

ASSOCIATION

**between the European Economic Community
and the Republic of Cyprus**

COLLECTED ACTS

**SECRETARIAT OF THE COUNCIL
OF THE EUROPEAN COMMUNITIES**

Information, Publications,
Documentation

NOTE D'INFORMATION

aux destinataires des Recueils d'Actes :

- Association CEE-CHYPRE
- Association CEE-MALTE
- Association CEE-TURQUIE
- Coopération CEE-ALGERIE
- Coopération CEE-MAROC
- Coopération CEE-TUNISIE
- Coopération CEE-EGYPTE
- Coopération CEE-JORDANIE
- Coopération CEE-SYRIE
- Coopération CEE-LIBAN
- Coopération CEE-ISRAEL

A partir de l'édition 1984 cette publication - tout en maintenant le contenu habituel - changera de périodicité, de format et de présentation.

Afin de répondre à une exigence de praticité et en tenant compte des sollicitations d'un certain nombre de lecteurs, les Recueils d'Actes paraîtront à l'avenir sous forme de brochure, en format A5 et avec périodicité annuelle. Deux publications sont prévues, regroupant respectivement les actes relatifs aux Associations et aux Coopérations.

Directions for Use

1. Acts listed in the Compilation

The Compilation of Acts pertaining to the "Association between the European Economic Community and the Republic of Cyprus" contains in addition to the text of the Association Agreement signed at Brussels on 19 December 1972, all the acts adopted pursuant to this Agreement by the various Institutions of the Association between the European Economic Community (EEC) and the Republic of Cyprus as well as the acts adopted by the EEC with regard to Cyprus.

Certain acts of the Institutions of the Association between the EEC and the Republic of Cyprus have not been included because of their nature. This is the case for budgets, acts of a personal nature (for example appointments), etc...

2. General Structure of the Compilation

The acts are classified in 3 basic series with the following abbreviations and titles in order of classification :

GEN - General matters

INST - Institutional problems

GOODS - Free movement of goods

Each series of acts is separated from the others by a guide card with the abbreviated title of the series printed on the tab.

Each series of acts is sub-divided under headings numbered in Roman numerals; the list of these headings appears on the 1st page of each series.

Under each heading the acts appearing in the Compilation are classified in the chronological order of the dates of adoption of the acts.

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General table of the series and headings in the Compilation
"Association between the European Economic Community
and the Republic of Cyprus"

Series	Headings
General matters (GEN)	O - General-Blank I - Association Agreement and Related texts II - Provisions within the Community relating to the Association Agreement
Institutional Questions (INST)	O - General-Blank I - Acts of the Association Council
Free movement of goods (GOODS)	O - General-Blank I - Acts of the Association Council II - Provisions within the EEC

3. Pagination

In order that new acts can be added at any time, the Compilation is arranged in loose-leaf form.

Heading each page there is a reference composed of the following elements : an abbreviation indicating the series, a Roman numeral indicating the heading and consecutive Arabic numerals indicating the pages under each heading.

Example : INST I 10

INST indicates the "Institutional Questions" series;

I indicates the heading "Acts of the Association Council";

10 indicates page 10

Vol. 2 indicates volume 2 of the Collected Acts.

When it becomes necessary to amend a page after an alteration has been made, a replacement leaf will be supplied. This will be marked at the bottom right-hand corner so that it may be distinguished from the page to be removed which appeared previously in the collection. Example : Page GEN I 1 bearing "No 2" means that the previous leaf has been replaced by a second leaf stating the date of the updating supplement.

References to show that an act is related to another are given in foot-note form.

Some acts qualify for inclusion in several places. The full text is given once only, and in the other places there simply references to where the full text may be found.

4. Tables

At the beginning of each heading there is a table listing the titles of the acts contained in it. This table will be brought up to date at regular intervals.

In addition to this compilation there are also the Collected Acts of the "Association between the European Economic Community and Greece", the Collected Acts of the "Association between the European Economic Community and the Tunesian Republic", the Collected Acts of the "Association between the European Economic Community and the Kingdom of Morocco", the Collected Acts of the "Association between the European Economic Community and Malta", the Collected Acts of the "Association between the European Economic Community and Turkey", the Collected Acts of the "Association of the Overseas Countries and Territories" and the Collected Acts pertaining to the "ACP-EEC Convention of Lomé".

General matters

Subdivision :

- 0. General - Blank
- I. Association Agreement and Related texts
- II. Provisions within the Community relating to the Association Agreement



I. Association Agreement and Related texts

Table

I

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(OJ No L 133, 21.5.1973)

AGREEMENT

establishing an Association between the European Economic Community and the Republic of Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS,

of the other part,

DETERMINED to consolidate and to extend the economic and commercial relations existing between the European Economic Community and Cyprus,

AWARE of the importance of the harmonious development of trade between the Contracting Parties,

WHEREAS, while observing the provisions of the General Agreement on Tariffs and Trade, the object of this Agreement is the progressive elimination of obstacles to trade between the European Economic Community and Cyprus, and whereas it provides that, eighteen months before the expiry of the first stage, negotiations may be opened with a view to determining the conditions under which a customs union between the Community and the Republic of Cyprus could be established,

HAVE DECIDED to conclude an Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, in accordance with Article 238 of the Treaty establishing the European Economic Community, and to this end have designated as Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Mr W. K. N. SCHMELZER,

President in office of the Council of the European Communities,

Minister for Foreign Affairs of the Netherlands;

Mr Sicco L. MANSCHOLT,

President of the Commission of the European Communities;

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS:

Mr John Cl. CHRISTOPHIDES,

Minister of Foreign Affairs;

Mr Titos PHANOS,

Ambassador,

Head of the Mission of the Republic of Cyprus;

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED UPON THE FOLLOWING PROVISIONS:

Article 1

By this Agreement, an Association is established between the European Economic Community and the Republic of Cyprus.

Article 2

1. The aim of the Agreement is progressively to eliminate obstacles as regards the main body of trade between the European Economic Community and Cyprus and thus to contribute to the development of international trade.
2. The Agreement provides for two successive stages, the first terminating on 30 June 1977 and the second of a duration, in principle, of five years.
3. Negotiations are provided for during the eighteen months preceding the expiry of the first stage, with a view to defining the content of the second stage, providing for a further elimination of obstacles to trade between the European Economic Community and Cyprus and the adoption by the Republic of Cyprus of the Common Customs Tariff.
4. The first stage shall be governed by the provisions set forth hereinafter.

TITLE I

Trade

Article 3

1. Products originating in Cyprus, shall, on importation into the Community, benefit from the provisions set forth in Annex I.
2. Products originating in the Community shall, on importation into Cyprus, benefit from the provisions set forth in Annex II.
3. The Contracting Parties shall take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of the Agreement.

They shall refrain from any measure likely to jeopardize the achievement of the aims of the Agreement.

Article 4

Any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, a

discrimination between the products of one Contracting Party and like products originating in the other Contracting Party shall be forbidden.

Article 5

The rules governing trade between the Contracting Parties may not give rise to any discrimination between the Member States, or between nationals or companies of these States, nor nationals or companies of Cyprus.

Article 6

To the extent that export duties are levied on products of one Contracting Party exported to the other Contracting Party, such duties shall not be higher than those applicable to products exported to the most favoured third country.

Article 7

The provisions set forth in the Protocol shall determine the rules of origin to be applied to the products covered by the Agreement.

Article 8

1. If one of the Contracting Parties finds that dumping is being practised in its relations with the other Contracting Party, it may, following consultations within the Association Council, have recourse to protective measures against such practices, in accordance with the Agreement relating to the application of Article VI of the General Agreement on Tariffs and Trade.

In case of urgency, such Contracting Party may, after having informed the Association Council, take the provisional measures provided for in the said Agreement. Consultations shall be held on such measures not later than two weeks after their implementation.

2. In the event of measures being taken against bounties and subsidies, the Contracting Parties undertake to comply with the provisions of Article VI of the General Agreement on Tariffs and Trade.

3. Any dumping practices, bounties or subsidies which have been ascertained, and any measures taken against them, shall, at the request of one of the Contracting Parties, give rise to consultation within the Association Council at three-monthly intervals.

Article 9

Payments relating to trade in goods, and the transfer of such payments to the Member State in which the creditor is resident, or to Cyprus, shall be free from any restrictions, to the extent that such transactions fall within the provisions of this Agreement.

Article 10

1. If serious disturbances occur in a sector of Cyprus' economic activity or jeopardize its external financial stability, or if difficulties arise which result in the deterioration of the economic situation of any area of Cyprus, the Republic of Cyprus may take the necessary protective measures.

Such measures and the procedures for applying them shall be notified to the Association Council without delay.

2. If serious disturbances occur in a sector of the economic activity of the Community or of one or more of its Member States, or jeopardize their external financial stability, or if difficulties arise which result in the deterioration of the economic situation of any area of the Community, the latter may take, or may authorize the Member State or States concerned to take, the necessary protective measures.

Such measures and the procedures for applying them shall be notified to the Association Council without delay.

3. For the purpose of implementing paragraphs 1 and 2, the measures selected must, as a matter of priority, be such as would least disturb the functioning of the regime established by this Agreement. Such measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

4. Consultations may be held within the Association Council concerning measures taken pursuant to paragraphs 1 and 2.

Article 11

This Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy, public security, the protection of health and life of humans, animals or plants, the protection of national treasures possessing artistic, historic, or archaeological value, or the protection of industrial or

commercial property. However, such prohibitions or restrictions shall not constitute a means of arbitrary discrimination or a disguised restriction on trade.

TITLE II

General and final provisions

Article 12

1. An Association Council is hereby established, which shall be responsible for the administration of this Agreement and shall supervise its proper implementation. For this purpose, it shall make recommendations. It shall take decisions in the cases provided for under Title II.

2. The Contracting Parties shall keep each other informed and, at the request of either Party, shall hold consultations within the Association Council with a view to the proper implementation of this Agreement.

3. The Association Council shall lay down its rules of procedure in a Decision.

Article 13

1. The Association Council shall consist of the members of the Council and members of the Commission of the European Communities, on the one hand, and of members of the Government of the Republic of Cyprus, on the other.

Members of the Association Council may arrange to be represented, in accordance with the conditions to be laid down in the rules of procedure.

2. The Association Council shall take its decisions by common agreement.

Article 14

1. The Association Council shall be presided in turn by each of the Contracting Parties, in accordance with the provisions to be adopted in the rules of procedure of the Association Council.

2. Meetings of the Association Council shall be convened once a year by its President.

The Association Council shall, in addition, meet whenever circumstances so require, at the request of either of the Contracting Parties, in accordance with the conditions to be laid down in its rules of procedure.

3. The Association Council may decide to set up any committee that can assist it in the discharge of its tasks.

In its rules of procedure, the Association Council shall determine the composition and duties of such committees and how they shall function.

Article 15

This Agreement may be denounced by either Contracting Party, subject to six months' notice in advance being given.

Article 16

This Agreement shall apply on the one hand, to the territories to which the Treaty establishing the European Economic Community applies, and, on the other hand, to the territory of the Republic of Cyprus.

Article 17

Annexes I and II and the Protocol on originating products shall form an integral part of this Agreement.

Article 18

This Agreement shall come into force on the first day of the month following the date on which the Contracting Parties have notified each other that the necessary procedures to this end have been completed.

Article 19

This Agreement is drawn up in duplicate, in the Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

Geschehen zu Brüssel am neunzehnten Dezember neunzehnhundertzweiundsiebzig.

Fait à Bruxelles, le dix-neuf décembre mil neuf cent soixante-douze.

Fatto a Bruxelles, addì diciannove dicembre millenovecentosettantadue.

Gedaan te Brussel, de negentiende december negentienhonderdtweeënzeventig.

Done at Brussels on this nineteenth day of December in the year one thousand nine hundred and seventy-two.

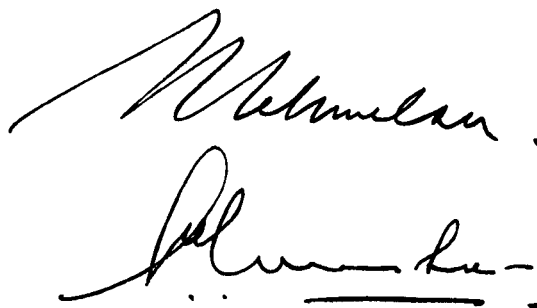
Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés européennes,

Per il Consiglio delle Comunità europee,

Voor de Raad der Europese Gemeenschappen,

For the Council of the European Communities,



Mit dem Vorbehalt, daß für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie der anderen Vertragspartei notifiziert hat, daß die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren, namentlich die Anhörung des Europäischen Parlaments, stattgefunden haben.

Sous réserve que la Communauté économique européenne ne sera définitivement engagée qu'après notification à l'autre partie contractante de l'accomplissement des procédures requises par le traité instituant la Communauté économique européenne et notamment la consultation de l'Assemblée.

Con riserva che la Comunità economica europea sarà definitivamente vincolata soltanto dopo la notifica all'altra parte contraente dell'espletamento delle procedure richieste dal trattato che istituisce la Comunità economica europea e, in particolare, dell'avvenuta consultazione del Parlamento europeo.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partij van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures, met name van de raadpleging van het Europese Parlement.

Provided that the Community shall be finally bound only after the other Contracting Party has been notified that the procedures required by the Treaty establishing the European Economic Community, and, in particular, consultation of the European Parliament, have been completed.

Im Namen der Regierung der Republik Zypern,

Pour le gouvernement de la république de Chypre,

Per il governo della Repubblica di Cipro,

Voor de Regering van de Republiek Cyprus,

For the Government of the Republic of Cyprus,

J. A. Christodoulides
Nina M. M. M. M.

ANNEX I

IMPLEMENTATION OF ARTICLE 3 (1) OF THE AGREEMENT

Article 1

The customs duties applicable on importation into the Community of products originating in Cyprus, other than those falling under Annex II of the Treaty establishing the European Economic Community and other than those mentioned in Lists A and B, of this Annex, shall be those of the Common Customs Tariff reduced by 70 %.

Article 2

Within the limits of annual Community tariff quotas, the products listed below, originating in Cyprus, shall, on importation into the Community, benefit from the reductions in customs duties provided for in Article 1.

CCT heading No	Description of goods	Annual Community tariff quota
56.04	Man-made fibres, (discontinuous or waste), carded, combed or otherwise prepared for spinning	70 metric tons
61.01	Men's and boys' outer garments	100 metric tons

Article 3

Products referred to in Articles 1 and 2, and originating in Cyprus, shall not, on importation into the Community, be subject to charges having an effect equivalent to customs duties.

Article 4

1. Without prejudice to the levying of a variable component, determined in accordance with Articles 6 and 7 of Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trading arrangements

applicable to certain goods obtained from the processing of agricultural products, the fixed component levied on importation into the Community of products listed below which originate in Cyprus shall be reduced by 70 %.

