COMMISSION REGULATION (EC) No 2370/1999

of 8 November 1999

amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1], as last amended by Regulation (EC) No 1257/1999 [2], and in particular Article 33(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1555/96 [3], as amended by Regulation (EC) No 2623/98 [4], provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93 [5], as last amended by Regulation (EC) No 1662/1999 [6], concerning the surveillance of preferential imports;

(2) Article 5(4) of the Agreement on Agriculture [7] concluded during the Uruguay Round multilateral trade negotiations lays down criteria for fixing the trigger levels for additional duties. In accordance with those criteria and in the light of the latest data available for 1996, 1997 and 1998, the trigger levels for additional duties on tomatoes, artichokes, oranges, clementines and mandarins and similar citrus hybrids should be amended;

(3) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is hereby replaced by the Annex hereto.

Article 2

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, 8 November 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 297, 21.11.1996, p. 1.
[2] OJ L 160, 26.6.1999, p. 80.
[3] OJ L 193, 3.8.1996, p. 1.
[4] OJ L 329, 5.12.1998, p. 17.
[5] OJ L 253, 11.10.1993, p. 1.
[6] OJ L 197, 29.7.1999, p. 25.
[7] OJ L 336, 23.12.1994, p. 22.

ANNEX

'ANNEX

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where "ex" appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and by the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	501 111
78.0020			— 1 April to 30 September	639 884
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	16 028
78.0075			— 1 November to 30 April	3 865
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	19 302
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	45 160
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	753 719
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	100 949
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	93 803
78.0155	ex 0805 30 10	Lemons	— 1 June to 31 December	285 329
78.0160			— 1 January to 31 May	24 448
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	190 422
78.0180	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 September to 31 December	395 887
78.0190			— 1 January to 31 March	51 279
78.0200			— 1 April to 31 August	575 829
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	155 487
78.0235			— 1 July to 31 December	202 569
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	2 432
78.0260	ex 0809 20	Cherries	— 21 May to 10 August	108 193
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	1 166
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	112 005'