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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 373 final

Brussels, 13 July 1981

Proposal for a  
COUNCIL REGULATION (EEC)  
on imports into the Community of certain agricultural  
products originating in Turkey

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(submitted to the Council by the Commission)

COM(81) 373 final



EXPLANATORY MEMORANDUM

SUBJECT: Proposal for a Council Regulation on the import into the Community of certain agricultural products originating in Turkey.

On 20 January 1981 the Council adopted Regulation (EEC) No 562/81 on the reduction of customs duties on imports into the Community of certain agricultural products originating in Turkey.

Article 1(2) of that Regulation stipulates that, in the case of products for which Community rules require an import price to be observed, application of the preferential tariff is subject to observance of the price in question; however, in the case of fruit and vegetables for which there is a reference price but whose free-at-frontier price is generally not known at the time of import, the Regulation does not define by what authority and in what conditions the preferential tariff would be temporarily suspended.

At present the Commission, under Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables, must monitor the prices of imported products and introduce a countervailing charge in addition to the customs duty if, for a given product from a given exporting country, the entry price is less than the reference price.

This proposal empowers the Commission to decide to suspend the preferential tariff at the same time as it introduces a countervailing charge, since the introduction of such a charge is the consequence of non-observance of the reference price.

PROPOSAL FOR COUNCIL REGULATION (EEC)

on imports into the Community of certain agricultural products originating in Turkey

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,

Whereas, under Article 1(2) of Council Regulation (EEC) No 562/81 of 20 January 1981 on the reduction of customs duties on imports into the Community of certain agricultural products originating in Turkey<sup>1</sup>, in the case of products for which Community rules require an import price to be observed, application of the preferential tariff is subject to observance of the price in question;

Whereas, imports of certain fruit and vegetables into the Community are subject for part of the marketing year to observance of a reference price;

Whereas, during the period for which reference prices apply, the entry prices of imported products are calculated in accordance with Article 24 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>2</sup>, as last amended by Regulation (EEC) No 1116/81<sup>3</sup>; whereas, where the entry price of a given product from a non-member country is less than the reference price, the Commission introduces a countervailing charge on exports from the country in question;

<sup>1</sup> OJ No L 65, 11.3.1981, p.1

<sup>2</sup> OJ No L 118, 20.5.1972, p.1

<sup>3</sup> OJ No L 118, 30.4.1981, p.21

Whereas the introduction of a countervailing charge on imports of fruit and vegetables originating in Turkey is equivalent to finding that the condition in Article 1(2) of Regulation (EEC) No 562/81 is not fulfilled, and whereas application of the preferential tariff should at the same time be suspended for the product in question;

Whereas such suspension must result in the levying of the customs duty applicable before 1 January 1981 and must be confined to the period during which the countervailing charge is levied,

HAS ADOPTED THIS REGULATION:

Article 1

Where, pursuant to Articles 25 and 25a of Regulation (EEC) No 1035/72, the Commission introduces a countervailing charge on imports of certain fruit and vegetables originating in Turkey, it shall at the same time reintroduce for the product in question the customs duty at the level which applied prior to 1 January 1981.

Article 2

Where the Commission removes the countervailing charge referred to in Article 1 it shall at the same time reintroduce the preferential rate of customs duty.

Article 3

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,

For the Council

# FINANCIAL STATEMENT

Date : 2.6.1981

1. BUDGET HEADING : Chapter 12

APPROBIATIONS : 6.274 m ECU

2. TITLE : Proposal for a Council Regulation on import into the Community of certain agricultural products originating in Turkey

3. LEGAL BASIS : Article 113 of the Treaty

4. AIMS OF PROJECT : provision for suspension of the preferential tariff on import of certain agricultural products originating in Turkey if the agreed price is not observed.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR ( 81 )	FOLLOWING FINANCIAL YEAR ( 82 )
5.0 EXPENDITURE			
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)			
- NATIONAL ADMINISTRATION			
- OTHER			
5.1 RECEIPTS			
- OWN RESOURCES OF THE EC (XED/XDG/CUSTOMS DUTIES)	negligeable	negligeable	negligeable
- NATIONAL			

	1983	1984		
5.0.1 ESTIMATED EXPENDITURE				
5.1.1 ESTIMATED RECEIPTS				

5.2 METHOD OF CALCULATION

- 6.0 CAN THE PROJECT BE FINANCED FROM APPROBIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ? YES/NO
- 6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ? YES/NO
- 6.2 IS A SUPPLEMENTARY BUDGET BE NECESSARY ? YES/NO
- 6.3 WILL FUTURE BUDGET APPROBIATIONS BE NECESSARY ? YES/NO

OBSERVATIONS :