CCT heading No	Description of goods
19.03	Macaroni, spaghetti and similar products
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion

2. Paragraph 1 above shall be applied in accordance with the terms set out in Article 8.

Article 5

1. The following products originating in Cyprus, shall, on entry into the Community pay the Common Customs Tariff duty reduced by 40 %:

CCT heading No	Description of goods
ex 08.02 A	Fresh oranges
ex 08.02 B	Mandarins and satsumas, fresh; clementines, tangerines and other similar hybrids of citrus fruit, fresh
ex 08.02 C	Fresh lemon

2. During the period of application of the reference price, the provisions of paragraph 1 shall apply provided that, on domestic markets within the Community, the price of citrus fruits imported from Cyprus, after customs clearance, account being taken of adjustment factors for the different classes of citrus fruits and after deduction of transport costs and import charges other than customs duties, shall be at least as high as the reference price for the period in question, increased by the incidence of the Common Customs Tariff on these reference prices and a flat sum of 1.20 units of account per 100 kg.

3. Transport costs and import charges other than customs duties, referred to in paragraph 2, shall be those used for calculating the entry prices referred to in Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables.

However the Community reserves the right to calculate the amount to be deducted in the case of import charges other than customs duties in such a way as to avoid difficulties which may result from the incidence of those charges on entry prices, depending on origin.

4. Articles 23 to 28 of Council Regulation (EEC) No 1035/72 shall continue to apply.

5. Where, as a consequence of abnormal conditions of competition, the benefits accruing from the provisions of paragraph 1 shall be or shall risk being jeopardized, there may be consultation within the Association Council to consider the problems raised by the situation that has arisen.

Article 6

1. The following products, originating in Cyprus, shall on entry into the Community pay the Common Customs Tariff duty reduced by 40 %:

CCT heading No	Description of goods
08.02	Citrus fruits, fresh or dried: D. Grapefruits and pomelos

2. Where disturbance of the market occurs for products falling within subheading 08.02 D of the Common Customs Tariff, there shall be consultation within the Association Council with a view to appropriate remedies.

Article 7

The following product, originating in Cyprus, shall be exempt from payment of customs duty on entry into the Community:

CCT heading No	Description of goods
12.08 A	Carobs

Article 8

1. The rates of the Common Customs Tariff duties to be taken into consideration for calculating the reduced duties mentioned in Articles 1, 2, 4, 5 and 6 shall be those effectively applied at any given time *vis-à-vis* third countries.

2. The reduced duties, calculated in accordance with Articles 1, 2, 4, 5 and 6 shall be applied by rounding to the first decimal point.

Article 9

Products originating in Cyprus referred to in this Annex, including products mentioned in List A, shall be imported into the Community free of quantitative restrictions.

This provision shall be without prejudice to the rules governing the importation of petroleum products.

Article 10

1. In respect of products referred to in this Annex, other than those falling under Annex II of the Treaty establishing the European Economic Community, the Community reserves the right, particularly for the purpose of avoiding certain distortions of competition or the replacement of trade, to amend the system provided for in this Annex, in the event of specific regulations being laid down as a consequence of the implementation of the common agricultural policy.

In adopting such Regulations or amending this system, the Community shall take the interests of Cyprus into account.

2. In respect of products referred to in this Annex falling under Annex II of the Treaty establishing the European Economic Community, the Community reserves the right, in the event of the adoption of regulations, to amend the system provided for in this Annex.

In adopting such regulations or amending this system, the Community shall take the interests of Cyprus into account.

3. In respect of products referred to in this Annex falling under Annex II of the Treaty establishing the European Economic Community, the Community reserves the right, in the event of the amendment of its regulations, to amend the system provided for in this Annex.

In amending this system, the Community shall confer on imports originating in Cyprus a benefit comparable with that provided for in this Annex.

4. Consultations may take place within the Association Council with a view to implementing this Article.

Article 11

Products originating in Cyprus referred to in this Annex may not receive a more favourable treatment than that which the Member States apply to each other on the basis of the Treaty establishing the European Economic Community.

LIST A

relating to products imported into the Community under specific Regulations as a consequence of the implementation of the common agricultural policy, and excluded from the treatment provided for in Article 1

CCT heading No	Description of goods
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel: A. Lactose and lactose syrup: I. Containing in the dry state 99 % or more by weight of pure product B. Glucose and glucose syrup: I. Containing in the dry state 99 % or more by weight of pure product: a) Glucose in white crystalline powder, whether or not agglomerated b) Other
ex 17.04	Sugar confectionery, not containing cocoa — excluding liquorice extract containing more than 10 % by weight of sugar, but not containing other added substances
18.06	Chocolate and other food preparations containing cocoa
19.01	Malt extract
19.02	Preparations of flour; starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared food obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing sugar, honey, eggs, fats, cheese or fruit
ex 21.01	Roasted chicory and other roasted coffee substitutes; extracts, essences and concentrates thereof: — Excluding roasted chicory and extracts thereof
21.06	Natural yeasts (active or inactive); prepared baking powder: A. Active natural yeasts: II. Yeasts for making bread

CCT heading No	Description of goods
ex 21.07	Food preparations not elsewhere specified or included, containing sugar, milk products, cereal or cereal products ⁽¹⁾
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: — Containing milk or milk fats
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol
ex 35.01	Casein, caseinates and other casein derivatives
35.02	Albumins, albuminates and other albumin derivatives: A. Albumins: II. Other: a) Ovalbumin and lactalbumin: 1. Dried (in sheets, flakes, crystals, powders, etc.) 2. Other
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries: A. Prepared glazings and prepared dressings: I. With a basis of starchy substances

⁽¹⁾ The description of goods concerns only products which, on importation into the Community, are subject to the charges laid down in the Common Customs Tariff, consisting of:
(a) an *ad valorem* duty, constituting the fixed element of such charge;
(b) a variable element.

LIST B

relating to Article 1

CCT heading No	Description of goods
27.10	<p>Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:</p> <p>A. Light oils:</p> <p> III. For other purposes</p> <p>B. Medium oils:</p> <p> III. For other purposes</p> <p>C. Heavy oils:</p> <p> I. Diesel oils:</p> <p> c) For other purposes</p> <p> II. Fuel oils:</p> <p> c) For other purposes</p> <p> III. Lubricating oils:</p> <p> c) To be mixed in accordance with the terms of Additional Note 7 to this chapter</p> <p> d) For other purposes</p>
27.11	<p>Petroleum gases and other gaseous hydrocarbons:</p> <p>B. Others:</p> <p> I. Commercial propane and butane:</p> <p> c) For other purposes</p>
27.12	<p>Petroleum jelly:</p> <p>A. Crude:</p> <p> III. For other purposes</p> <p>B. Other</p>
27.13	<p>Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:</p> <p>B. Other:</p> <p> I. Crude:</p> <p> c) For other purposes</p> <p> II. Other</p>
27.14	<p>Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals:</p> <p>C. Other</p>

ANNEX II

IMPLEMENTATION OF ARTICLE 3 (2) OF THE AGREEMENT

Article 1

The customs duties and taxes having equivalent effect applicable on the importation into Cyprus of products originating in the Community, other than those mentioned in lists A and B, shall be those of the General Customs Tariff of Cyprus reduced by the following percentages and according to the following time table:

<i>Time table</i>	<i>Rate of reduction</i>
— on the date of entry into force of the Agreement	15 %
— as from the beginning of the third year	25 %
— as from the beginning of the fifth year	35 %

Article 2

1. The tariff system applied by the Republic of Cyprus to products originating in the Community may not be less favourable than that applied to products originating in the most favoured third country.

2. Until the end of the fourth year of the Agreement, paragraph 1 shall not be applicable in respect of countries granted preferential treatment by the Republic of Cyprus at the time of entry into force of the Agreement.

