I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2651/95

of 23 October 1995

amending Council Regulation (EC) No 3282/94 extending into 1995 the application of Regulations (EEC) No 3833/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences to certain agricultural products originating in developing countries

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas by Regulation (EC) No 3282/94 [1] the Council granted the benefit of generalized preferences for certain agricultural products originating in South Africa and pursuant to Article 6 (2) of that Regulation, it decided to carry out a re-examination of the conditions of application of that Regulation before 1 July 1995;

Whereas the list of products for which South Africa is granted preferential treatment should be supplemented,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3282/94 is hereby amended as follows:

1. Article 6 (2) shall be replaced by the following text:

'2. The benefit of preferences shall not be granted to products of Annex I or II of Regulation (EEC) No 3833/90 falling within CN codes 0409 00 and 2401 and Chapters 6, 7, 8 and 20 originating in South Africa, with the exception of the products appearing in Annex I to this Regulation.';

2. Article 8 shall be replaced by the following text:

'Article 8

The technical amendments to the Annexes to Regulations (EEC) No 3833/90, (EEC) No 3835/90 and (EEC) No 3900/91 appear in Annex II to this Regulation.';

3. the existing Annex shall become Annex II and Annex I set out in the Annex to this Regulation shall be inserted.

Article 2

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

It shall apply until 31 December 1995.

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

Done at Luxembourg, 23 October 1995.

For the Council

The President

P. SOLBES MIRA

[1] OJ No L 348, 31. 12. 1994, p. 57.

ANNEX

'ANNEX I

List of products of Chapters 6, 7, 8 and 20 originating in South Africa which benefit from generalized preferences (a)

Order number	CN code	Description of goods	Rate of duty
52.0630	0602 99 30 0602 99 45 0602 99 49 0602 99 59 ex 0602 99 70 0602 99 91 ex 0602 99 99	Trees and shrubs, excluding fruit and forest trees and shrubs ; other than live plants, cuttings and roots, excluding yuccas and cacti not planted in pots, tubs, boxes or the like	12 %
52.0640	ex 0602 99 70 ex 0602 99 99	Yuccas and cacti not planted in pots, tubs, boxes or the like	8 %
52.0710	ex 0604 10 90 0604 99 10	Not further prepared than dried	2 %
52.0720	0604 99 90	Other	14 %
52.0730	0706 90 30	Horseradish *(Cochlearia armoracia)*	7 %
52.0770	0709 60 99	Pimento	5 %
52.0790	ex 0709 90 90	Okra *(Hibiscus esculentus L.* or *Abelmoschus esculentus (L) Moench); Moringa oleifera ('drumsticks')*	free
52.0820	ex 0710 80 95	Other — Okra *(Hibiscus esculentus L.* or *Abelmoschus esculentus (L) Moench)*	13 %
52.0830	0711 90 30	Sweet corn	3 %
52.0840	0711 90 10	Fruits of the genus Capsicum or of the genus Pimenta, excluding sweet peppers	5 %
52.0850	ex 0711 90 70	Okra (*Hibiscus esculentus L.* or *Abelmoschus esculentus (L) Moench)*	free
	ex 0711 90 70	Bamboo shoots	6 %
52.0870	ex 0712 90 90	Okra *(Hibiscus esculantus L.* or *Abelmoschus esculentus (L) Moench)*	7 %
	ex 0712 90 90	Horseradish *(Cochlearia armoracia)*	free
52.0920	ex 0713 90 90	Cajan peas of the species *Cajanus cajan*	free
52.0930	0714 20 10	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced or in the form of pellets ; sago pith ; Sweet potatoes for human consumption (e)	free
52.0960	0802 50 00	Pistachios	free
52.0990	0802 90 60 0802 90 85	Other nuts	free

Order number	CN code	Description of goods	Rate of duty
52.1010	ex 0804 10 00	Dates, for industrial transformation, excluding the manufacture of alcohol, or for conditioning for retail in immediate packings with a net capacity of 11 kg or less (e)	8 %
52.1020	0804 40 10	Avocados, from 1 December to 31 May	3,5 %
52.1030	0804 40 90	Avocados, from 1 June to 30 November	6 %
52.1040	ex 0804 50 00	Guavas and mangosteens	free
52.1050	ex 0805 20 21 ex 0805 20 23 ex 0805 20 25 ex 0805 20 27 ex 0805 20 29	Clementines, mandarins (including tangerines and satsumas); wilkings and other similar citrus hybrids, from 15 May to 15 September	16 %
ex 52.1140	0810 90 30	Tamarinds, cashew-apples, lychees, jackfruit, sapodillo plums	6 %
52.1150	ex 0810 90 85 ex 0810 90 85 0810 90 40 ex 0810 90 85	Rose-hip fruit Other stone fruit Other fruit	free 7 % 6 %
52.1160	0811 20 59	Blackberries (brambleberries), mulberries	8 %
52.1180	0811 90 50	Bilberries (fruit of the species *Vaccinium myrtillus*)	7 %
52.1190	0811 90 70	Fruit of the species *Vaccinium myrtilloides* and *Vaccinium angustifolium*	2 %
ex 52.1200	ex 0811 90 95	Quinces	10 %
52.1240	0812 90 40	Bilberries (fruit of the species *Vaccinium myrtillus*)	2 %
ex 52.1250	ex 0812 90 95	Quinces	4 %
52.1260	0813 10 00	Fruit, dried, other than that of heading Nos 0801 to 0806; mixtures of nuts or dried fruit of this chapter Apricots	5,5 %
52.1280	0813 40 50	Pawpaws	free
52.2695	2001 90 20	Fruit of the genus *Capsicum* other than sweet peppers and pimentos	5 %
52.2720	2001 90 60	Palm hearts	7 %
ex 52.2730	ex 2001 90 91	Papaya chutney	9 %
52.2795	2005 90 10	Fruit of the genus *Capsicum* other than sweet peppers and pimentos	5 %
ex 52.2810	ex 2005 90 80	Bamboo shoots	11 %
ex 52.2850	ex 2007 91 10	Jams and marmalades of citrus; with a sugar content exceeding 30 % by weight, excluding orange jam and marmalade	18 %

Order number	CN code	Description of goods	Rate of duty
52.2930	2008 20 11	Pineapples, in immediate packings of a net content of 1 kg or more, with a sugar content exceeding 17 % by weight	10 %
52.3110	2008 91 00	Palm hearts	7 %
52.3250	ex 2008 99 46	Tamarind	7 %
52.3265	2008 99 61 ex 2008 99 68	Passion fruit and guavas Fruit falling within heading Nos 0803, 0804 (excluding figs), 0807 20 00, 0810 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	7 %
52.3310	2009 20 91 2009 20 99	Grapefruit juice	7 %
ex 52.3350	ex 2009 30 99	Other, excluding lime juice *(Citrus aurantifolia* var. *Lumio* and var. *Limetta)*, not containing added sugar	15 %
52.3360	2009 40 30	Pineapple juice	17 %
ex 52.3400	ex 2009 80 38	Date juice	free
ex 52.3410	ex 2009 80 73	Fruit falling within heading Nos 0801, 0803, 0804 (excluding figs), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30, 0810 90 40 and 0810 90 85	8 %
	ex 2009 80 71	Other fruit and vegetable juices, containing added sugar, excluding apricot and peach juice	17 %
52.3470	ex 2009 90 59	Other, not containing added sugar	18 %

(a) Notwithstanding the rules for interpreting the combined nomenclature, the wording of 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 the corresponding description taken together.

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