

COUNCIL REGULATION (EC) No 2863/98
of 30 December 1998

amending Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia

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 Council Regulation (EC) No 70/97 of 20 December 1996 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia⁽¹⁾ expires on 31 December 1998;

Whereas these arrangements will eventually have to be replaced by provisions contained in bilateral agreements to be negotiated with the countries in question; whereas in the meantime the arrangements granted by Regulation (EC) No 70/97 should be maintained; whereas the amounts of the tariff ceilings for industrial products should be increased annually by 5 % as provided for in Article 4(1) of that Regulation; whereas, following the amendments to the combined nomenclature and to the Taric subdivisions, Regulation (EC) No 70/97 should be amended accordingly;

Whereas Commission Regulation (EC) No 12/97⁽²⁾ amended Title IV, Chapter 2 of Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾; whereas Article 1(3) of Regulation (EC) No 70/97 should therefore be amended accordingly;

Whereas, in order to avoid damage to the Community industry for cucumbers, it is necessary to grant the concession for these products in the framework of a tariff quota instead of a reference quantity;

Whereas, in accordance with the conclusions of the Council of 29 April 1997, the development of bilateral relations between the European Union and the successor republics of the former Yugoslavia, other than Slovenia, is subject to certain conditions; whereas the renewal of autonomous trade preferences is linked to respect for funda-

mental principles of democracy and human rights and to the readiness of the countries concerned to allow the development of economic relations between themselves; whereas it is, therefore, appropriate to monitor the compliance by Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia with these conditions; whereas the Council adopted conclusions on 9 November 1998 on progress in these countries in respect of these conditions;

Whereas there has been some progress in Bosnia and Herzegovina and Croatia in strengthening democracy and human rights and in developing relations with their neighbours; whereas it is therefore appropriate for these countries to continue to be included in the autonomous trade regime for 1999;

Whereas when the autonomous trade preferences were extended to the Federal Republic of Yugoslavia on 29 April 1997, the Council issued a declaration setting out its expectations in terms of democratisation, in particular the full and speedy implementation of the 'Gonzalez' report; whereas it also noted that in the absence of progress towards meeting these criteria, the decision granting autonomous trade preferences would be reviewed; whereas no significant progress has been made with regard to the relevant conditions, it is not appropriate at this time to include the Federal Republic of Yugoslavia in the autonomous trade regime for 1999, without prejudice to the possibility of including the Federal Republic of Yugoslavia at a later stage should conditions so permit,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 70/97 is hereby amended as follows:

1. in Article 1(3), 'section 3 of Commission Regulation (EEC) No 2454/93', shall be replaced by 'section 2 of Commission Regulation (EEC) No 2454/93';
2. the second subparagraph of Article 14 shall be replaced by the following:

'It shall apply from 1 January 1997 to 31 December 1999.';

⁽¹⁾ OJ L 16, 18. 1. 1997, p. 1. Regulation as last amended by Regulation (EC) No 2636/97 (OJ L 356, 31. 12. 1997, p. 16).

⁽²⁾ OJ L 9, 13. 1. 1997, p. 1.

⁽³⁾ OJ L 253, 11. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 75/98 (OJ L 7, 13. 1. 1998, p. 3).

3. the amounts given for the tariff ceilings listed in the fourth column in Annexes C I, C II, C III and C IV shall be replaced for 1999 by the amounts given in the Annex to this Regulation for the corresponding Order Nos;

4. the following amendments shall be made to the CN codes and the descriptions of products and footnotes:

(a) in Annex C I for Order No 01.0050, the following shall be deleted:

'3921 19 3921 19 90	– Cellular: – – Of other plastics: – – – Other';
------------------------	--

(b) in Annex C I for Order No 01.0220:

(i)

'8502 13 99	– – – – Of an output exceeding 750 kVA'
-------------	---

shall be replaced by:

'8502 13 93 8502 13 98	– – – – Of an output exceeding 750 kVA but not exceeding 2 000 kVA – – – – Of an output exceeding 2 000 kVA';
---------------------------	--

(ii)

'8502 20 99	– – – Of an output exceeding 7,5 kVA'
-------------	---------------------------------------

shall be replaced by:

'8502 20 92 8502 20 94 8502 20 98	– – – Of an output exceeding 7,5 kVA but not exceeding 375 kVA – – – Of an output exceeding 375 kVA but not exceeding 750 kVA – – – Of an output exceeding 750 kVA';
---	--

(c) at the end of Annex C I, footnote 1 shall be replaced by the following:

'Entry under this subheading is subject to conditions laid down in the relevant Community provisions.';

(d) in Annex C II for Order No 03.0010:

(i) CN code 2710 00 85 and its description, as well as footnote 1 at the end of the Annex, shall be deleted;

(ii) CN code '2710 00 98' shall be replaced by CN code '2710 00 97';

5. in Annex C V, Taric subdivisions:

(a) the following shall be inserted in the appropriate columns:

'06.0030	ex 7213 91 70	11
		15
	ex 7213 99 90	19
		11
	ex 7214 91 90	19
		10';

(b) for Order No 06.0070, the Taric subdivisions for ex 7213 91 70 in the third column shall be read '91 and 95', and the following shall be inserted in the appropriate columns:

'ex 7213 91 90	10
ex 7213 99 90	91
ex 7214 91 90	90';

6. in Annex D:

(a) the following entry shall be deleted:

'ex 2001 10 00	Cucumbers	Free	3 000 (reference quantity)';
----------------	-----------	------	------------------------------

(b) in the fourth column, for the tariff concession for Sauerkraut (mentioned as CN code ex 2004 90 30 and 2005 90 75), the following text shall be inserted after '(reference quantity)': '(identified by Order No 18.0550)';

7. in Annex E:

(a) the following shall be inserted:

'09.1513	ex 2001 10 00	Cucumbers, prepared or preserved by vinegar or acetic acid, from 1 January to 31 December	2 000 tonnes	Free';
----------	---------------	---	--------------	--------

(b) in the table 'TARIC SUBDIVISIONS':

- (i) the Taric subdivision '40' for Order No 09.1507, CN code ex 0703 20 00, shall be deleted;
- (ii) the following shall be inserted after Order No 09.1507:

'09.1513	ex 2001 10 00	11
		19'.

Article 2

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

It shall apply from 1 January 1999.

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

Done at Brussels, 30 December 1998.

For the Council
The President
W. SCHÜSSEL

ANNEX

Tariff ceilings referred to in point 3 of Article 1

Order No	Ceiling (tonnes)
ANNEX C I	
01.0010	6 045
01.0020	53 083
01.0030	79 051
01.0040	1 861
01.0050	1 164
01.0060	5 273
01.0080	610
01.0090	168 647
01.0100	22 838
01.0110	756
01.0120	899
01.0130	374
01.0140	9 083
01.0150	2 812
01.0160	14 766
01.0167	5 101
01.0170	1 424
01.0190	1 412
01.0200	4 944
01.0220	6 123
01.0230	3 279
01.0240	3 928
01.0250	641
01.0270	1 214
01.0280	9 359
01.0290	8 351
ANNEX C II	
03.0010	1 058 400
ANNEX C III	
04.0030	4 680
04.0040	1 744
04.0050	1 338
04.0090	1 619
ANNEX C IV	
06.0010	41 525
06.0020	40 994
06.0030	39 724
06.0040	5 664
06.0050	7 964
06.0060	49 409
06.0070	39 579