However, the tariff measures taken by the Republic of Cyprus shall not have the effect of increasing any preference enjoyed by these countries.

Article 3

1. The customs duties and taxes having equivalent effect applicable on the importation into Cyprus of products originating in the Community mentioned in List A shall be those of the General Customs Tariff of Cyprus, reduced by the percentages and according to the time table set out in Article 1, provided that such reductions do not exceed the number of points shown under each heading in relation to the General Tariff of Cyprus.

2. For the products mentioned in List B, no tariff reduction shall be made during the first stage of the Agreement.

Article 4

1. The rates of duties to be taken into consideration for the purpose of calculating the reduced duties referred to in Article 1 shall be those of the General Tariff of Cyprus effectively applied at any given time *vis-à-vis* third countries. The reduced duties shall be applied by rounding to the first decimal point.

2. In the event of the introduction or modification of customs duties in the Customs Tariff of Cyprus, or of taxes having equivalent effect, the reduction percentages granted to the Community pursuant to Article 1 shall remain unchanged.

Article 5

1. Without prejudice to the right of the Republic of Cyprus to modify the duties in its customs tariff and the taxes having equivalent effect, and notwithstanding Articles 1 and 4, and to the extent that protective measures prove necessary to meet the requirements of its industrialisation and development, the Republic of Cyprus may re-introduce, increase, or establish customs duties. Such customs duties may not exceed a level of 20 % *ad valorem*, and in certain special and exceptional cases, of 25 % *ad valorem*. Such measures may only be applied to a maximum volume of 10 % of the total value of the imports of Cyprus from the Community during 1971.

2. Such measures may not be taken unless they are necessary to protect, and to further the development of, any new processing industry not existing in Cyprus at the time of entry into force of the Agreement; they shall only be applicable in respect of a specific form of production.

3. Twelve months after the reintroduction, increase or establishment of such customs duties, the Republic of Cyprus shall proceed to an annual tariff reduction of 10 % with regard to imports originating in the Community.

4. The measures referred to in paragraph 1 shall be taken after consultations within the Association Council. Such consultations shall take place at the earliest possible opportunity.

Article 6

The Republic of Cyprus shall refrain from introducing new quantitative restrictions and charges having equivalent effect on the importation of products originating in the Community.

This provision shall not affect the regulations applicable to the importation of petroleum products.

The treatment applied to the Community as regards quantitative restrictions shall be at least as favourable as that applied to the most favoured country.

Article 7

1. In respect of products referred to in this Annex other than those falling under Annex II of the Treaty establishing the European Economic Community, the Republic of Cyprus reserves the right, particularly for the purpose of avoiding certain distortions of competition or the replacement of trade, to amend the system provided for in this Annex, in the event of specific regulations being laid down as a consequence of the implementation of its agricultural policy.

In adopting such regulations or amending this system, the Republic of Cyprus shall take the interests of the Community into account.

2. In respect of products referred to in this Annex falling under Annex II of the Treaty establishing the European Economic Community, the Republic of Cyprus reserves the right, in the event of the adoption of regulations, to amend the system provided for in this Annex.

In adopting such regulations or amending this system, the Republic of Cyprus shall take the interests of the Community into account.

3. In respect of products referred to in this Annex falling under Annex II of the Treaty establishing the European Economic Community, the Republic of Cyprus reserves the right, in the event of the amendment of its regulations, to amend the treatment provided for in this Annex.

In amending this system, the Republic of Cyprus shall confer on imports originating in the Community a benefit comparable with that provided for in this Annex.

4. Consultations may take place within the Association Council with a view to implementing this Article.

LIST A

relating to Article 3 (1)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked:	
10	Bacon	4
	Ham and other pigmeat:	
29	Other	4
04.02	Milk and cream, preserved, concentrated or sweetened:	
	In liquid or semi-solid form:	
11	Cream	4
04.04	Cheese and curd	4 (*)
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:	
	In the shell:	
19	Other	4 (*)
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:	
	Coffee and coffee substitutes containing coffee:	
19	Other	8
09.10	Thyme, saffron and bay leaves; other spices	2
16.01	Sausages and the like, of meat, meat offal or animal blood	4 (*)
17.01	Beet sugar and cane sugar, solid	220 mils per 40 okes
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:	
10	Syrups (beet and cane sugar), edible	8
	Other, containing the following percentages by weight of total sugar expressed as sucrose:	
91	90 % or over	220 mils per 40 okes
92	70 % or over, but less than 90 %	220 mils per 40 okes
17.04	Sugar confectionery, not containing cocoa:	
10	Halva	4 (*)
90	Other	10

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	10
18.06	Chocolate and other food preparations containing cocoa:	
	Chocolate powder; cocoa powder sweetened:	
20	Cocoa paste, sweetened, in bulk or blocks	6
90	Other	10
19.02	Preparations of flour, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa:	
99	Other	8
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products):	
90	Other	8
19.08	Pastry, biscuits, cakes and other fine bakers' wares whether or not containing cocoa in any proportion:	
10	Biscuits and cakes	8 (*)
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard:	
	Vegetables (excluding olives and capers), in airtight containers, as follows:	
11	Peas, artichokes, carrots, beans, gherkins, cucumbers, spinach, cauliflower, onions, marrows, beetroot and tomatoes	8
19	Other	4
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:	
50	Peas, artichokes, carrots, beans, gherkins, cucumbers, spinach, cauliflower, onions, marrows, beetroot, and tomatoes, in airtight containers	8
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:	
10	Groundnuts and other edible nuts, salted or otherwise processed	8
21.02	Extracts, essences or concentrates, of coffee, tea or mate; preparations with a basis of those extracts, essences or concentrates:	
10	Extracts, essences or concentrates, of coffee and preparations with a basis of those extracts, essences or concentrates	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
21.04	Sauces; mixed condiments and mixed seasonings:	
10	Tomato sauces and ketchup flavoured salts	8
90	Other	4
21.05	Soups and broths, in liquid, solid or powder form:	
99	Other	6
21.07	Food preparations not elsewhere specified or included:	
10	Saccharin tablets (consisting of saccharin in an excipient), and similar sweetening substances	£ 0.260 mils per oke
20	Ice cream, ice cream powder and other preparations suitable for the manufacture of ice cream	4 (*)
30	Table jellies	6
	Other:	
99	Other	4
22.01	Waters, including spa waters and aerated waters; ice and snow:	
10	Waters, including spa waters and aerated waters	4
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	4
22.03	Beer made from malt	120 mils per gallon
22.04	Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol	100 mils per gallon
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:	
10	Sparkling wine	250 mils per gallon
90	Other	225 mils per gallon
22.06	Vermouths and other wines of fresh grapes, flavoured with aromatic extracts	225 mils per gallon
22.07	Other fermented beverages (for example, cider perry and mead)	110 mils per gallon
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 140° proof or higher; denatured spirits (including ethylalcohol and neutral spirits) of any strength	£ 1 000 mils per gallon

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages, compound alcoholic preparations (known as 'concentrated extracts' for the manufacture of beverages:	
10	In bottle, of a strength not exceeding 80 % of proof spirit	£ 1 000 mils per gallon
90	Other	£ 1 000 mils per proof gallon
22.10	Vinegar and substitutes of vinegar	8
24.01	Unmanufactured tobacco; tobacco refuse:	
10	Oriental type (Turkish, Greek and similar types)	50 mils per oke
90	Other	50 mils per oke
24.02	Manufactured tobacco; tobacco extracts and essences:	
10	Cigars and cheroots, including the weight of bands and tubes	250 mils per oke
20	Cigarettes, including the weight of cigarette paper, mouth pieces and filters	250 mils per oke or 250 mils per 1 000 cigs
	Other:	
91	Tobacco essences, tobacco extracts and tobacco sauce	8
92	Hookah tobacco ('tumbeki'); snuff	100 mils per oke
99	Other, including pipe and chewing tobacco	150 mils per oke
25.01	Common salt (including rock salt, sea salt and table salt); pure sodium chloride; salt liquors; sea water:	
90	Other	10 (*)
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:	
	Lubricating oils and greases:	
41	Oils	1
	Other:	
91	Brake liquids, hydraulic	4
99	Other	1

