## COUNCIL REGULATION (EEC) No 3018/77

## of 29 December 1977

# concerning the arrangements applicable to trade in the agricultural sector between the European Economic Community and Cyprus

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 the Additional Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus signed on 15 September 1977 extends until 31 December 1979, with certain supplementary measures, the first stage of the abovementioned Agreement;

Whereas in a Declaration annexed to the Final Act of the Agreement, the Community stated that it was prepared to re-examine with the Republic of Cyprus the provisions of the Agreement relating to agricultural products, in the light of the result of work undertaken with a view to a global approach to the Community's relations with the Mediterranean countries, in the course of which work the interests of Cyprus should also be taken into consideration;

Whereas as a result of the negotiations for the conclusion of the abovementioned Additional Protocol an

exchange of letters took place concerning agricultural products, whereby the Community undertakes to use its best endeavours to see that negotiations on agriculture take place in good time to put into effect the conclusions of these negotiations on 1 January 1978;

Whereas from 1 January 1978 onwards certain agricultural products will no longer be covered by preferential arrangements in trade with the Community; whereas provision should therefore be made for unilateral temporary measures in order to avoid disturbance of the trade flow of the products in question pending the entry into force of a supplementary protocol on agricultural products,

#### HAS ADOPTED THIS REGULATION:

## Article 1

From 1 January 1978 customs duties on imports into the Community of the products originating in Cyprus which are listed below shall be reduced by the percentage rates indicated for each of them.

CCT heading No	Description ,	Rate of reduction (%)
07.01	Vegetables, fresh or chilled:	
	A. Potatoes:	
	II. New potatoes:  ex a) From 1 January to 15 May:  — From 1 January to 31 March	40
	F. Leguminous vegetables, shelled or unshelled:  II. Beans (of the species Phaseolus):  ex a) From 1 October to 30 June:  — From 1 January to 31 March	60
	G. Carrots, turnips, salad beetroot, salsify, celeriac radishes, and similar edible roots:  ex II. Carrots and turnips:	
	— Carrots and turnips:  — Carrots, from 1 January to 31 March	40
	ex H. Onions, shallots and garlic:  — Onions, from 15 February to 31 March	60

CCT heading No	Description	Rate of reduction (%)
07.01	M. Tomatoes:	
(cont'd)	ex I. From 1 November to 14 May:	
( )	- From 1 January to 31 March	60
	S. Sweet peppers	40
	ex T. Other:	
	- Aubergines, from 1 January to 31 March	60
	— Stick celery, from 1 January to 31 March	50
	- Courgettes, from 1 January to 28 February	60
08.02	Citrus fruit, fresh or dried:	
	ex A. Oranges:	
	Fresh	60
	ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:	
	— Fresh	60
	D. Grapefruit	80
08.08	Berries, fresh:	
	Strawberries :	
	ex II. From 1 August to 30 April:	
	— From 1 January to 31 March	60
x 08.09	Other fruit, fresh:	
	— Melons, from 1 January to 31 March	50
12.03	Seeds, fruit and spores, of a kind used for sowing:	
	E. Other (a)	60
12.08	Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading	
	C. Locust bean seeds	100
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:	
	B. Other:	
	II. Not containing added spirit:	
	a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:	
	2. Grapefruit segments	80
	ex 8. Other fruits:	
	— Grapefruit	80
	b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:	
	2. Grapefruit segments	80
	2. Superior segments	00

<sup>(</sup>a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

CCT heading No	Description	Rate of reduction (%)
20.06	ex 8. Other fruits:	
(cont'd)	— Grapefruit	80
	c) Not containing added sugar, in immediate packings of a net capacity:  1. of 4.5 kg or more	
	ex dd) Other fruits:	
	- Grapefruit segments	80
	— Grapefruit	80
	2. of less than 4.5 kg:	
	ex bb) Other fruits and mixtures of fruit:	
	- Grapefruit segments	80
	— Grapefruit	80
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:  A. Of a specific gravity exceeding 1.33 at 15 °C:  III. Other:  ex a) Of a value exceeding 30 u.a. per 100 kg net weight  — Orange juice	70
	— Grapefruit juice  ex b) Of a value not exceeding 30 u.a. per 100 kg net weight:	70
	— Orange juice	70
	— Grapefruit juice	70
	B. Of a specific gravity of 1.33 or less at 15° C:  II. Other:  a) Of a value exceeding 30 u.a. per 100 kg net weight:  1. Orange juice	70
	2. Grapefruit juice	70
	b) Of a value of 30 u.a. or less per 100 kg net weight:	
	1. Orange juice	70
	2. Grapefruit juice	70
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# Article 2

- 1. From 1 January 1978 the common customs tariff duty on dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I and originating in Cyprus, shall be totally suspended within the limit of a Community tariff quota of 125 tonnes.
- 2. The tariff quota laid down in paragraph 1 shall be divided into two tranches.

