I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3211/90

of 29 October 1990

amending Regulations (EEC) No 3896/89, (EEC) No 3897/89 and (EEC) No 3898/89 in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru

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 the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas Regulations (EEC) No 3896/89 (3), (EEC) No 3897/89 (4) and (EEC) No 3898/89 (5) apply generalized tariff preferences for 1990 to certain industrial products, to textile products and certain agricultural products originating in the developing countries;

Whereas the Community applies to those countries, which include Bolivia, Colombia, Ecuador and Peru, preferential treatment by reference notably to their degree of development and competitiveness; whereas for the industrial and textile sector this gives rise to suspension of the duty within a quota and an individual tariff ceiling and to a reduction in the customs duty without any quantitative limit for agricultural products, with the exception of five products which are subject to a fixed amount at a reduced duty;

Whereas cocaine production is being developed in Bolivia, Colombia, Ecuador and Peru to the detriment of lawful agricultural production, the earnings from which enter those countries' economies; whereas this situation results in a substantial decline to those countries' export resources;

Whereas cocaine trafficking seriously undermines those countries' social integrity and impairs their economies to the point of jeopardizing and even setting back their development;

Whereas the Community has delivered a favourable opinion concerning the request for support for the special cooperation programme presented by the Colombian Government; whereas, in order to increase the export earnings of the countries concerned and improve growth rates, they should be given increased aid, on an exceptional, temporary basis, by granting them a system of generalized tariff preferences consisting of exemption from quotas and ceilings and the according of duty-free treatment for industrial and textile products, and the according of duty-free treatment for a specified list of products in the agricultural sector; whereas this system should be granted to them for the period of the special programme, i.e. four years, without prejudice to the annual nature of the Community's generalized preferences scheme,

HAS ADOPTED THIS REGULATION:

Article 1

Articles 7, 8 and 9 of Regulation (EEC) No 3896/89 shall not apply to the imports in question from Bolivia, Colombia, Ecuador and Peru.

Article 2

1. Eligibility for the arrangements laid down in the first paragraph of Article 1 of Regulation (EEC) No 3897/89 shall apply to products originating in Bolivia, Colombia, Ecuador and Peru.

2. Articles 2, 8, 11 and 12 of Regulation (EEC) No 3897/89 shall not apply to Bolivia, Colombia, Ecuador and Peru.

3. Bolivia, Colombia, Ecuador and Peru shall be withdrawn from the list of countries given in Annex V to Regulation (EEC) No 3897/89.

(1) Opinion delivered on 12 October 1990 (not yet published in the Official Journal).
(2) Opinion delivered on 19 September 1990 (not yet published in the Official Journal).
(3) OJ No L 383, 30. 12. 1989, p. 1.
(4) OJ No L 383, 30. 12. 1989, p. 45.
(5) OJ No L 383, 30. 12. 1989, p. 90.

Article 3

1. Eligibility for the arrangements laid down in the third indent of the first paragraph of Article 1 and in Article 6 (2) of Regulation (EEC) No 3898/89 shall apply to the products originating in Bolivia, Colombia, Ecuador and Peru listed in the Annex to this Regulation.

2. Bolivia, Colombia, Ecuador and Peru shall be withdraw from the list of countries given in Annex III to Regulation (EEC) No 3898/89.

Article 4

This Regulation shall enter into force on the fifth 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 Luxembourg, 29 October 1990.

For the Council

The President

A. BATTAGLIA

ANNEX

List of products mentioned in Article 3 (1) (a) (b)

Order No	CN code	Description
(1)	(2)	(3)
58.0015	0101 19 10	Horses for slaughter
58.0020	0104 20 10	Goats, pure breeding animals (c)
58.0030	0106 00	Other live animals
58.0040	0203 11 90 0203 12 90 0203 19 90 0203 21 90 0203 22 90 0203 29 90	Meat of swine, fresh, chilled or frozen, other than of domestic swine
58.0050	0205 00 00	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen
		Edible offal, fresh, chilled or frozen :
58.0060	0206 10 91 0206 10 99 0206 21 00 0206 22 90 0206 29 99	Of bovine animals
58.0070	0206 30 90 0206 41 99 0206 49 99	Of swine, other than domestic swine
58.0080	0206 80 91 0206 90 91	Of horses, asses, mules or hinnies
58.0090	0206 80 99 0206 90 99	Of sheep and goats
58.0095	0207 31 00 0207 50 10	Fatty livers of ducks or geese, fresh, chilled or frozen (d)
58.0100	0208	Other meat and edible meat offal, fresh, chilled or frozen
58.0160	CHAPTER 3	FISH AND CURSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES
		Birds' eggs, in shell, fresh, preserved or cooked :
58.0180	0407 00 90	Other than poultry eggs
58.0190	0409 00 00	Natural honey
58.0200	0410 00 00	Edible products of animal origin, not elsewhere specified or included
58.0210	CHAPTER 5	PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED
58.0220	CHAPTER 6	LIVE TREES AND OTHER PLANTS, BULBS, ROOTS AND THE LIKE ; CUT FLOWERS AND ORNAMENTAL FOLIAGE

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description 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 coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(b) Agricultural products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff are only token entries.