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments in linseed oil, white spirit, spirits of turpentine, varnish or other paint or enamel media, stamping foils; dyes in forms or packings of a kind sold by retail:	
10	Distempers	4
90	Other	1
32.12	Glaziers' putty; grafting putty; painters' fillings, and stopping, sealing and similar mastics, including resin mastics and cements	1
33.06	Perfumery, cosmetics and toilet preparations:	
90	Other	40
34.01	Soap, including medicated soap:	
90	Other	8
34.02	Organic surface-active agents; surface-active preparations and washing preparations, whether or not containing soap:	
10	Surface-active preparations and washing preparations whether or not containing soap	8
34.05	Polishes and creams, for footwear, furniture or floors, metal polishes, scouring powders and similar preparations, but excluding prepared waxes falling within heading No 34.04	8
34.06	Candles, tapers, night-lights and the like:	
10	Candles of all types	4
36.01	Propellent powders:	
90	Other	15
36.04	Percussion and detonating caps; igniters; detonators:	
10	Percussion caps	15
36.05	Pyrotechnic articles (for example, fireworks, railway fog signals amorces, rain rockets):	
10	Fireworks	8
36.06	Matches (excluding Bengal matches):	
10	In boxes exceeding 50 but not exceeding 65 matches in each box	190 mils per gross boxes
90	Other	20 mils per 1 000 matches

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth:	
90	Other	10
37.02	Film in rolls, sensitized, unexposed, perforated or not:	
90	Other (including media prepared for recording)	10
37.03	Sensitized paper, paperboard and cloth, unexposed or exposed but not developed:	
90	Other	10
37.06	Cinematograph film exposed and developed, consisting only of sound track, negative or positive:	
10	Of over 16 mm width	165 mils per 100 feet or part thereof
37.07	Other cinematograph film exposed and developed, whether or not incorporating sound track, negative or positive:	
10	Of over 16 mm width	165 mils per 100 feet or part thereof
39.07	Articles of materials of the kinds described in headings Nos 39.01 to 39.06:	
11	Lavatory seats and covers, baths and chamber pots	8
92	Sanitary fixtures and fittings:	
	Lavatory seats and covers, baths and chamber pots	8
93	Other articles:	
	Beads, imitation pearls, imitation precious stones and other articles of personal adornment	8
96	Decorative articles for domestic use; jewel boxes, bombonieres, lipstick holders, and similar articles:	
	Other articles for domestic use	8
42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling bags, rucksacks), shopping bags, handbags, satchels, brief-cases, wallets, purses, toilet cases, tool-cases, tobacco pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric:	
29	Other	8
90	Other articles	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
42.03	Articles of apparel and clothing accessories, of leather or of composition leather:	
10	Coats and other clothing	9
	Clothing accessories:	
21	Gloves and mittens	9
22	Ties and cravats	9 (*)
90	Other	9
42.05	Other articles of leather or of composition leather:	
10	Fancy goods	8
90	Other	8
44.13	Wood (including blocks, strips and friezes for parquet or wood block flooring, not assembled) planed, tongued, grooved, rebated, chamfered, V-jointed, centre V-jointed, beaded, centre beaded or the like, but not further manufactured:	
10	Blocks, strips and friezes for parquet or wood block flooring, not assembled	8 (*)
44.15	Plywood, blockboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry:	
10	Strips, parquet	8 (*)
44.23	Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels):	
20	Assembled parquet flooring panels	8 (*)
90	Other	8
46.03	Basketwork, wickerwork and other articles of plaiting materials, made directly to shape; articles made up from goods falling within heading No 46.01 or 46.02; articles of loofah:	
20	Shopping bags, travelling bags, travelling cases and similar articles	8
48.16	Boxes, bags and other packing containers, of paper or paperboard:	
20	Cigarette packets	8
48.18	Registers, exercise books, note books, memorandum blocks, other books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard	8
48.19	Paper or paperboard labels, whether or not printed or gummed:	
90	Other	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
49.07	Unused postage, revenue and similar stamps of current or new issue in the country to which they are destined; stamp-impressed paper; bank notes, stock, share and bond certificates and similar documents of title; cheque books:	
90	Other	8
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process with or without trimmings	8
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	8
49.11	Other printed matter, including printed pictures and photographs:	
90	Other	8
55.08	Terry towelling and similar terry fabrics, of cotton:	
90	Other	8 (*)
58.02	Other carpets, carpeting, rugs, mats and matting, and 'kelem', 'Schumaks' and 'Keramnie' rugs and the like (made up or not):	
10	Bath-mats	8
58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs:	
20	Other mechanically made lace, and all handmade lace in the piece, in strips or in motifs	8
58.10	Embroidery, in the piece, in strips or in motifs:	
90	Other	8
60.01	Knitted or crocheted fabric, not elastic or rubberized:	
90	Other	10
60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized:	
20	Stockings (except children's) containing not less than 75 % by weight of silk or man-made fibre, finished or unfinished	9 (*)
30	Socks (except children's) containing not less than 75 % by weight of wool, silk or man-made fibre, finished or unfinished	9 (*)
40	Other stockings and socks (except children's); children's stockings and socks containing not less than 75 % by weight of wool; silk or man-made fibre	9 (*)
90	Other	9 (*)

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
60.04	Undergarments, knitted or crocheted, not elastic or rubberized:	
10	Shirts and pyjamas Other:	9 (*)
91	Children's wear	9 (*)
92	Other containing not less than 75 % by weight of silk or man-made fibre	9 (*)
99	Other	9 (*)
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized:	
10	Jumpers, sweaters, cardigans, pullovers and blouses Dressing gowns, robes (lounging and bath) bed jackets, negligés and similar indoor wear; swimwear:	9 (*)
21	Children's	9 (*)
22	Other containing not less than 75 % by weight of silk or man-made fibre	9 (*)
29	Other	9 (*)
90	Other	9
60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings):	
30	Gloves, mittens and mitts; clothing, outer	9
90	Other	9
61.01	Men's and boys' outer garments:	
11	Children's	9 (*)
12	Other, containing not less than 75 % by weight of silk or man-made fibre	9 (*)
19	Other	9
20	Coats, jackets, slacks, suits, trousers, blazers and jumpers	9 (*)
90	Other	9
61.02	Women's, girls' and infants' outer garments: dressing gowns, bath robes, negligés, bed jackets and similar indoor wear; swimwear:	
11	Children's	9 (*)
12	Other, containing not less than 75 % by weight of silk or man-made fibre	9 (*)
19	Other	9
20	Coats, jackets, slacks, suits, dresses, trousers, blazers and jumpers	9 (*)
90	Other	9

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
61.03 10	Men's and boys' under garments, including collars, shirt fronts and cuffs: Shirts and pyjamas	9 (*)
61.04 10	Women's, girls' and infants' under garments: Shirts and pyjamas	9 (*)
61.05	Handkerchiefs	9
61.06 10 90	Shawls, scarves, mufflers, mantillas, veils and the like: Headcloths Other	9 (*) 9
61.07	Ties, bow ties and cravats	9 (*)
61.09 10 90	Corsets, corset-belts, suspender belts, brassieres, braces suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic: Brassieres Other	9 (*) 9
62.01 90	Travelling rugs and blankets: Other	8
62.02 11 12 13	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: Bed, table, toilet and kitchen linen: Made directly of lace without cutting or sewing Embroidered Hand, face and bath towels, tablecloths, table and kitchen towels and napkins	8 8 8 (*)
62.05 10	Other made up textile articles (including dress patterns): Watch straps; boot, shoe, corset, etc., laces with fitted ends	9
64.01 91 99	Footwear with outer soles and uppers of rubber or artificial plastic material: Children's (French sizes 18—33½) Other	10 (*) 10 (*)

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material:	
	Slippers and house footwear other than with uppers of rubber:	
11	Children's (French sizes 18—33½)	5 (*)
19	Other	5 (*)
	Other footwear with uppers wholly or mainly of leather:	
22	Men's (French sizes 38—47) except miners' footwear of subheading No 64.02.21	5 (*)
23	Women's (French sizes 34—42) except miners' footwear of subheading No 64.02.21	5 (*)
24	Boys' and girls' (French sizes 34—38½)	5 (*)
29	Children's (French sizes 18—33½)	5 (*)
	Other with uppers wholly or mainly of textile material:	
31	Children's (French sizes 18—33½)	5 (*)
39	Other	5 (*)
	Other:	
91	Children's (French sizes 18—33½)	10 (*)
99	Other	10 (*)
64.03	Footwear with outer soles of wood or cork:	
	Slippers and house footwear, other than with uppers of rubber:	
11	Children's (French sizes 18—33½)	5 (*)
19	Other	5 (*)
	Other footwear with uppers wholly or mainly of leather:	
22	Men's (French sizes 38—47), except miners' footwear of subheading No 64.03.21	5 (*)
23	Women's (French sizes 34—42), except miners' footwear of subheading No 64.03.21	5 (*)
24	Boys' and girls' (French sizes 34—38½)	5 (*)
29	Children's (French sizes 18—33½)	5 (*)
	Other with uppers wholly of textile material:	
31	Children's (French sizes 18—33½)	5 (*)
39	Other	5 (*)
	Other:	
91	Children's (French sizes 18—33½)	10 (*)
99	Other	10 (*)

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
64.04	Footwear with outer soles of other materials:	
	Slippers and house footwear, other than with uppers of rubber:	
11	Children's (French sizes 18—33½)	5 (*)
19	Other	5 (*)
	Other footwear with uppers wholly or mainly of leather:	
22	Men's (French sizes 38—47), except miners' footwear of subheading No 64.04.21	5 (*)
23	Women's (French sizes 34—42), except miners' footwear of subheading No 64.04.21	5 (*)
24	Boys' and girls' (French sizes 34—38½)	5 (*)
29	Children's (French sizes 18—33½)	5 (*)
	Other, with uppers wholly or mainly of textile material:	
31	Children's (French sizes 18—33½)	5 (*)
39	Other	5 (*)
	Other:	
91	Children's (French sizes 18—33½)	10 (*)
99	Other	10 (*)
64.05	Parts of footwear (including uppers, in-soles and screw-on heels) of any material except metal:	
10	Heels and soles of natural leather	8
20	Prepared parts of footwear (excluding heels of all materials and soles of natural leather)	8
65.04	Hats and other headgear, plaited or made from plaited or other strips of any material, whether or not lined or trimmed	9
65.05	Hats and other headgear (including hair nets) knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed	9
65.06	Other headgear, whether or not lined or trimmed:	
90	Other	9
68.02	Worked monumental or building stone, and articles thereof (including mosaic cubes), other than goods falling within heading No 68.01 or within chapter 69:	
10	Worked monumental or building stone, including tombstones and marble; sanitary articles	8
20	Articles of furniture	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
69.12	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery:	
91	Other: Of ordinary baked clay	8
69.13	Statuettes and other ornaments, and articles of personal adornment; articles of furniture:	
10	Decorative plates, pots, urns and vases, statues and statuettes, cigarette cases and similar decorative articles, other than of ordinary baked clay	8
69.14	Other articles:	
10	Of ordinary baked clay	8
70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar use:	
90	Other	8
71.12	Articles of jewellery and parts thereof, of precious metal or rolled precious metal	8
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12:	
10	Silver tableware not incorporating precious or semi-precious stones	8
90	Other	8
71.14	Other articles of precious metal or rolled precious metal	8
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	8
71.16	Imitation jewellery	8
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits:	
92	Black welded of an internal diameter of 1/2 to 1 inch	8 (*)
93	Galvanized welded of an internal diameter of 1/2 to 1 inch	8 (*)
73.27	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire:	
20	Wire fencing, wire netting	8
73.38	Articles of a kind commonly used for domestic purposes, builders' sanitary ware for indoor use, and parts of such articles and ware, of iron or steel:	
	Domestic articles and parts thereof:	
12	Buckets	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
76.15	Articles of a kind commonly used for domestic purposes, builders' sanitary ware for indoor use, and parts of such articles and ware of aluminium:	
12	Household utensils, as follows: Buckets	8
83.03	Safes, strong-boxes, armoured or reinforced strong-rooms, strong-room linings and strong-room doors, and cash and deed boxes and the like, of base metals	8
83.13	Stoppers, crown corks, bottled caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal:	
10	Crown corks: bottle stoppers	8 (*)
84.15	Refrigerators and refrigerating equipment (electric and other):	
90	Domestic refrigerators	8
84.40	Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor coverings for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor:	
90	Domestic washing machines	8
85.04	Electric accumulators:	
10	Other than traction type, for motor vehicles	8
85.06	Electromechanical domestic appliances, with self-contained electric motor	8
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers:	
90	Other	8
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio-navigational apparatus, radar apparatus and radio remote control apparatus:	
90	Other, including parts for television broadcast receivers	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example switches, relays, fuses, lighting arresters, surge suppressors, plugs, lampholders, terminals, terminal strips and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; switch boards (other than telephone switchboards) and control panels:	
	Apparatus for making connections to or in electrical circuit resistors:	
91	For radio and television receivers	8
85.21	Thermionic, cold-cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted transistors and similar mounted devices incorporating semi-conductors; mounted piezo electric crystals:	
90	Other	8
87.02	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles other than those of heading No 87.09):	
	Passenger motor cars not including public service type vehicles:	
19	Other	15
90.02	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked:	
20	For projectors (image and visual beam)	10
	For photographic and cinematographic apparatus and appliances:	
39	Other	10,
90.07	Photographic cameras; photographic flashlight apparatus	10
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles:	
90	Other	10
90.09	Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers:	
90	Other	10
90.10	Apparatus and equipment of a kind used in photographic or cinematographic laboratories, not falling within any other heading in this chapter; photo-copying apparatus (contact type); spools or reels, for films, screens for projectors:	
90	Other	10

