COMMISSION REGULATION (EC) No 2351/97

of 27 November 1997

suspending the preferential customs duty and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip [1], as last amended by Regulation (EC) No 1300/97 [2], and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94 [3], as last amended by Commission Regulation (EC) No 1667/97 [4], opens and provides for the administration of Community tariff quotas for fresh cut flowers and flower buds originating in Cyprus, Egypt, Israel, Malta, Morocco and the West Bank and the Gaza Strip;

Whereas Commission Regulation (EC) No 2350/97 [5] fixes the Community producer and import prices for carnations and roses for the application of the arrangements;

Whereas Commission Regulation (EEC) No 700/88 [6], as last amended by Regulation (EC) No 2062/97 [7], lays down the detailed rules for the application of the arrangements in question;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 [8], as last amended by Regulation (EC) No 150/95 [9], are used to convert amounts expressed in third country currencies and serve as a basis for determining the agricultural conversion rates for the Member States' currencies; whereas detailed rules for applying and determining such conversion rates are laid down in Commission Regulation (EEC) No 1068/93 [10], as last amended by Regulation (EC) No 1482/96 [11];

Whereas, in the light of the prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it may be concluded that the conditions laid down in Article 2 (3) of Regulation (EEC) No 4088/87 for the suspension of the preferential customs duty on small-flowered roses originating in Morocco are met; whereas the Common Customs Tariff duty should therefore be re-established;

Whereas the quota for the products in question covers the period 1 November 1997 to 31 October 1998; whereas the suspension of the preferential duty and the re-establishment of the Common Customs Tariff duty should accordingly apply up to the end of that period at the latest;

Whereas, in between meetings of the Management Committee, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

Article 1

The preferential customs duty on imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Morocco fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty re-established.

Article 2

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

[1] OJ L 382, 31. 12. 1987, p. 22.
[2] OJ L 177, 5. 7. 1997, p. 1.
[3] OJ L 199, 2. 8. 1994, p. 1.
[4] OJ L 236, 27. 8. 1997, p. 3.
[5] See page 17 of this Official Journal.
[6] OJ L 72, 18. 3. 1988, p. 16.
[7] OJ L 289, 22. 10. 1997, p. 1.
[8] OJ L 387, 31. 12. 1992, p. 1.
[9] OJ L 22, 31. 1. 1995, p. 1.
[10] OJ L 108, 1. 5. 1993, p. 106.
[11] OJ L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission