COUNCIL REGULATION (EEC) No 502/86

of 25 February 1986

laying down detailed rules for quantitative restrictions on the import into Portugal of certain agricultural products from the Canary Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 9 of Protocol 2 attached thereto,

Having regard to the proposal from the Commission,

Whereas under Protocol 2 the Community is to apply to its trade in agricultural products with the Canary Islands the general arrangements which it applies to its external trade;

Whereas the Act of Accession authorizes the Portuguese Republic temporarily to maintain quantitative restrictions on the import of certain agricultural products from third countries;

Whereas that Member State should be authorized to maintain restrictions on imports, from the Canary Islands, of certain agricultural products which these islands export in substantial quantities,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Portuguese Republic may maintain quantitative restrictions on the import from the Canary Islands of:

— the products specified in the Annex under (a), until 31 December 1992,

— the products specified in the Annex under (b), until 31 December 1995.

2. The quantitative restrictions shall consist of annual quotas opened without discrimination between economic operators.

3. The initial quota for each product in 1986 shall be between 0,1 % and 0,5 % of average Portuguese production, expressed in terms of volume, over the last three years before accession on which statistics are available.

4. The minimum rate of increase in the quotas shall be fixed in accordance with the procedure referred to in Article 3. The rate may be differentiated according to the products concerned. In particular, account shall be taken of trade patterns.

5. From 1 March to 31 December 1986 the quota applicable shall be equal to the initial quota, less one-sixth.

Article 2

1. The quota fixed for a product from the Canary Islands may not exceed the quota fixed for the same product from the Community.

2. Should the Portuguese Republic authorize the import of a product from the Canary Islands in quantities greater than those fixed under the quota, the quota applicable to imports of the same product from the Community shall be increased by a quantity not less than that by which the quota for imports from the Canary Islands has been exceeded.

Article 3

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables (1), as last amended by Regulation (EEC) No 3768/85 (2), or in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 234/68 of the Council of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage (3), as last amended by Regulation (EEC) No 3768/85.

2. The detailed rules for the application of this Regulation shall, in particular:

(a) fix the initial quota for each product;

(b) specify the communication to be forwarded to the Commission by the Portuguese Republic.

Article 4

This Regulation shall enter into force on 1 March 1986.

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 362, 31. 12. 1985, p. 8.
(3) OJ No L 55, 2. 3. 1968, p. 1.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

ANNEX

CCT heading No	Description
(a) 06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips:
	ex D. Other: — Rose bushes — Ornamental plants
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared:
	A. fresh:
	ex I. From 1 June to 31 October: — Roses — Carnations
	ex II. From 1 November to 31 May: — Roses — Carnations
(b) 07.01	ex H. Onions, shallots and garlic: — Onions, from 1 August to 30 November
	M. Tomatoes:
	ex I. From 1 November to 14 May: — From 1 December to 14 May
	ex II. From 15 May to 31 October: — From 15 May to 31 May