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
90.14	Surveying (including photogrammetrical surveying), hydrographic, navigational, meteorological, hydrological and geophysical instruments; compasses; range finders: /	
10	Range finders, photographic	10
90.25	Instruments and apparatus for physical or chemical analysis (such as polarimeters, refractometers, spectrometers, gas analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like (such as viscometers, porosimeters, expansion meters); instruments and apparatus for measuring or checking quantities of heat, light or sound (such as photometers — including exposure meters, — calorimeters); microtomes:	
20	Photographic and cinematographic exposure meters	10
91.01	Pocket-watches, wrist-watches and other watches, including stop-watches	8
91.02	Clocks with watch movements (excluding clocks of heading No 91.03)	8
91.03	Instrument panel clocks and clocks of a similar type, for vehicles, aircraft or vessels	8
91.04	Other clocks	8
91.05	Time of day recording apparatus; apparatus with clock or watch movement (including secondary movement) or with synchronous motor, for measuring, recording or otherwise indicating intervals of time:	
90	Other	8
91.07	Watch movements (including stop-watch movements), assembled	8
91.08	Clock movements, assembled	8
91.09	Watch cases and parts of watch cases, including blanks thereof	8
91.10	Clock cases and cases of similar type for other goods of this Chapter and parts thereof	8
91.11	Other clock and watch parts	8
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic:	
90	Other	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording:	
90	Other	8
92.13	Other parts and accessories or apparatus falling within heading No 92.13:	
90	Other	8
93.04	Other firearms, including very light pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like:	
20	Shotguns	8 (*)
93.07	Bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war, and parts thereof; ammunition and parts thereof, including cartridge wads; lead shot prepared for sporting ammunition:	
10	Sporting ammunition	15
94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof:	
	Other:	
91	Of wood	8
99	Other	8
94.03	Other furniture and parts thereof:	
	Other:	
91	Of wood	8
99	Other	8
94.04	Mattress supports; articles of bedding or similar furnishing fitted with springs or stuffed or internally fitted with any material or of expanded, foam or sponge rubber or expanded, foam or sponge artificial plastic material, whether or not covered (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows):	
90	Other	8
96.01	Brooms and brushes, consisting of twigs or other vegetable materials merely bound together and not mounted in a head (for example, besoms and whisks), with or without handles:	
10	Brooms wholly or partly made from broom-corn; brushes, sweeping, wholly or partly made of vegetable fibres	8
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers, squeegees (other than roller squeegees) and mops:	
20	Mops and mop heads	8

List A (Cont'd)

Cyprus Tariff heading (BNT)	Description of goods	Reduction of the General Tariff expressed in number of points
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles and pedal motor-cars); dolls' prams and dolls' push chairs	8
97.02	Dolls	8
97.03	Other toys, working models of a kind used for recreational purposes	8
97.04	Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites):	
10	Playing cards	£ 0.025 mils per pack
90	Other	8
98.01	Buttons and button moulds, studs, cuff-links and press-fasteners, including snap-fasteners and press-studs; blanks and parts of such articles:	
90	Other	8
98.02	Slide fasteners and parts thereof:	
90	Other	8 (*)
98.03	Fountain pens, stylograph pens and pencils (including ballpoint pens and pencils) and other pens, pen-holders, pencil holders and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No 98.04 or 98.05:	
10	Of precious metals	8

Note: 1 oke = 2.80 lbs.

(*) For the following headings, the reduction in the specific duty shall not in each case exceed:

04.04:	10 mils per oke	62.02.13:	100 mils per oke
04.05.19:	5 mils per dozen	64.01.91:	10 mils per pair
16.01:	15 mils per oke	64.01.99:	15 mils per pair
17.04.10:	15 mils per oke	64.02.11:	20 mils per pair
19.08.10:	10 mils per oke	64.02.19:	30 mils per pair
21.07.20:	10 mils per oke	64.02.22:	100 mils per pair
25.01.90:	240 mils per 40 okes	64.02.23:	100 mils per pair
42.03.22:	250 mils per dozen	64.02.24:	50 mils per pair
44.13.10:	15 mils per square foot	64.02.29:	30 mils per pair
44.15.10:	15 mils per square foot	64.02.31:	10 mils per pair
44.23.20:	15 mils per square foot	64.02.39:	15 mils per pair
55.08.90:	100 mils per oke	64.02.91:	10 mils per pair
60.03.20:	250 mils per dozen pairs	64.02.99:	15 mils per pair
60.03.30:	120 mils per dozen pairs	64.03.11:	20 mils per pair
60.03.40:	120 mils per dozen pairs	64.03.19:	30 mils per pair
60.03.90:	120 mils per dozen pairs	64.03.22:	100 mils per pair
60.04.10:	180 mils per oke	64.03.23:	100 mils per pair
60.04.91:	180 mils per oke	64.03.24:	50 mils per pair
60.04.92:	240 mils per dozen or 180 mils per oke	64.03.29:	30 mils per pair
60.04.99:	180 mils per oke	64.03.31:	10 mils per pair
60.05.10:	250 mils per oke	64.03.39:	15 mils per pair
60.05.21:	180 mils per oke	64.03.91:	10 mils per pair
60.05.22:	240 mils per dozen or 180 mils per oke	64.03.99:	15 mils per pair
60.05.29:	180 mils per oke	64.04.11:	20 mils per pair
61.01.11:	180 mils per oke	64.04.19:	30 mils per pair
61.01.12:	240 mils per dozen or 180 mils per oke	64.04.22:	100 mils per pair
61.01.20:	250 mils per oke	64.04.23:	100 mils per pair
61.02.11:	180 mils per oke	64.04.24:	50 mils per pair
61.02.12:	240 mils per dozen or 180 mils per oke	64.04.29:	30 mils per pair
61.02.20:	250 mils per oke	64.04.31:	10 mils per pair
61.03.10:	180 mils per oke	64.04.39:	15 mils per pair
61.04.10:	180 mils per oke	64.04.91:	10 mils per pair
61.06.10:	250 mils per dozen	64.04.99:	15 mils per pair
61.07:	250 mils per dozen	73.18.92:	4 mils per oke
61.09.10:	100 mils per dozen	73.18.93:	4 mils per oke
		83.13.10:	6 mils per gross
		93.04.20:	3 000 mils each
		98.02.90:	5 mils per yard

LIST B
relating to paragraph 2 of Article 3

Cyprus Tariff heading	Description of goods
01.05.10	Day-old chicks
03.01.10	Fry fish ('marida') during the period from October to March, both inclusive
07.01.90	Other
07.02	Vegetables (whether or not cooked), preserved by freezing
07.03.90	Other
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared
08.01.10	Bananas, fresh
08.01.20	Coconuts, Brazil nuts, cashew nuts, fresh or dried
08.01.90	Other dried fruit
08.03.90	Dried figs
08.04.90	Dried grapes
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05
11.01.11	Plain flour with no added substance, in containers of not less than 20 okes gross weight
11.01.19	Other
11.01.90	Other
11.02.10	Groats and meal of wheat or of meslin
11.02.20	Cereal, groats and meal, other
11.03	FLOURS OF THE LEGUMINOUS VEGETABLES FALLING WITHIN HEADING NO 07.05
12.01.10	Groundnuts (peanuts)
12.01.20	Sesame seed
12.02.10	Groundnut meal
13.02.10	Mastic gum or resin
15.02	Unrendered fats of bovine cattle, sheep or goats; tallow (including 'premier jus') produced from those fats
15.03	Lard stearin, eleostearin and tallow stearin, lard oil, oleo-poil and tallow oil, not emulsified or mixed or prepared in any way
15.04	Fats and oils, of fish and marine mammals, whether or not refined
15.05	Wool grease and fatty substances derived therefrom (including lanolin)
15.06	Other animal oils and fats (including meat's-foot oil and fats from bones or waste)
15.07.19	Other
15.07.99	Other
15.09	Degras

List B (Cont'd)

