

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93)137 final

Brussels, 31 March 1993

Proposal for a

COUNCIL REGULATION (EEC)

laying down certain provisions for the application
of the Bilateral Agreements on Agriculture between the Community,
of the one part, and Austria, Finland, Iceland,
Norway and Sweden, of the other part

(presented by the Commission)

EXPLANATORY MEMORANDUM

Within the framework of the negotiations on the establishment of the European Economic Area (EEA), the Community signed Bilateral Agreements concerning trade arrangements covering certain agricultural products in the form of exchanges of letters with Austria, Finland, Iceland, Norway, Sweden and Switzerland in Oporto on 2 May 1992. The Agreements on Agriculture were originally scheduled to enter into force on the same date as the EEA Agreement.

As a result of the deferral of the entry into force of the EEA Agreement in the wake of Switzerland's decision not to ratify the latter, it was decided by the Community on the one hand and by Austria, Finland, Iceland, Norway and Sweden on the other hand that the Agreements on Agriculture should enter into force earlier than scheduled, i.e. on 15 April 1993, for a term of validity expiring on 1 January 1994, except where it is decided otherwise.

Following the Council Decision to approve the Agreements, a legal basis enabling the Commission to implement the latter must be established. The proposed provisions must of necessity be adopted at Community level.

In the light of the foregoing, the Council is requested to adopt this proposal.

This proposal has no financial impact on the Community budget.
It has no impact on small and medium-sized enterprises (SME).

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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 Community signed Bilateral Agreements concerning trade arrangements covering certain agricultural products in the form of exchanges of letters with Austria, Finland, Iceland, Norway, Sweden and Switzerland in Oporto on 2 May 1992;

Whereas those Agreements were signed at the same time as the Agreement on the European Economic Area between the European Economic Community, the European Coal and Steel Community and the Member States thereof, of the one part, and the Member States of the European Free Trade Association, of the other part, hereinafter referred to as the "EEA Agreement"; whereas the objective of all parties was to ensure that the EEA Agreement and the Bilateral Agreements on Agriculture entered into force at the same time;

Whereas, as a result of the decision of the Swiss Confederation not to ratify the EEA Agreement, Agreements in the form of exchanges of letters were concluded on 17 March 1993 between the Community, of the one part, and Austria, Finland, Iceland, Norway and Sweden, of the other part, with a view to applying the Bilateral Agreements on Agriculture signed on 2 May 1992 with those countries as from 15 April 1993 and until such time as the EEA Agreement enters into force; whereas the Agreements of 17 March 1993 also provide that, except where the Contracting Parties decide otherwise, those provisional Agreements are to expire on 1 January 1994 if the EEA Agreement does not enter into force on that date;

Whereas, by Decision of 15 March 1993¹, the Council approved the Bilateral Agreements with Austria, Finland, Iceland, Norway and Sweden and whereas those Agreements were concluded on 17 March 1993;

Whereas the implementing provisions for the application of various provisions of those Agreements must be laid down,

1 OJ ...

HAS ADOPTED THIS REGULATION:

Article 1

As regards agricultural products listed in Annex II to the Treaty and covered by the rules of a common organization of the market, the implementing provisions for the Bilateral Agreements on Agriculture signed on 2 May 1992 in Oporto between the European Economic Community, of the one part, and Austria, Finland, Iceland, Norway and Sweden, of the other part, shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68² or in the corresponding articles of the other regulations on the common organization of the markets. Where the application of the Agreements calls for close cooperation with the signatory States, the Commission may take any measures necessary to ensure such cooperation.

Article 2

This Regulation shall enter into force on the 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,

For the Council
The President

² Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products (OJ No L 148, 28.6.1968). Last amended by Regulation (EEC) No 2071/92 (OJ No L 215, 30.7.1992).

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