down these arrangements by 30 November 1975; whereas, pending this decision, the status quo should be maintained for imports of these products,

HAS ADOPTED THIS REGULATION:

Article 1

The products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the overseas countries and territories listed in Annex I shall be subject:

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(1) OJ No L 73, 27. 3. 1972, p. 14.
(2) OJ No L 166, 28. 6. 1975, p. 81.
(3) OJ No L 282, 28. 12. 1970, p. 83.
(4) OJ No L 26, 31. 1. 1975, p. 9.
(5) See page 77 of this Official Journal.
(6) See page 5 of this Official Journal.
(7) See page 76 of this Official Journal.

(a) when imported into the Member States of the Community as originally constituted, to the arrangements resulting from Decision No 70/549/EEC and from Article 119 (2), third subparagraph, of the Act of Accession;

(b) when imported into the new Member States, to the arrangements provided for in Article 119 (2), first and third subparagraphs, of the Act of Accession.

Article 2

The products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the overseas countries and territories listed in Annex II shall be subject to the arrangements provided for in Article 119 (2), second and third subparagraphs, of the Act of Accession.

Article 3

This Regulation shall enter into force on 1 August 1975.

It shall continue to apply until the entry into force of the new provisions relating to the same fields or until 29 February 1976, whichever is the earlier.

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

Done at Brussels, 30 July 1975.

For the Council

The President

M. RUMOR

ANNEX I

List of the overseas countries and territories referred to in Article 1

1. Overseas countries of the Kingdom of the Netherlands:
   — Surinam,
   — The Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).

2. Overseas territories of the French Republic:
   — Saint Pierre and Miquelon,
   — The Comoro Archipelago,
   — The Territory of the Afars and Issas,
   — New Caledonia and dependencies,
   — Wallis and Futuna Islands,
   — French Polynesia,
   — French Southern and Antarctic Territories.

ANNEX II

List of the overseas countries and territories referred to in Article 2

1. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
   — Belize,
   — Brunei,
   — Associated States in the Caribbean: Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla,
   — Cayman Islands,
   — Falkland Islands and Dependencies,
   — Gilbert and Ellice Islands,
   — British Solomon Islands,
   — Turks and Caicos Islands,
   — British Virgin Islands,
   — Montserrat,
   — Pitcairn,
   — St Helena and Dependencies,
   — The Seychelles,
   — British Antarctic Territory,
   — British Indian Ocean Territory.

2. Anglo-French Condominium of the New Hebrides.
