

COUNCIL REGULATION (EEC) No 3835/90

of 20 December 1990

amending Regulations (EEC) No 3831/90, (EEC) No 3832/90 and (EEC) No 3833/90 in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru

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,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas Regulations (EEC) No 3831/90 ⁽³⁾, (EEC) No 3832/90 ⁽⁴⁾ and (EEC) No 3833/90 ⁽⁵⁾ apply generalized tariff preferences for 1991 to certain industrial products, to textile products and certain agricultural products originating in the developing countries;

Whereas the Community applies to those countries, which included Bolivia, Colombia, Ecuador and Peru until 13 November 1990, preferential treatment by reference notably to their degree of development and competitiveness; whereas for the industrial and textile sector this gives rise to suspension of the duty within a quota and an individual tariff ceiling and to a reduction in the customs duty without any quantitative limit for agricultural products, with the exception of five products which are subject to a fixed amount at a reduced duty;

Whereas cocaine production is being developed in Bolivia, Colombia, Ecuador and Peru to the detriment of lawful agricultural production, the earnings from which enter those countries' economies; whereas this situation results in a substantial decline to those countries' export resources;

Whereas cocaine trafficking seriously undermines those countries' social integrity and impairs their economies to the point of jeopardizing and even setting back their development;

Whereas the Community has delivered a favourable opinion concerning the request for support for the

special cooperation programme presented by the Colombian Government; whereas, in order to increase the export earnings of the countries concerned and improve growth rates, they should be given increased aid, on an exceptional, temporary basis, by granting them a system of generalized tariff preferences consisting of exemption from quotas and ceilings and the according of duty-free treatment for industrial and textile products, and the according of duty-free treatment for a specified list of products in the agricultural sector; whereas this system should be granted to them for the period of the special programme, i.e. four years, without prejudice to the annual nature of the Community's generalized preferences scheme,

HAS ADOPTED THIS REGULATION:

Article 1

Articles 7, 8 and 9 of Regulation (EEC) No 3831/90 shall not apply to the imports in question from Bolivia, Colombia, Ecuador and Peru.

Article 2

Articles 2, 8, 11 and 12 of Regulation (EEC) No 3832/90 shall not apply to Bolivia, Colombia, Ecuador and Peru.

Article 3

1. From 1 January and until 31 December 1991, Common Customs tariff duties shall be totally suspended for products originating from Bolivia, Colombia, Ecuador and Peru listed in the Annex to this Regulation. Article 1 (4), and Articles 7 to 12 of Regulation (EEC) No 3833/90 shall, without prejudice to the levying of any supplementary duties that may apply, apply to those countries and to the products listed in the Annex to this Regulation.

2. Bolivia, Colombia, Ecuador and Peru shall be withdrawn from the list of countries given in Annex III to Regulation (EEC) No 3833/90. However, those countries shall benefit from the measures provided for in Article 1 (1) of Regulation (EEC) No 3834/90 reducing, for 1991, levies for certain agricultural products originating in developing countries ⁽⁶⁾.

Article 4

This Regulation shall enter into force on 1 January 1991.

⁽¹⁾ Opinion delivered on 18/19 December 1990 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 20 November 1990 (not yet published in the Official Journal).

⁽³⁾ See page 1 of this Official Journal.

⁽⁴⁾ See page 39 of this Official Journal.

⁽⁵⁾ See page 86 of this Official Journal.

⁽⁶⁾ See page 126 of this Official Journal.

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

Done at Brussels, 20 December 1990.

For the Council
The President
G. RUFFOLO

ANNEX

List of products mentioned in Article 3 (1) (a) (b)

Order No	CN code	Description
(1)	(2)	(3)
58.0015	0101 19 10 0101 19 90	Horses for slaughter (c) Other
58.0020	0104 20 10	Goats, pure breeding animals (c)
58.0030	0106 00	Other live animals
58.0040	0203 11 90 0203 12 90 0203 19 90 0203 21 90 0203 22 90 0203 29 90	Meat of swine, fresh, chilled or frozen, other than of domestic swine
58.0050	0205 00 00	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen
58.0060	0206 10 91 0206 10 99 0206 21 00 0206 22 90 0206 29 99	Edible offal, fresh, chilled or frozen: Of bovine animals
58.0070	0206 30 90 0206 41 99 0206 49 99	Of swine, other than domestic swine
58.0080	0206 80 91 0206 90 91	Of horses, asses, mules or hinnies
58.0090	0206 80 99 0206 90 99	Of sheep and goats
58.0095	0207 31 00 0207 50 10	Fatty livers of ducks or geese, fresh, chilled or frozen (d)
58.0100	0208	Other meat and edible meat-offal, fresh, chilled or frozen
58.0160	CHAPTER 3	FISH AND CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES
58.0180	0407 00 90	Birds' eggs, in shell, fresh, preserved or cooked: Other than poultry eggs
58.0190	0409 00 00	Natural honey
58.0200	0410 00 00	Edible products of animal origin, not elsewhere specified or included
58.0210	CHAPTER 5	PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED
58.0220	CHAPTER 6	LIVE TREES AND OTHER PLANTS, BULBS, ROOTS AND THE LIKE; CUT FLOWERS AND ORNAMENTAL FOLIAGE

- (a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.
- (b) Agricultural products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff are only token entries.
- (c) Entry within this CN code is subject to conditions laid down in the relevant Community provisions.
- (d) No AGR is levied.

(1)	(2)	(3)
58.0230	0701	Potatoes, fresh or chilled
58.0240	0706 90 30	Horse-radish (<i>Cochlearia armoracia</i>)
58.0244	0707 00 19	Cucumbers and gherkins, fresh or chilled, from 16 May to 31 October
58.0250	0708	Leguminous vegetables, shelled or unshelled, fresh or chilled
58.0260	ex 0709 20 00 0709 30 00 0709 40 00 0709 51 30 0709 60 10 0709 60 99 0709 90 70 0709 90 90	Other vegetables, fresh or chilled Asparagus, from 1 October to 31 January Aubergines (egg-plants) Celery, other than celeriac Chantarelles Sweet peppers Other Courgettes Other
58.0270	0710 all codes except 0710 80 10	Vegetables (uncooked or cooked by steaming or boiling in water), frozen
58.0280	0711 all codes except 0711 20 10 0711 20 90	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservatives solutions), but unsuitable in that state for immediate consumption
58.0290	0712 10 00 0712 20 00 0712 30 00 0712 90 30 0712 90 50 ex 0712 90 90	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared Potatoes Onions Mushrooms and truffles Tomatoes Carrots Other, excluding olives
58.0300	0713	Dried leguminous vegetables, shelled, whether or not skinned or split
58.0310 58.0320	0714 20 10 0714 90 90	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets; sago pith Sweet potatoes for human consumption (c) Other
58.0370	0802 50 00 0802 90 90	Other nuts, fresh or dried, whether or not shelled or peeled Pistachios Other
58.0380	0803 00 90	Bananas, including plantains, dried
58.0390 58.0410 58.0420 58.0430 58.0440	0804 10 00 0804 30 00 0804 40 10 0804 40 90 0804 50 00	Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried Dates Pineapples Avocados, from 1 December to 31 May Avocados, from 1 June to 30 November Guavas, mangoes and mangosteens

(c) Entry within this CN code is subject to conditions laid down in the relevant Community provisions.

(1)	(2)	(3)
58.0450	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90 0805 30 90 0805 40 00 0805 90 00	Citrus fruit, fresh or dried Clementines, from 15 May to 15 September Montreales and satsumas, from 15 May to 15 September Mandarins and wilkings, from 15 May to 15 September Tangerines, from 15 May to 15 September Other, from 15 May to 15 September Limes Grapefruit Other
58.0470	0807 10 10 0807 10 90 0807 20 00	Melons (including watermelons) and papaws (papayas), fresh Watermelons Other Papaws (papayas)
58.0480	0809 40 90 ex 0809 20 10 ex 0809 20 90	Sloes, fresh Sour cherries (<i>prunus cerasus</i>), fresh
58.0490	0810 20 10 0810 20 90 0810 30 10 0810 30 30 0810 30 90 0810 40 30 0810 40 50 0810 40 90 0810 90 10 0810 90 30 0810 90 80	Other fruit, fresh
58.0500	0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
58.0510	0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
58.0520	0813 10 00 0813 20 00 0813 30 00 0813 40 10 0813 40 30 0813 40 50 0813 40 60 0813 40 80 0813 50 11 0813 50 19 ex 0813 50 30 ex 0813 50 91	Fruit, dried, other than that of heading Nos 0801 to 0806 Apricots Prunes Apples Other fruit Peaches, including nectarines Pears Papaws (papayas) Other Mixtures of nuts or dried fruit of this chapter Fruit salads of dried fruit, other than that of heading Nos 0801 to 0806 Not containing prunes Containing prunes Mixtures of coconuts, Brazil nuts, cashew nuts, areca (or Betel) nuts or colanuts Mixtures of dried guavas, mangoes, mangosteens, papaws, tamarind, cashew apples, jackfruit, lychees or sapodilla plums
58.0530	0814 00 00	Peel of citrus fruit or melons (including watermelons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions
58.0545	CHAPTER 9	COFFEE, TEA, MATÉ AND SPICES, EXCLUDING PRODUCTS FALLING WITHIN CN CODES 0905 00 00 AND 0907 00 00
58.0560	1105	Flour, meal and flakes of potatoes