A first tranche of 110 tonnes of the quota shall be allocated among the Member States; the shares, which subject to Article 6 shall be applicable for the period of applicability of this Regulation, shall be for the following quantities:

	(tonnes)
Benelux	5
Denmark	5
Germany	10
France	5
Ireland	5
Italy	5
United Kingdom	75

The second tranche of the quota, i.e. 15 tonnes, shall constitute the corresponding reserve.

## Article 3

1. From 1 January 1978 the Common Customs Tariff duties on the products originating in Cyprus which are listed below shall be suspended at the rates indicated for each of them, within the limit of a Community tariff quota of 2 500 hectolitres.

CCT heading No	Description	
22.05	Wine of fresh grapes, grape must with fermentation arrested by the addition of alcohol	
	C. Other:	
	I. Of an actual alcoholic strength not exceeding 13° C, in containers holding:	
	ex a) Two litres or less:	
	— Wine of fresh grapes	3 u.a./h
	II. Of an actual alcoholic strength exceeding 13° C but not exceeding 15° C, in containers holding: ex a) Two litres or less:	
	<ul> <li>Wine of fresh grapes other than liqueur wines of an actual alcoholic strength of 15° C</li> </ul>	3·5 u.a./l

2. The tariff quota laid dow in paragraph 1 shall be divided into two tranches.

A first tranche of 2 250 hectolitres of the quota shall be allocated among the Member States; the shares, which subject to Article 6 shall be applicable for the period of applicability of this Regulation, shall be as follows:

	(in hectolitres)
Benelux	50
Denmark	50
Germany	50
France	50
Ireland	100
Italy	50
United Kingdom	1 900.

The second tranche of the quota, i.e. 250 hectolitres, shall constitute the corresponding reserve.

3. The wines in question shall benefit from these tariff quotas on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 which apply to such prices.

# Article 4

1. If 90 % or more of a Member State's initial share, as determined in Articles 2 and 3, or of that share minus any portion returned to the corresponding reserve, where Article 6 has been applied, has been used up, that Member State shall forthwith, by

notifying the Commission, draw a second share, to the extent that the corresponding reserve so permits, equal to 15% of its initial share, rounded up to the next whole number, if necessary.

- 2. If, after any of the initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1 and to the extent that the corresponding reserve so permits, draw a third share equal to 7.5 % of its initial share, rounded up to the next whole number, if necessary.
- 3. If, after any of the second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the corresponding reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares less than those specified therein if there are grounds for believing that those specified may not be fully used up. They shall inform the Commission of their reasons for applying this paragraph.

#### Article 5

Each of the additional shares drawn under Article 4 shall be applicable for the period of applicability of this Regulation.

#### Article 6

Member States shall return to the reserve not later than 1 March 1978 the unused portions of their initial shares which on 15 February 1978 are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be fully used up.

Member States shall notify the Commission, not later than 1 March 1978, of the total quantities of the product in question imported up to and including 15 February 1978 and charged against the tariff quotas and of any portion of their initial shares returned to each of the reserves.

#### Article 7

The Commission shall keep an account of the amounts of the shares opened by the Member States pursuant to Articles 2 to 4 and, as soon as it has been notified, shall inform each State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 5 March 1978, of the state of each of the reserves after amounts have been returned thereto pursuant to Article 6.

It shall ensure that the drawing which exhausts any of the reserves does not exceed the balance available and, to this end, shall notify the amount of that balance to the Member State making the last drawing.

#### Article 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn

pursuant to Article 4 are opened in such a way that imports may be charged without a break in continuity against their aggregate shares of the tariff quota.

- 2. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.
- 3. The extent to which a Member State has used up its share shall be determined on the basis of the imports entered at customs for home use.

#### Article 9

At the Commission's request, Member States shall inform it of imports actually charged against their shares.

# Article 10

Member States and the Commission shall cooperate closely to ensure that Articles 2 to 9 are complied with.

#### Article 11

This Regulation shall enter into force on 1 January 1978.

It shall apply until the entry into force of a supplementary Protocol on agricultural products between the European Economic Community and the Republic of Cyprus or until 31 March 1978, whichever is the earlier.

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

Done at Brussels, 29 December 1977.

For the Council

The President

H. SIMONET