REGULATION (EEC) No 2123/75 OF THE COMMISSION

of 25 July 1975

establishing Community surveillance on the importation of certain processed fruit and vegetable products originating in state-trading countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 109/70 [1] of 19 December 1969 establishing common rules for imports from state-trading countries, and in particular Article 6 (1) (a), (b) and (c) thereof;

Having consulted the Committee mentioned in Article 5 of Regulation (EEC) No 109/70;

Whereas quantitative restrictions on imports of a certain number of processed fruit and vegetable products, which have up to now been applied by the Member States of the Community, have been removed by Regulation (EEC) No 1927/75 [2]; whereas the Annex to Regulation (EEC) No 109/70 has been extended to cover these imports;

Whereas these imports, which could henceforth be effected in unlimited quantities, threaten to cause grave injury to Community producers of like or competing products, in view of the sensitivity of the market for these products and in view of the price levels at which they are imported;

Whereas in this situation Community surveillance of these imports, by means of the document mentioned in Article 6 of Regulation (EEC) No 109/70, is necessary in the interests of the Community;

Whereas, having regard to the nature of these products and to the particular nature of the trade in them, it is appropriate to set a period of three months for the use of these documents and to provide, as an exceptional measure, that where they take the form of an import authorization, this may not be relied upon so as to escape the application of any protective measures which may be taken,

HAS ADOPTED THIS REGULATION:

Article 1

The importation into the Community of the products designated in Annex I to this Regulation originating in the state-trading countries specified in the Annex to Regulation (EEC) No 109/70 is hereby made subject to prior and retrospective Community surveillance in accordance with the provisions of Article 6 (1) (a), (b) and (c) and (2) of the said Regulation and of this Regulation.

Article 2

In order to permit prior surveillance of imports envisaged, the putting into free circulation of the products covered by Article 1 shall be subject to the production of an import document. This document shall be issued or endorsed by Member States. It shall be valid for a maximum period of three months from the day on which it is issued or endorsed. Where it takes the form of an import authorization this may not be relied upon so as to escape the application of protective measures introduced pursuant to Council Regulation (EEC) No 1927/75 of 22 July 1975 relating to rules for trade with third countries in the processed fruit and vegetable sector.

The declaration or application by the importer as provided for in Article 6 of Regulation (EEC) No 109/70 shall indicate the products to be imported in accordance with the description specified in the fourth column of the Annex to this Regulation. The importation of each of these products shall be the subject of a separate declaration or application; the quantities to be imported shall be expressed in the units indicated for that product in the said Annex.

Article 3

The retrospective surveillance of imports affected shall apply both to the cif price, both per unit and total, and to the quantity of the product imported, expressed in the units set out in the Annex to this Regulation. The information transmitted to the Commission shall be broken down by Nimexe code at least to the extent indicated in column 3 of the Annex and by country of origin.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*. It shall apply with effect from 1 October 1975.

(1) OJ No L 19, 26. 1. 1970, p. 1.
(2) OJ No L 198, 29. 7. 1975, p. 7.

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

Done at Brussels, 25 July 1975.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

List of products originating in state-trading countries to be subject to supervisory arrangement

Number	CCT heading No	Nimexe	Description	Unit
	07.02		Vegetables (whether or not cooked), preserved by freezing :	
			ex B. Other :	
1		07.02.20	— Peas	kg
2		07.02.30	— Kidney Beans (French Beans) (Phaseolus Vulgaris)	kg
3			— Runner Beans (Phaseolus Coccineus)	kg
4		07.02.90	— Broad Beans (Vicia Faba)	kg
	07.04		Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared :	
		07.04.80	ex B. Other :	
5			— Peas	kg
6			— Kidney Beans (French Beans) (Phaseolus Vulgaris)	kg
7			— Carrots	kg
8			— Tomatoes in the form of powder or flakes	kg
	08.10		Fruit (whether or not cooked), preserved by freezing, not containing added sugar :	
			ex A. :	
9		08.10.11	— Strawberries	kg
10		08.10.18	— Blackcurrants	kg
	08.11		Fruits provisionally preserved (for example, by sulphide dioxide gas, in brine, in sulphur water or in other preservative solutions) but unsuitable in that state for immediate consumption :	
			ex E. Other :	
11		08.11.91	— Cherries	kg
12		08.11.95	— Strawberries	kg
13		08.11.99	— Blackcurrants	kg
	08.12		Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05 :	
			ex D. :	
14		08.12.40	— Apples	kg

Note : For purposes of this Annex, the weight of the product in kilogrammes shall be the weight exclusive of packing of any kind.

Number	CCT heading No	Nimexe	Description	Unit
	08.13	08.13.00	Peel of citrus fruit and melons, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in preservative solutions :	
15			— Peel of citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in preservative solutions	kg
	20.01		Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard :	
		20.01.90	ex B. Other :	
16			— Beetroot	kg
17			— Red cabbage	kg
18			— Cucumbers	kg
19			— Gherkins	kg
20			— Mixed Vegetables	kg
	20.02		Vegetables prepared or preserved otherwise than by vinegar or acetic acid :	
			ex A. :	
21		20.02.50	E. Sauerkraut	kg
		20.02.98	ex H. Other, including mixtures :	
22			— Gherkins	kg
23			— Mixed Vegetables	kg
24			— Broad Beans (Vicia Faba)	kg
	20.03		Fruit preserved by freezing, containing added sugar :	
		20.03.00	ex B. Other :	
25			— Strawberries	kg
26			— Blackcurrants	kg
	20.05		Jams, fruit jellies, marmalades, fruit purée and fruit pastes being cooked preparations, whether or not containing added sugar :	
			B. :	
			— Jams and marmalades of citrus fruit :	
30		20.05.31	I. With a sugar content exceeding 30 % by weight	kg
			II. With a sugar content exceeding 13 % by weight but not exceeding 30 % by weight	kg
31		20.05.39	III. Other	kg
			C. Other :	
			I. With a sugar content exceeding 30 % by weight :	
32		20.05.41	a) Plum purée and plum paste, in immediate packings of a net capacity exceeding 100 kg, for industrial processing	kg
			b) Other	
			II. With a sugar content exceeding 13 % but not exceeding 30 % by weight	
33		20.05.49	III. Other	kg

Number	CCT heading No	Nimexe	Description	Unit
	20.06		Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit :	
			B. Other :	
			II. Not containing added spirit :	
			a) Containing added sugar in immediate packings of a net capacity of more than 1 kg :	
34		20.06.47	ex 7. Apricots	kg
		20.06.51	ex 8. Other fruits	
35			— Strawberries	kg
36			— Blackcurrants	kg
37			— Cherries	kg
38			— Plums	kg
39			— Apples	kg
			b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less :	
40		20.06.77	ex 7. Apricots	kg
		20.06.82	ex 8. Other fruits	
41			— Strawberries	kg
42			— Blackcurrants	kg
43			— Cherries	kg
44			— Plums	kg
45			— Apples	kg
			c) Not containing added sugar, in immediate packings of a net capacity :	
			1. Of 4·5 kg or more :	
		20.06.93	ex dd) Other fruits	
46			— Strawberries	kg
47			— Blackcurrants	kg
48			— Cherries	kg
49			— Plums	kg
50			— Apples	kg
			2. Of less than 4·5 kg :	
		20.06.99	ex bb) Other fruits and mixtures of fruits	
51			— Strawberries	kg
52			— Blackcurrants	kg
53			— Cherries	kg
54			— Plums	kg
55			— Apples	kg