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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 678/87

of 26 January 1987

on the application of the system of certificates of origin provided for under the International Coffee Agreement 1983 when quotas are suspended

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports (1), as last amended by Regulation (EEC) No 899/83 (2), and in particular Article 16 (1) (b) thereof,

Having regard to the proposal from the Commission,

Whereas pursuant to Decision 83/539/EEC (3) the Community has been provisionally applying the International Coffee Agreement 1983 since its provisional entry into force on 1 October 1983;

Whereas Regulation (EEC) No 3761/83 (4) introduced the system of certificates of origin provided for by the International Coffee Agreement 1983 when quotas are in effect;

Whereas the Executive Board of the International Coffee Organization has established rules for the application of a system of certificates of origin under the Agreement when quotas are suspended;

Whereas the rules laid down in Regulation (EEC) No 2686/76 (5) concerning the system of certificates of origin provided for by the International Coffee Agreement 1976 have been replaced by the abovementioned rules; whereas Regulation (EEC) No 2686/76 should, therefore, be repealed;

Whereas appropriate measures must be taken to implement the new system of certificates within the Community and to provide that it be applied without discrimination between Community importers;

Whereas in order to ensure the efficient administration of the system and to clarify the position regarding the periods during when this Regulation will actually apply and in order to conform to Rule 11 of the Annex to this Regulation and to Rule 17 of the Annex to Regulation (EEC) No 3761/83, provision should be made for the Commission, in accordance with the decisions taken by the competent bodies of the International Coffee Organization and at the time when quotas are suspended or reintroduced, to specify the date on which the measures in question become applicable or cease to be applicable,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of implementing the International Coffee Agreement 1983, the rules for the application of the system of certificates of origin when quotas are suspended, adopted by the Executive Board of the International Coffee Organization and set out in the Annex to this Regulation, shall apply.

Article 2

Imports into the Community of coffee and of extracts, essences or concentrates of coffee falling within subheadings 09.01 A and 21.02 A of the Common Customs Tariff, originating in or coming from either members or non-members of the Agreement, shall not be subject to submission of the certificates provided for in the said Agreement.

Article 3

Exports from the Community of coffee and of extracts, essences or concentrates of coffee falling within

(1) OJ No L 35, 9. 2. 1982, p. 1.
(2) OJ No L 103, 21. 4. 1983, p. 1.
(3) OJ No L 308, 9. 11. 1983, p. 1.
(4) OJ No L 379, 31. 12. 1983, p. 1.
(5) OJ No L 309, 10. 11. 1976, p. 1.

subheadings 09.01 A and 21.02 A of the Common Customs Tariff shall not be subject to submission of the certificates provided for in the Agreement.

Article 4

The Commission shall fix the date from which the measure provided for in this Regulation shall become applicable or cease to be applicable.

Article 5

Regulation (EEC) No 2686/76 is hereby repealed.

Article 6

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 26 January 1987.

For the Council

The President

L. TINDEMANS

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