

**REGULATION (EEC) No 859/72 OF THE COUNCIL
of 25 April 1972**

on the treatment to be accorded to certain fruit and vegetables originating in the Associated African States and Madagascar or in the Overseas Countries and Territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Convention of Association ¹ between the European Economic Community and the Associated African States and Madagascar provides that, for those agricultural products covered by a common organization of the market which the Associated States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

Whereas Council Decision of 29 September 1970 ² on the association of the Overseas Countries and Territories with the European Economic Community makes identical provision for agricultural products originating in these Countries and Territories;

Whereas imports of fruit and vegetables into the Community are subject to the duties in the Common Customs Tariff and whereas provisions in respect of trade with third countries are laid down within the framework of the common organization of the market in fruit and vegetables;

Whereas the Community's obligations towards the Associated States, Countries and Territories may be fulfilled by exempting the relevant products originating in these States, countries and territories from customs duties on importation into the Community, for part or all of the year as appropriate;

Whereas the Associated States have been consulted,

HAS ADOPTED THIS REGULATION:

Article 1

The products listed below, originating in the Associated African States and Madagascar or in Overseas Countries and Territories, shall be exempt from customs duties on importation into the Community:

07.01 Vegetables, fresh or chilled:

F. Leguminous vegetables, shelled or unshelled:

- ex I. Peas:
from 1 August to 29 February
- ex II. Beans (of the species *Phaseolus*):
from 1 December to 30 April
- III. Other

S. Sweet peppers
from 1 December to 30 April

- T. Other:
- Aubergines:
from 1 November to 29 February
 - Marrows, pumpkins:
from 1 October to 31 March
 - Celery:
from 1 May to 31 October
 - Unspecified

08.08 Berries, fresh:

- E. Papaws
- F. Other:
- Passion fruit

08.09 Other fruit, fresh:

- Melons and similar fruit:
from 1 September to 31 March
- Unspecified

¹ OJ No L 282, 28.12.1970, p. 2.

² OJ No L 282, 28.12.1970, p. 83.

Article 2

This Regulation shall enter into force on 1 May 1972.

It shall apply until 31 January 1975.

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

Done at Luxembourg, 25 April 1972.

For the Council
The President
G. THORN