(1)	(2)	(3)
58.0570	1106 10 00 1106 30 10 1106 30 90	Flour and meal of dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No.0714; flour, meal and powder of products of Chapter 8: Flour and meal of dried leguminous vegetables of heading No 0713 Flour, meal and powder of the products of Chapter 8
58.0590	ex CHAPTER 12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL AND MEDICINAL PLANTS; STRAW AND FODDER; EXCLUDING SUGAR BEET AND SUGAR CANE FALLING WITHIN SUB-HEADINGS 1212 91 AND 1212 92 00
58.0600	CHAPTER 13	LAC; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS
58.0610	CHAPTER 14	VEGETABLE PLAITING MATERIALS; VEGETABLE PRODUCTS NOT ELSEWHERE SPECIFIED OR INCLUDED
58.0625	ex 1502 00	Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted, excluding products falling within CN codes 1502 00 91 and 1502 00 99
58.0630	1503 00	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared
58.0640	1504 except code 1504 30 11	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified
58.0650	1505	Wool grease and fatty substances derived therefrom (including lanolin)
58.0660	1506 00 00	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified
58.0670	1507	Soya-bean oil and its fractions, whether or not refined, but not chemically modified
58.0680	1508	Groundnut oil and its fractions, whether or not refined, but not chemically modified
58.0690	1511	Palm oil and its fractions, whether or not refined, but not chemically modified
58.0700	1512	Sunflower-seed, safflower or cotton seed oil and fractions thereof, whether or not refined, but not chemically modified
58.0710	1513	Coconut (copra), palm kernel or babassu oil or fractions thereof, whether or not refined, but not chemically modified
58.0720	1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified
58.0730	1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions whether or not refined, but not chemically modified
58.0740	1516	Animal and vegetable fats and oils and their fractions, partly or wholly hydrogenated, interesterified, re-esterified or elaidinized, whether or not refined, but not further prepared
58.0750	1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats and oils of this chapter, other than edible fats or oils or their fractions of heading No 1516
58.0760	1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurized, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included
58.0770	1519	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols
58.0780	1520	Glycerol (glycerine), whether or not pure; glycerol waters and glycerol lyes

(1)	(2)	(3)
58.0790	1521	Vegetable waxes (other than triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured
58.0800	1522 00 10 1522 00 91 1522 00 99	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes Degras Oil foots and dregs; soapstocks Other
58.0810	1602 20 10 1602 41 90 1602 42 90 1602 49 90 1602 50 90 1602 90 31 1602 90 69 1602 90 71 1602 90 79 1602 90 99	Other prepared or preserved meat, meat offal or blood Goose or duck liver Of swine, other than of domestic swine Of bovine animals Of game or rabbit Of sheep or goats
58.0820	1603 00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
58.0830	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
58.0840	1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved
58.0850	1702 50 00	Chemically pure fructose
58.0860	1702 90 10	Chemically pure maltose
58.0870	1704	Sugar confectionery (including white chocolate), not containing cocoa (!)
58.0880	CHAPTER 18	COCOA AND COCOA PREPARATIONS
58.0890	CHAPTER 19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK, PASTRYCOOKS' PRODUCTS (?)
58.0900	CHAPTER 20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER PARTS OF PLANTS
58.0910	ex CHAPTER 21	MISCELLANEOUS EDIBLE PREPARATIONS, EXCLUDING SUGAR SYRUPS FALLING WITHIN SUBHEADINGS 2106 90 30, 2106 90 51, 2106 90 55 AND 2106 90 59
58.0920	ex CHAPTER 22	BEVERAGES, SPIRITS AND VINEGAR, EXCLUDING PRODUCTS FALLING WITHIN SUBHEADINGS 2204 10 11 TO 2204 30 10, 2206 00 10, 2208 40 10, 2208 40 90, 2208 90 11 AND 2208 90 19
58.0930	2301	Flours, meals and pellets, of meat or meat offal of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves
58.0940	2302 50 00	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants Of leguminous plants
58.0950	2308 90 90	Vegetable materials and vegetable waste, vegetable residues and byproducts, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included Other
58.0960	2309 10 90 2309 90 10 2309 90 91 2309 90 99	Preparations of a kind used in animal feeding Fish or marine mammal solubles Beet-pulp with added molasses Other
58.0970	CHAPTER 24	TOBACCO AND UNMANUFACTURED TOBACCO SUBSTITUTES

(1) The MOB for products falling within CN codes 1704 10 91 and 1704 10 99 shall be limited to 16% of the customs value.

(2) No additional duties are levied for other preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough known as 'papad'