(c) Entry within this CN code is subject to conditions laid down in the relevant Community provisions.

(d) No AGR is levied.

(1)	(2)	(3)
58.0230	0701	Potatoes, fresh or chilled
58.0240	0706 90 30	Horse-radish *(Cochlearia armoracia)*
58.0250	0708	Leguminous vegetables, shelled or unshelled, fresh or chilled
		Other vegetables, fresh or chilled :
58.0260	ex 0709 20 00	Asparagus, from 1 October to 31 January
	0709 30 00	Aubergines (egg-plants)
	0709 40 00	Celery, other than celeriac
	0709 51 30	Chantarelles
	0709 60 10	Sweet peppers
	0709 60 99	Other
	0709 90 70	Courgettes
	0709 90 90	Other
58.0270	0710 all codes except 0710 80 10	Vegetables (uncooked or cooked by steaming or boiling in water), frozen
58.0280	0711 all codes except 0711 20 10 0711 20 90	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservatives solutions), but unsuitable in that state for immediate consumption
		Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared :
58.0290	0712 10 00	Potatoes
	0712 20 00	Onions
	0712 30 00	Mushrooms and truffles
	0712 90 30	Tomatoes
	0712 90 50	Carrots
	ex 0712 90 90	Other, excluding olives
58.0300	0713	Dried leguminous vegetables, shelled, whether or not skinned or split
		Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets ; sago pith :
58.0310	0714 20 10	Sweet potatoes for human consumption (c)
58.0320	0714 90 90	Other
		Other nuts, fresh or dried, whether or not shelled or peeled :
58.0370	0802 50 00	Pistachios
	0802 90 90	Other
58.0380	0803 00 90	Bananas, including plantains, dried
		Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried :
58.0390	0804 10 00	Dates
58.0410	0804 30 00	Pineapples
58.0420	0804 40 10	Avocados, from 1 December to 31 May
58.0430	0804 40 90	Avocados, from 1 June to 30 November
58.0440	0804 50 00	Guavas, mangoes and mangosteens

(c) Entry within this CN code is subject to conditions laid down in the relevant Community provisions.

(1)	(2)	(3)
		Citrus fruit, fresh or dried :
58.0450	ex 0805 20 10	Clementines, from 15 May to 15 September
	ex 0805 20 30	Montreales and satsumas, from 15 May to 15 September
	ex 0805 20 50	Mandarins and wilkings, from 15 May to 15 September
	ex 0805 20 70	Tangerines, from 15 May to 15 September
	ex 0805 20 90	Other, from 15 May to 15 September
	0805 30 90	Limes
	0805 40 00	Grapefruit
	0805 90 00	Other
		Melons (including watermelons) and papaws (papayas), fresh :
58.0470	0807 10 10	Watermelons
	0807 10 90	Other
	0807 20 00	Papaws (papayas)
58.0480	0809 40 90	Sloes, fresh
	ex 0809 20 10	Sour cherries *(prunus cerasus)*, fresh
	ex 0809 20 90	
58.0490	0810 20 10	Other fruit, fresh
	0810 20 90	
	0810 30 90	
	0810 40 30	
	0810 40 50	
	0810 40 90	
	0810 90 10	
	0810 90 30	
	0810 90 80	
58.0500	0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
58.0510	0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
		Fruit, dried, other than that of heading Nos 0801 to 0806 :
58.0520	0813 10 00	Apricots
	0813 20 00	Prunes
	0813 30 00	Apples
		Other fruit
	0813 40 10	Peaches, including nectarines
	0813 40 30	Pears
	0813 40 50	Papaws (papayas)
	0813 40 60	Other
	0813 40 80	Mixtures of nuts or dried fruit of this chapter
		Fruit salads of dried fruit, other than that of heading Nos 0801 to 0806
	0813 50 11	Not containing prunes
	0813 50 19	Containing prunes
	ex 0813 50 30	Mixtures of coconuts, Brazil nuts, cashew nuts, areca (or Betel) nuts or colanuts
	ex 0813 50 91	Mixtures of dried guavas, mangoes, mangosteens, papaws, tamarind, cashew apples, jackfruit, lychees or sapodilla plums
58.0530	0814 00 00	Peel of citrus fruit or melons (including watermelons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions
58.0545	CHAPTER 9	COFFEE, TEA, MATÉ AND SPICES, EXCLUDING PRODUCTS FALLING WITHIN CN CODES 0905 00 00 AND 0907 00 00
58.0560	1105	Flour, meal and flakes of potatoes

