COUNCIL REGULATION (EEC) No 112/76

of 19 January 1976

concerning imports into the Community of fishery products originating in Tunisia

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 [1],

Whereas implementation of the common fishery policy has rendered null and void the system provided for in Annex 2 to the Agreement establishing an association between the European Economic Community and the Republic of Tunisia; whereas the Community must, pursuant to Article 10 (2) of that Annex, take account of the interests of Tunisia when establishing the common organization of the market in fishery products;

Whereas Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products [2] established a system of trade with third countries based on the application of the Common Customs Tariff; whereas it is possible for the Community to meet its obligations with regard to Tunisia by granting that country considerable tariff concessions which can go as far as exemption from duty for products falling within Chapter 3 of the Common Customs Tariff;

Whereas negotiations are in progress for the conclusion of a new Agreement between the European Economic Community and the Republic of Tunisia; whereas this new Agreement should lay down special import arrangements for carp and trout as well as preserved sardines and tunny; whereas transitional arrangements for importation of those products into the Community should therefore be provided;

Whereas, having regard to the provisions of the Act of Accession, the import arrangements applied by the Member States to the products in question originating in Tunisia must not be less favourable than those applied from 1 January 1975 to like products originating in other third countries,

HAS ADOPTED THIS REGULATION:

Article 1

The products listed in Article 1 (2) (a), (b), (c), (d) and (g) of Regulation (EEC) No 100/76, with the exception of trout and carp, falling respectively within subheadings 03.01 A I a) and 03.01 A III of the Common Customs Tariff, originating in Tunisia, shall be imported into the Community free of customs duty.

Article 2

The products listed in Article 1 (2) (e) and (f) of Regulation (EEC) No 100/76, with the exception of prepared and preserved sardines and tunny, falling respectively within subheadings 16.04 D and 16.04 E of the Common Customs Tariff, originating in Tunisia, shall be imported into the Community at customs duties equal to 30 % of the Common Customs Tariff duties applicable.

Article 3

The trout and carp, falling respectively within subheadings 03.01 A I a) and 03.01 A III of the Common Customs Tariff, originating in Tunisia, shall be imported duty free into the Community.

Article 4

1. Member States shall maintain in force the import arrangements effective on 31 January 1972 to prepared and preserved sardines and tunny, falling respectively within subheadings 16.04 D and 16.04 E of the Common Customs Tariff, originating in Tunisia.

2. However, Member States which open tariff quotas under arrangements referred to in paragraph 1 may increase the quantity of such quotas by not more than 30 %.

[1] OJ No C 7, 12. 1. 1976, p. 70.
[2] See page 1 of this Official Journal.

3. The import arrangements applied to products as specified in paragraph 1 originating in Tunisia shall in no case be less favourable than those applied to like products originating in other third countries.

Article 5

The arrangements provided for in Articles 3 and 4 shall apply for 1976, until the entry into force of the new Agreement between the European Economic Community and the Republic of Tunisia and not later than 31 December 1976.

Article 6

1. The following Regulations are hereby repealed:

— Council Regulation (EEC) No 1706/71 of 26 July 1971 concerning imports into the Community of fishery products originating in Tunisia (1),

— Council Regulation (EEC) No 346/75 of 10 February 1975 concerning the importation into the Community of certain fishery products originating in Tunisia (2), as amended by Regulation (EEC) No 3413/75 (3).

2. References to the Regulations repealed by paragraph 1 shall be construed as references to this Regulation.

References to Articles of those Regulations are to be read in accordance with the correlation given in the Annex.

Article 7

This Regulation shall enter into force on 1 February 1976.

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

Done at Brussels, 19 January 1976.

For the Council

The President

J. HAMILIUS

(1) OJ No L 176, 5. 8. 1971, p. 3.

(2) OJ No L 40, 14. 2. 1975, p. 1.
(3) OJ No L 337, 31. 12. 1975, p. 1.

ANNEX

Correlation table

Regulation (EEC) No 346/75	*This Regulation*
Article 1	Article 3
Article 2	Article 4
Article 4	Article 5