COUNCIL REGULATION (EEC) No 452/89

of 20 February 1989

establishing Community surveillance for certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco which are subject to reference quantities (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries (1), and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Cooperation Agreements between the European Economic Community and Cyprus (2), Yugoslavia (3), Egypt (4), Jordan (5), Israel (6), Tunisia (7), Syria (8), Malta and Morocco (9) have been concluded; whereas these Protocols provide for the progressive reduction, subject to reference quantities laid down within a set timetable, of the customs duties applicable to certain agricultural products originating in those countries and covered by the respective Agreements;

Whereas, by virtue of Article 3 (2) of Regulation (EEC) No 451/89, a surveillance system is provided for the agricultural products in question; whereas it is appropriate therefore to submit the imports of products subject to reference quantities, shown in the Annex, to a system of surveillance for the year 1989; whereas, however, the agricultural products mentioned in Article 1 of the said Regulation are subject only to normal statistical surveillance;

Whereas, under the respective Agreements, when the rate of customs duty applied to imports into the Community of Ten of a product subject to a reference quantity is lower than that applying in respect of Spain, Portugal or both of these Member States, the process of dismantling begins once duty on imports of that product from Spain and Portugal falls below that applied to imports of the product in question from the other countries; whereas, for this reason, the Annex to this Regulation lists only products in respect of which tariff dismantling begins or continues in 1989;

Whereas the application of these arrangements requires that the Community be kept regularly informed of the progress of such imports originating in the countries in question; whereas this objective may be achieved by means of an administrative procedure whereby imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation;

Whereas the said administrative procedure requires close and rapid cooperation between the Member States and the Commission, which must, in particular, be able to monitor the charging of amounts against the reference quantities and keep the Member States informed,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco for which reference quantities shall be set within pre-determined timetables shall be subject to Community surveillance.

The description of the products referred to in the first subparagraph, their serial numbers, their CN codes and the quantities and timetable applying to the reference quantities are given in the table in the Annex.

2. Amounts shall be charged by Member States against the reference quantities as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate conforming to the rules laid down in the Protocol concerning the definition of the concept of originating products annexed to each Agreement with the countries concerned.

Where the movement certificate is produced at a later date, the amount shall be charged against the corresponding reference quantity at the date of acceptance of the declaration of release for free circulation.

3. Member States shall forward to the Commission:

— not later than 15 July 1989, the final returns for the amounts charged against the reference quantities of the products bearing serial numbers 18.0010, 18.0040, 18.0140 or 18.0150,

— not later than 15 September 1989, the final return for the amounts charged against the reference quantities of the products bearing serial numbers 18.0015 and 18.0130,

(1) See page 7 of this Official Journal.
(2) OJ No L 393, 31. 12. 1987, p. 2.
(3) OJ No L 389, 31. 12. 1987, p. 73.
(4) OJ No L 297, 21. 10. 1987, p. 11.
(5) OJ No L 297, 21. 10. 1987, p. 19.
(6) OJ No L 327, 30. 11. 1988, p. 36.
(7) OJ No L 297, 21. 10. 1987, p. 36.
(8) OJ No L 327, 30. 11. 1988, p. 58.
(9) OJ No L 224, 13. 8. 1988, p. 18.

— by 15 October 1989, and not later than the fifteenth day of each subsequent month, the returns for the cumulative amounts charged during the period 1 January to 30 September, and during the preceding month respectively, against the reference quantities of the products bearing serial numbers 18.0070, 18.0080, 18.0090, 18.0100, 18.0170, 18.0180, 18.0200 and 18.0220,

— by 15 November 1989, and not later than the fifteenth day of each subsequent month, the return for the cumulative amounts charged during the preceding month against the reference quantities of the products bearing serial number 18.0050.

The level of utilization of a reference quantity shall be determined at Community level on the basis of imports charged against it in the manner described in this paragraph.

Article 2

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

It shall apply with effect from 1 January 1989.

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

Done at Brussels, 20 February 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

ANNEX

Serial No	CN code	Description (1)	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)
18.0010	ex 0701 90 51	New potatoes	1. 1. – 31. 3.	Tunisia	2 600
18.0015	ex 0701 90 51 ex 0701 90 59	New potatoes	1. 1. – 15. 5. 16. 5. – 31. 5.	Malta	3 000
18.0040	ex 0707 00 11	Cucumbers of a length not exceeding 15 cm	1. 1. – 28. 2. 1. 1. – 28. 2. 1. 1. – 28. 2.	Egypt Jordan Malta	100 100 50
18.0050	ex 0709 10 00	Artichokes	1. 10. – 31. 12. 1. 10. – 31. 12.	Egypt Cyprus	100 100
18.0070	0709 60 10	Sweet peppers	1. 1. – 31. 12.	Morocco	1 000
18.0080	0712 20 00	Onions	1. 1. – 31. 12.	Syria	700
18.0090	ex 0712 90 90	Garlic	1. 1. – 31. 12.	Egypt	1 000
18.0100	0713 10 11 0713 10 19	Peas, for sowing	1. 1. – 31. 12.	Morocco	400
18.0130	ex 0806 10 15	Fresh table grapes	1. 2. – 30. 6.	Israel	1 900
18.0140	ex 0807 10 90	Melons of a weight not exceeding 600 grams	1. 1. – 31. 3. 1. 1. – 31. 3.	Egypt Jordan	100 100
18.0150	ex 0810 90 10	Kiwifruit *(Actinidia Chinensis Planch.)*	1. 1. – 30. 4. 1. 1. – 30. 4. 1. 1. – 30. 4.	Israel Cyprus Morocco	200 200 200
18.0170	2001 10 00	Cucumbers	1. 1. – 31. 12.	Yugoslavia	3 000
18.0180	ex 2004 90 30 2005 30 00	Sauerkraut	1. 1. – 31. 12.	Yugoslavia	150
18.0200	2008 50 61 2008 50 69	Apricots	1. 1. – 31. 12.	Morocco	6 300
18.0220	ex 2008 30 91	Pulp of citrus fruit	1. 1. – 31. 12.	Israel	2 900

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the application of the combined nomenclature code.