(1)	(2)	(3)
58.0570	1106 10 00 1106 30 10 1106 30 90	Flour and meal of dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714; flour, meal and powder of products of Chapter 8: Flour and meal of dried leguminous vegetables of heading No 0713 Flour, meal and powder of the products of Chapter 8
58.0590	ex CHAPTER 12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL AND MEDICINAL PLANTS; STRAW AND FODDER; EXCLUDING SUGAR BEET AND SUGAR CANE FALLING WITHIN SUBHEADINGS 1212 91 AND 1212 92 00
58.0600	CHAPTER 13	LAC; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS
58.0610	CHAPTER 14	VEGETABLE PLAITING MATERIALS; VEGETABLE PRODUCTS NOT ELSEWHERE SPECIFIED OR INCLUDED
58.0625	ex 1502 00	Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted, excluding products falling within CN codes 1502 00 91 and 1502 00 99
58.0630	1503 00	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared
58.0640	1504 except code 1504 30 11	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified
58.0650	1505	Wool grease and fatty substances derived therefrom (including lanolin)
58.0660	1506 00 00	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified
58.0670	1507	Soya bean oil and its fractions, whether or not refined, but not chemically modified
58.0680	1508	Groundnut oil and its fractions, whether or not refined, but not chemically modified
58.0690	1511	Palm oil and its fractions, whether or not refined, but not chemically modified
58.0700	1512	Sunflower seed, safflower or cotton seed oil and fractions thereof, whether or not refined, but not chemically modified
58.0710	1513	Coconut (copra), palm kernel or babassu oil or fractions thereof, whether or not refined, but not chemically modified
58.0720	1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified
58.0730	1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions whether or not refined, but not chemically modified
58.0740	1516	Animal and vegetable fats and oils and their fractions, partly or wholly hydrogenated, interesterified, re-esterified or elaidinized, whether or not refined, but not further prepared
58.0750	1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats and oils of this chapter, other than edible fats or oils or their fractions of heading No 1516
58.0760	1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurized, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included
58.0770	1519	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols
58.0780	1520	Glycerol (glycerine), whether or not pure; glycerol waters and glycerol lyes

(1)	(2)	(3)
58.0790	1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured
58.0800		Degras ; residues resulting from the treatment of fatty substances or animal or vegetable waxes :
	1522 00 10	Degras
	1522 00 91	Oil foots and dregs ; soapstocks
	1522 00 99	Other
58.0810		Other prepared or preserved meat, meat offal or blood :
	1602 20 10	Goose or duck liver
	1602 41 90	Of swine, other than of domestic swine
	1602 42 90	
	1602 49 90	
	1602 50 90	Of bovine animals
	1602 90 31	Of game or rabbit
	1602 90 69	
	1602 90 71	
	1602 90 79	Of sheep or goats
	1602 90 99	
58.0820	1603 00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
58.0830	1604	Prepared or preserved fish ; caviar and caviar substitutes prepared from fish eggs
58.0840	1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved
58.0850	1702 50 00	Chemically pure fructose
58.0860	1702 90 10	Chemically pure maltose
58.0870	1704	Sugar confectionery (including white chocolate), not containing cocoa (1)
58.0880	CHAPTER 18	COCOA AND COCOA PREPARATIONS
58.0890	CHAPTER 19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK, PASTRYCOOKS' PRODUCTS (2)
58.0900	CHAPTER 20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER PARTS OF PLANTS
58.0910	ex CHAPTER 21	MISCELLANEOUS EDIBLE PREPARATIONS, EXCLUDING SUGAR SYRUPS FALLING WITHIN SUBHEADINGS 2106 90 30, 2106 90 51, 2106 90 55 AND 2106 90 59
58.0920	ex CHAPTER 22	BEVERAGES, SPIRITS AND VINEGAR, EXCLUDING PRODUCTS FALLING WITHIN SUBHEADINGS 2204 10 11 TO 2204 30 10, 2206 00 10, 2208 40 10, 2208 40 90, 2208 90 11 AND 2208 90 19
58.0930	2301	Flours, meals and pellets, of meat or meat offal of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption ; greaves
58.0940	2302 50 00	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants Of leguminous plants
58.0950	2308 90 90	Vegetable materials and vegetable waste, vegetable residues and byproducts, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included Other
58.0960		Preparations of a kind used in animal feeding :
	2309 10 90	
	2309 90 10	Fish or marine mammal solubles
	2309 90 91	Beet-pulp with added molasses
	2309 90 99	Other
58.0970	CHAPTER 24	TOBACCO AND UNMANUFACTURED TOBACCO SUBSTITUTES

(1) The MOB for products falling within CN codes 1704 10 91 and 1704 10 99 shall be limited to 16 % of the customs value.
(2) No additional duties are levied for other preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough known as 'papad'.