

# GENERAL AGREEMENT ON

## TARIFFS AND TRADE

RESTRICTED

L/6560

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Limited Distribution

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### ARTICLE XIX - ACTION BY THE EUROPEAN COMMUNITIES

#### Processed Cherries

The following communication, dated 27 July 1989, has been received from the Permanent Delegation of the Commission of the European Communities.

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I have the honour to advise you, for the information of the CONTRACTING PARTIES, that by Regulation (EEC) No. 1989/89 of 4 July 1989, the Commission of the European Communities has taken emergency action under Article XIX in respect of imports of certain types of processed cherries. Attached hereto is a copy of that Regulation with the list of the products concerned, including inter alia the products referred to in the communication from the Commission of the European Communities of 16 July 1985 (L/5841), the tariff heading numbers and the minimum price fixed.

These measures, applicable as from 13 July 1989, provide for a countervailing charge to be levied on imports in certain conditions. The countervailing charge is not levied on products originating in and coming from non-member countries which observe the minimum prices indicated in the above-mentioned Regulation. The objective of this measure, as in the past, is to avoid imports at abnormally low prices which cause serious disposal problems for Community production.

The Commission is prepared to enter into consultation, under Article XIX, with any contracting party having a substantial interest in exporting to the Community and which wishes to examine with it the measures under reference.

COMMISSION REGULATION (EEC) No. 1989/89  
of 4 July 1989

fixing the minimum import price applicable to certain types  
of processed cherries during the 1989/90 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic  
Community,

Having regard to Council Regulation (EEC) No. 426/86 of  
24 February 1986 on the common organization of the market in products  
processed from fruit and vegetables<sup>1</sup>, as last amended by Regulation (EEC)  
No. 1125/89<sup>2</sup>, and in particular Article 9(6) thereof,

Having regard to Council Regulation (EEC) No. 1201/88 of 28 April 1988  
establishing import mechanisms for certain processed products obtained from  
sour cherries and originating in Yugoslavia<sup>3</sup>, and in particular  
Article 5(1) thereof,

Whereas Council Regulation (EEC) No. 3225/88<sup>4</sup> fixes general rules for  
the system of minimum import prices for certain processed cherries;

Whereas, pursuant to Article 9(2) of Regulation (EEC) No. 426/86,  
minimum import prices are to be determined having regard in particular to:

- the free-at-frontier prices on import into the Community;
- the prices obtaining on world markets,
- the situation on the internal Community market;
- the trend of trade with non-member countries;

Whereas a minimum import price should be fixed on the basis of the  
above-mentioned criteria for the 1989/90 marketing year for certain types  
of processed cherries listed in Annex I(B) to Regulation (EEC) No. 426/86;  
whereas the minimum price thus established must apply to the same products  
originating in Yugoslavia, referred to in Annex I to Regulation (EEC)  
No. 1201/88;

Whereas the Management Committee for Products Processed from Fruit and  
Vegetables has not delivered an opinion within the time-limit set by its  
chairman,

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<sup>1</sup>OJ No. L 49, 27.2.1986, page 1.

<sup>2</sup>OJ No. L 118, 29.4.1989, page 29.

<sup>3</sup>OJ No. L 115, 3.5.1988, page 9.

<sup>4</sup>OJ No. L 288, 21.10.1986, page 11.

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 9(1) of Regulation (EEC) No. 426/86 and Article 1(1) of Regulation (EEC) No. 1201/88, for each of the products listed in the Annex to this Regulation, the minimum import price applicable during the 1989/90 marketing year shall be as set out in that Annex.

Article 2

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

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

Done at Brussels, 4 July 1989.

For the Commission

Ray MAC SHARRY  
Member of the Commission

ANNEX

(ECU/100 kg. net weight)

CN code	Description	Minimum import price
ex 0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:	
ex 0811 90	Other:	
	Containing added sugar or other sweetening matter	
ex 0811 90 10	With a sugar content exceeding 13% by weight	
	Sour cherries (Prunus cerasus):	
ex 0811 90 10	Unstoned	48.20
ex 0811 90 10	Other	54.50
	Other cherries:	
ex 0811 90 10	Unstoned	48.20
ex 0811 90 10	Other	54.50
ex 0811 90 30	Other:	
	Sour cherries (Prunus cerasus):	
ex 0811 90 30	Unstoned	48.20
ex 0811 90 30	Other	54.50
	Other cherries:	
ex 0811 90 30	Unstoned	48.20
ex 0811 90 30	Other	54.50
	Other:	
ex 0811 90 90	Other:	
	Sour cherries (Prunus cerasus):	
ex 0811 90 90	Unstoned	48.20
ex 0811 90 90	Other	54.50
	Other cherries:	
ex 0811 90 90	Unstoned	48.20
ex 0811 90 90	Other	54.50
ex 1812	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:	
	Cherries:	
ex 0812 10 00	Sour cherries (Prunus cerasus)	-
ex 0812 10 00	Other	-

CN code	Description	Minimum import price
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:	
2008 60	Cherries:	
	Not containing added spirit	
	Containing added sugar, in immediate packings of a net content exceeding 1 kg:	
2008 60 51	Sour cherries ( <i>Prunus cerasus</i> )	60.80
2008 60 59	Other	60.80
	Containing added sugar, in immediate packings of a net content not exceeding 1 kg:	
2008 60 61	Sour cherries ( <i>Prunus cerasus</i> )	67.10
2008 60 69	Other	67.10
	Not containing added sugar, in immediate packings of a net content:	
	Of 4.5 kg. or more:	
2008 60 71	Sour cherries ( <i>Prunus cerasus</i> )	53.70
2008 60 79	Other	53.70
	Of less than 4.5 kg:	
2008 60 91	Sour cherries ( <i>Prunus cerasus</i> )	58.70
2008 60 99	Other	58.70