

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 574 final.

Brussels, 3 November 1976.

Draft Council Regulation

increasing the Community tariff quota opened in
1976 for ferro-chromium containing not less than
4 % by weight of carbon, falling within sub-heading
ex 73.02 E I of the Common Customs Tariff

(submitted to the Council by the Commission)

COM(76) 574 final.

EXPLANATORY MEMORANDUM

1. Regulation (EEC) No 1629/76 of 29 June 1976¹ opened for 1976 a Community tariff quota for ferro-chromium containing not less than 4 % by weight of carbon, the volume of which, fixed at a level of 52 000 t, was to be reviewed during the quota year in accordance with requirements.

2. This revision was carried out at a meeting of the Working Party on Economic Tariff Problems on 24 September 1976 on the basis of the routine estimates forwarded by the Member States which led to the following levels being established in respect of the various items affecting the Community situation :

	<u>in tonnes</u>
Consumption	347.510
Actual production capacities	192.000
Inward processing traffic	500
Duty free imports from third countries (associated countries, EFTA)	18.255
Exports to third countries	10.000

According to this information, the Community requirements for imports from third countries amount to 135 755 t for the entire year 1976, but the duty free quota already opened reduces this figure to 83 755 t.

3. In this regard, it should be pointed out that, where autonomous tariff quotas are concerned, it does not suffice merely to open systematically a quota equal to the estimated requirements for imports from third countries. This method of calculation is likely to cause disadvantages to the Community production sector or to discourage any expansion in this sector. This consideration is all the more apposite in the present case, since, according

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¹ OJ No L 181, 7 July 1976, p. 1.

to the experts of a producing Member State, their production has been reduced to 50 % actual capacity so as not to increase existing stocks.

In the annexed draft Regulation, account has been taken of these considerations, as well as of the fact that for the products falling under subheading 73.02 E I of the CCT, the rates applicable in respect of third countries have been reinstated with regard to Sweden with effect from 9 October 1976, by Regulation (EEC) No 2421/76 (OJ L 273 of 6 October 1976).

For this reason the Commission is proposing a 15 000 t increase in the amount of the tariff quota opened by the afore-mentioned Council Regulation to meet requirements in the latter part of 1976.

4. As usual, this increase is divided into two instalments, the first to be allocated among the Member States in proportion to their respective requirements, and the second forming a Community reserve.

DRAFT

COUNCIL REGULATION (EEC) No/76

of

increasing the Community tariff quota opened for 1976 by Regulation (EEC) No 1629/76 for ferro-chromium containing not less 4 % by weight of carbon, falling within subheading ex 73.02 E I of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas by its Regulation (EEC) No 1629/76¹ the Council opened for 1976 and allocated among the Member States a duty free autonomous Community tariff quota of a provisional amount of 52 000 tonnes for ferro-chromium containing not less than 4 % by weight of carbon ; whereas by the same Regulation the Member States were authorized, within certain limits, to charge against this quota imports of ferro-chromium containing a quantity of between 3 and 4 % by weight of carbon ;

Whereas on the basis of the most recent economic data available for 1976 on consumption, actual production capacities, imports under the inward processing system or another preferential tariff scheme and exports to third countries, it can be estimated that the additional Community requirements for imports from third countries during 1976 may reach 83 755 tonnes; whereas to avoid jeopardizing the prospects for the development of Community production, it is appropriate to fix the additional quota volume for the latter part of the current year at 15 000 tonnes;

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¹ OJ No L 181, 7. 7. 1976, p. 1.

Whereas with regard to the distribution of the quota volume it is necessary to allot part of the additional amount to the Community reserve, the remainder being allocated among the Member States ; whereas since this is an autonomous tariff quota intended to cover additional import needs arising in the Community, it may be allocated on the basis of the actual requirements, expressed by the Member States, which could not be met by the tariff quota of 52 000 tonnes already opened for 1976; whereas the extent to which the shares assigned to Denmark, France, Ireland and Italy have been used and the most recent statistical and economic data available do not at present justify the participation of these Member States in the allocation of the additional amount ; whereas, should the need arise, these Member States will be able to draw upon the Community reserve,

HAS ADOPTED THIS REGULATION :

Article 1

From the date of entry into force of this Regulation, the volume of the Community tariff quota opened by Regulation (EEC) No 1629/76 for ferro-chromium containing not less than 4 % by weight of carbon, falling within sub-heading ex 73.02 E I of the Common Customs Tariff, shall be increased from 52 000 to 67 000 tonnes.

Article 2

1. An first instalment of the additional amount, comprising 13 500 tonnes shall be allocated among certain Member States as follows :

Benelux	1 316 tonnes
Germany	8 455 tonnes
United Kingdom	3 729 tonnes

2. The second instalment of 1 500 tonnes shall constitute the reserve.

The amount of the reserve laid down in Article 2(2) of Regulation (EEC) No 1629/76 shall thus be increased from 5 000 to 6 500 tonnes.

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- Article 3

This Regulation shall enter into force on the seventh day following that of 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,

