Council Regulation (EC) No 1140/2004 of 21 June 2004 suspending the autonomous Common Customs Tariff duties on certain fishery products originating in Ceuta and Melilla

COUNCIL REGULATION (EC) No 1140/2004

of 21 June 2004

suspending the autonomous Common Customs Tariff duties on certain fishery products originating in Ceuta and Melilla

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) By Regulation (EC) No 656/2000[(1)], the Council opened zero-duty Community tariff quotas for certain fishery products originating in Ceuta, which expired on 31 December 2002.

(2) In October 2002 Spain asked to extend the validity of the quotas referred to in Regulation (EC) No 656/2000 and backed its request with social and economic arguments on Ceuta, showing the constraints under which its economy is operating and the difficulties faced by the local fishing industry. The request is justified as the economic situation in Ceuta requires the adoption of preferential measures to facilitate its exports to the Community.

(3) With the Council and Commission Decision 2000/204/EC, ECSC of 24 January 2000 on the conclusion of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part[(2)], the Community fully suspended the import duties of Common Customs Tariff for a wide range of fishery products originating in Morocco. The imports of these products into the Community are not subject to any quantity limitations and their range is far wider than the range of products which are covered by the tariff quotas opened for the Ceuta. Considering that Morocco surrounds the territories of Ceuta and Melilla from the land side, it is appropriate to stop further discrimination and to grant Ceuta and Melilla preferential treatment for the same range of fishery products in order to provide for similar business opportunities and to promote the economic development in those territories.

(4) Since the association agreement with Morocco does not provide for any time limits for the application of the preferential treatment for the fishery products no time limit should be introduced for this Regulation.

(5) Eligibility for the tariff suspensions introduced by this Regulation is subject to the origin rules set out in Council Regulation (EC) No 82/2001 of 5 December 2000 concerning

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EC) No 1140/2004. (See end of Document for details)*

the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community and Ceuta and Melilla[3],

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties for the products listed in the Annex hereto originating in Ceuta and Melilla shall be totally suspended.

Article 2

Proof of the products' originating status shall be adduced in accordance with Regulation (EC) No 82/2001.

Article 3

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

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

Done at Luxembourg, 21 June 2004.

For the Council

The President

J. WALSH

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1140/2004. (See end of Document for details)*

ANNEX

PRODUCTS ORIGINATING IN CEUTA AND MELILLA, FOR WHICH AUTONOMOUS COMMON CUSTOMS TARIFF DUTIES ARE TOTALLY SUSPENDED

CN code	**Description**
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates
	Prepared or preserved fish, whole or in pieces, but not minced
1604 11 00	Salmon
1604 12	Herrings
1604 13	Sardines, sardinellas and brisling or sprats
1604 14	Tunas, skipjack and bonito (*Sarda* spp.)
1604 15	Mackerel
1604 16 00	Anchovies
1604 19 10	Salmonidae, other than salmon
1604 19 31 to 1604 19 39	Fish of the genus *Euthynnus*, other than skipjack (*Euthynnus (Katsuwonus) pelamis*)
1604 19 50	Fish of the species *Orcynopsis unicolor*
1604 19 91 to 1604 19 98	Other fish
	Other prepared or preserved fish:
1604 20 05	Preparations of surimi
1604 20 10	Of salmon
1604 20 30	Of salmonidae, other than salmon
1604 20 40	Of anchovies
1604 20 50	Of sardines, bonito, of mackerel of the species *Scomber scombrus* and *Scomber japonicus*; of fish of the species *Orcynopsis unicolor*
1604 20 70	Of tunas, skipjack or other fish of the genus *Euthynnus*
1604 20 90	Of other fish
	Caviar and caviar substitutes prepared from fish eggs
1604 30	Caviar and caviar substitutes
	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved
1605 10 00	Crab