REGULATION (EEC) No 3329/75 OF THE COUNCIL

of 18 December 1975

amending Regulation (EEC) No 1599/75 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament (1);

Whereas Article 19 of Council Regulation (EEC) No 1599/75 (2) of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, lays down that the products referred to in Regulation (EEC) No 234/68 are to be imported free of customs duties, with the exception of products falling within heading No 06.03 or 06.04 of the Common Customs Tariff;

Whereas the exemption of those products from customs duties was deferred until it was possible to settle the problems relating to the unification of the import arrangements applied by each Member State with regard to third countries in respect of live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage;

Whereas Regulation (EEC) No 3328/75 (3) has established common import arrangements; whereas, consequently, products falling within heading No 06.03 or 06.04 and originating in the African, Caribbean and Pacific States or the overseas countries and territories should be exempted from customs duties;

Whereas Regulation (EEC) No 1599/75 lays down, in respect of the products subject to levies or variable components, total or partial exemption from such charges; whereas deflections of trade should be prevented during the period of application of accession compensatory amounts in trade in those products between the Community as originally constituted and the new Member States; whereas appropriate provision should be made to enable measures to be taken in cases where there is a danger of deflection of trade,

HAS ADOPTED THIS REGULATION:

Article 1

Article 19 of Regulation (EEC) No 1599/75 is amended to read as follows:

'The products referred to in Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 2358/71 and (EEC) No 1067/74 shall be imported free of customs duties.'

Article 2

Article 22 of Regulation (EEC) No 1599/75 is amended to read as follows:

'The reductions provided for by this Regulation shall be calculated by reference to:

— the variable components of levies where the levies contain such components,

— the levies in other cases,

applicable to imports from third countries into the Community as originally constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as originally constituted and the new Member States, measures to prevent deflections of trade shall be take in accordance with the procedure referred to in Article 23, if this proves necessary.'

Article 3

This Regulation shall enter into force on 1 January 1976.

(1) Opinion delivered on 15. 12. 1975 (not yet published in the Official Journal).
(2) OJ No L 166, 28. 6. 1975, p. 67.
(3) See page 4 of this Official Journal.

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

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS