



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.07.1995  
COM(95) 321 final

Proposal for a

**COUNCIL REGULATION (EC)**

opening and providing for the administration of  
Community tariff quotas for certain industrial, fishery and agricultural products  
and modifying Regulation (EC) 2878/94 opening and providing for the administration of Community  
tariff quota for certain industrial products.  
(4 series 1995)

(presented by the Commission)



## EXPLANATORY MEMORANDUM

1. Subsequent to requests made by various Member States, the Services of the Commission have examined, in conjunction with the Government experts concerned, the question of opening in 1995 tariff quotas for various products.
2. Following this examination, which took place during the "Economic Tariff Questions" group meetings, it has been determined that the opening of tariff quotas for the following products could have the agreement of the Member States without disturbing the markets for such products:

Vinyl acetate	10.000 T	at 5,5%
Ferro-chromium 4-6	10.000 T	at 0%
Ferro-silico-chromium	20.000 T	at 0%
Waste and scarp of molybdenum	320 T	at 0%
Masks	1.500.000 pieces	at 0%
Eels	4.000 T	at 0%
Magnetrons	500 000 pieces	at 0%
Dianol 220	400 T	at 0%
Natural tobacco	3.000 T	at 0%
Silicon dioxide	60 T	at 0%

**Proposal for a  
COUNCIL REGULATION (EC) No ..../95  
of**

**opening and providing for the administration of Community tariff quotas  
for certain industrial and fishery and agricultural products and modifying Regulation (EC) 2878/94  
opening and providing for the administration of Community tariff quota for certain industrial  
products(4th series 1995)**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas production in the community of certain industrial products will remain in the course of 1995 unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 31 December 1995 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas by Regulation (EC)n°2878/94<sup>1</sup> the Council opened, for 1995 Community tariff quotas for certain industrial and fishery products, and in particular for magnetrons (order number 09.2797 and for dianol 220 (order number 09.2859)

Whereas current economic data suggests that the Community demand non-Community imports of the products in question could in the course of the year exceed the volumes laid down in the above Regulation, whereas the volume of the quota in question should therefore be increased;

Whereas it is necessary, in particular, to ensure for all Community importers equal uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable obstacle to authorising Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports;

Whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From the date of entry into force of the present regulation, to the date specified in the following table, the customs duties applicable to imports into the Community of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas shown below:

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<sup>1</sup> O.J. n° L 304, 29.11.1994, P 1

*Article 2*

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

*Article 3*

Where an importer presents a declaration covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawing shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to extent that the available balance so permits.

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

Done at Brussels,

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

*Article 4*

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

*Article 5*

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

*Article 6*

This regulation shall enter into force on the 3rd day following its publication in the Official Journal of the European Communities.

*For the Council  
The President*

3. In the Regulation (EC) n° 2878/94 <sup>1</sup> the table shown in Article 1 is replaced, for the order n° 09.2797 and 09.2859, by the following table

Order number	CN Code	Description	Amount of quota	Quota duty (%)	End of quota period
09.2797	ex 85404100	Magnetrons with a power output of not more than pas 1.000 watt, for the manufacture of microwave ovens(a)	1.150 000 pieces	0	31.12.1995
09.2859	ex 29094990	2,2-Isopropylidene-bis (p - phenyleneoxyethanol) solid form	1.000 T	0	31.12.1995

- a) Checks on their prescribed end use shall be carried pursuant to the relevant Community provisions.

Order number	CN Code	TARIC code	Description	Amount of quota	Quota duty (%)	End of quota period
09.2897	29153200		Vinyl Acetate	10.000 T	5,5	31.12.1995
09.2899	72024110		Ferro-chromium containing by weight more than 4% but not more than 6% of carbon	10.000 T	0	31.12.1995
09.2900	72025000		Ferro-silico-chromium	20.000 T	0	31.12.1995
09.2911	81029190		Waste and scarp of molybdenum	320 T	0	31.12.1995
09.2912	ex 85409100	*97	Flat masks with a diagonal measurement of 31.5cm ( $\pm 0,5$ cm) , 34cm ( $\pm 0,5$ cm), or 39cm ( $\pm 0,5$ cm)	1.500.000 pieces	0	31.12.1995
09.2913	ex 24011049 ex 24011050 ex 24011070 ex 24011090 ex 24012049 ex 24012050 ex 24012070 ex 24012090	*10 *10 *10 *10 *10 *10 *10 *10	Natural, unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than [450] [500] ECU per 100 kg net weight, for use as binder or wrapper for the manufacture of goods falling under subheading 2402 10 00(a)	3.000 T	0	31.12.1995
09.2915	ex38239098	*61	Silicon dioxide having a purity in weight of 99% of SiO <sub>2</sub> , on the spherical partiels, dispersed in monoethylene glycol	60 T	0	31.12.1995

a) Checks on their prescribed end use shall be carried pursuant to the relevant Community provisions.

2. From the 1st of July 1995 and till the 30 June 1996, the customs duties applicable to imports into the Community of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas shown below:

Order number	CN Code		Description	Amount of quota	Quota duty (%)	End of quota period
09.2701	ex 03019200 ex 03026600 ex 03037600	*10 *10 *10	Eels ( <i>Anguilla</i> spp.), live, fresh, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within CN code 1604 (a)	4.000 T	0	30.06.1996

a) Checks on their prescribed end use shall be carried pursuant to the relevant Community provisions.

## FINANCIAL RECORD

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1. Budget line concerned : Chap. 12 Art. 120
2. Legal basis : Art. 28 of the Treaty
3. Title of the tariff measure concerned : Proposal for a Council Regulation opening and providing for the administration of Community tariff quotas for certain industrial and fishery and agricultural products and modifying Regulations (EC) 2878/94 opening and providing for the administration of Community tariff quota for certain industrial products..
4. Objective : To ensure an adequate supply for Community user-industries.
5. Method of calculation :

Description	Quantities	Price Ecus/unit	Normal rate (%)	Quota duty (%)	Duty loss (Ecus)
Vinyl acetate	10.000 T	997	10,9	5,5	538.380
Ferro-chromium 4-6	10.000 T	633	7,2	0	48.576
Ferro-silico-chromium	20.000 T	650	4,5	0	585.000
Waste and scarp of molybdenum	320 T	12.197	4	0	156.122
Mask	1.500.000 pieces	19,33	5,2	0	1.507.740
Eals	4.000 T	6.969	2,4	0	669.024
Magnetrons	500.000 pieces	24	4,6	0	552.000
Dianol 220	400 T	4.032	6,4	0	- 103.219
Natural tobacco	3.000 T	4.718	16,25	0	2.300.025
Silicon dioxide	60 T	16.667	7,6	0	74.000

Total duty loss: 6.534.086 Ecus.



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# DOCUMENTS

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