Cyprus Tariff heading	Description of goods
15.13.10	Margarine
16.02.90	Other
18.05.10	In retail packages
18.06.11	In retail packages
19.03	Macaroni, spaghetti and similar products
20.01.20	Vegetables (excluding olives and capers), not in airtight containers
20.02.29	Other
20.02.99	Other
20.07.11	Without added sugar, in containers other than for retail sale
21.07.49	Other, preserved by freezing
27.07.10	Benzole, xylene, and solvent naphtha
27.09.90	Other
27.10.10	Petroleum partly refined, including topped crudes
27.10.21	Aviation spirit
27.10.29	Other
29.01.10	Benzene, xylene (mixed isomers); pentanes, hexanes, heptanes, octanes, octadecanes
29.16.10	Citric acid
35.05.20	Laundry starch in retail packages
35.05.90	Other
37.05.10	Film and slides
38.09.10	Wood tar and wood creosote
38.10.20	Wood and vegetable pitch
38.11.11	In liquid form or in self-sprayers (aerosols)
38.11.19	Other
44.03.20	Pit-props
44.04.10	Pit-props and other mine timber
44.07	Railway or tramway sleepers of wood
44.22.20	Barrels of a capacity not exceeding ten okes
44.25.20	Boot and shoe lasts
48.07.92	Packing and wrapping paper, including wrapping tissue, lithographed, illustrated or otherwise printed, other than impregnated or coated
48.16.10	Two-ply (or more) paper bags of an area not less than 1.5 ft ²
73.18.23	Black, welded, of an internal diameter of one to four inches (both inclusive)
73.18.24	Galvanized welded of an internal diameter of one to four inches (both inclusive)

List B (Cont'd)

Cyprus Tariff heading	Description of goods
73.23.11	$307 \times 408 \left(3 \frac{7}{16} \times 4 \frac{8}{16} \text{ inches} \right)$
73.23.19	$401 \times 411 \left(4 \frac{1}{16} \times 4 \frac{11}{16} \text{ inches} \right)$
73.31.10	Wire nails
73.36.10	Space gas heaters
73.36.20	Stoves for bath-geysers
73.36.90	Other
73.39.10	Iron or steel wool
74.14.10	Wire nails
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper
75.06.50	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof
75.06.91	Wire nails
76.02.10	Bars, rods, angles, shapes and sections, polished or anodized
76.15.20	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof
76.16.21	Wire nails
84.17.90	Instantaneous or storage water heaters, non-electrical
84.56.10	Concrete mixers of a capacity 10 ft ³ or less
85.12.20	Space heaters
85.12.30	Stoves, ovens, grills, grates, ranges and the like; other water heaters

PROTOCOL

concerning the definition of the concept of 'originating' products and methods of administrative cooperation

TITLE I

Definition of the concept of 'originating' products

Article 1

For the purpose of implementing the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, the following products shall be considered as:

1. products originating in the Community, provided that they have been transported to Cyprus directly, within the meaning of Article 5:
 - (a) products wholly obtained in the Member States;
 - (b) products obtained in the Member States, in the manufacture of which products other than those referred to in (a) above are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in Cyprus;
 2. products originating in Cyprus, provided that they have been transported to the importing Member State directly, within the meaning of Article 5:
 - (a) products wholly obtained in Cyprus;
 - (b) products obtained in Cyprus, in the manufacture of which products other than those referred to in (a) above are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in the Community.
- The products listed in List C shall be temporarily excluded from the scope of this Protocol.

Article 2

The following shall be considered as wholly obtained either in the Member States or in Cyprus, within the meaning of Article 1, 1 (a) and 2 (a):

- (a) mineral products extracted from their soil or from their sea or ocean bed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals;
- (e) products from hunting and fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from products specified in (a) to (i).

Article 3

For the purpose of implementing Article 1, 1 (b) and 2 (b), the following shall be considered as sufficient working or processing:

- (a) working or processing as a result of which the goods obtained receive a classification under a tariff heading other than that covering each of the products worked or processed, except, however, working or processing appearing in List A, where the special provisions of that list apply;
- (b) working or processing appearing in List B.

'Tariff headings' shall mean the headings in the Brussels Nomenclature for the Classification of Goods in Customs Tariffs.

Article 4

Where the Lists A and B referred to in Article 3 provide that the goods obtained in a Member State or in Cyprus shall be considered as originating there

only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the value to be taken into consideration for determining such percentage shall be:

— on the one hand:

as regards products whose importation can be proved: their customs value at the time of importation;

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the State where manufacture takes place;

— on the other hand:

the ex-factory price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

The following shall be considered as transported directly from the exporting Member State to Cyprus or from Cyprus to the importing Member State:

- (a) goods transported without passing through territory other than that of Contracting Parties;
- (b) goods transported through territories other than those of Contracting Parties, or transhipped in such territories, if the passage in such territories or the transhipment is covered by a single transport document drawn up in a Member State or in the Republic of Cyprus.

Transhipments carried out in the ports of territories other than those of Contracting Parties shall not be considered as interrupting direct transport if such transhipments are caused by *force majeure* or are the result of events at sea.

TITLE II

Methods of administrative cooperation

Article 6

'Originating' products within the meaning of this Protocol shall, in the importing Member State or in Cyprus, benefit from the provisions of the

Agreement, upon submission of an A.CY.1 movement certificate issued by the customs authorities of the Republic of Cyprus or the customs authorities of the exporting Member State.

However, products sent by post (including parcels) shall, provided that the consignments contain only 'originating' products and that the value does not exceed one thousand units of account per consignment, benefit from the provisions of the Agreement in the Member State or in Cyprus, on the presentation of form A.CY.2, subject to each parcel bearing the label contained in Part 2 of this form.

Article 7

Movement certificate A.CY.1 shall be issued only on application being made in writing by the exporter, on the form prescribed for this purpose.

Article 8

The A.CY.1 movement certificate shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporters as soon as actual exportation has been effected or ensured.

In exceptional circumstances, an A.CY.1 movement certificate may also be issued after the exportation of the goods to which it refers, if it was not submitted at the time of such exportation because of errors or involuntary omissions or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was issued.

An A.CY.1 movement certificate may be issued only where it can serve as documentary evidence for the purpose of implementing the preferential treatment provided for in the Agreement.

Article 9

Movement certificates A.CY.1 must be submitted, within four months from the date of issue by the customs authorities of the exporting Member State, to the customs authorities of the importing Member State where the goods are delivered.

Article 10

Movement certificates A.CY.1 must be made out on a form of which a specimen appears in Annex V. They shall be drawn up in one of the languages in which the Agreement is drawn up, in accordance with the provisions of the national law of the exporting State. They shall be typewritten or hand-written; in the latter case, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm. The paper used must be white sized writing paper not containing mechanical pulp and weighing not less than 64 g/m² or between 25 and 30 g/m² if airmail paper is used. It shall have a green machine-turned background making any falsification by chemical or mechanical means apparent to the eye.

On the front of each certificate, a diagonal pattern of three blue stripes, each 3 mm wide, shall run from the bottom left hand corner to the top right hand corner.

Each certificate shall contain a serial number by which it can be identified.

The Member States and the Republic of Cyprus may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each form must carry reference to such approval. Each form must bear the name and address of the printer or a sign by which the printer can be identified.

Article 11

In the importing State, A.CY.1 movement certificates shall be submitted to the customs authorities, in accordance with the provisions made in the laws and regulations of that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 12

Form A.CY.2, of which a specimen appears in Annex VI, shall be completed by the exporter. It shall be drawn up in one of the languages in which the Agreement is drawn up and in accordance with the provisions of the national law of the exporting State. It shall be typewritten or hand written; in the latter case it shall be completed in ink and in capital letters.

Form A.CY.2 is composed of two parts, each part being 210 mm × 148 mm. The paper used shall be white sized writing paper not containing mechanical pulp and weighing not less than 64 g/m². On the front of Part 1 and the label contained in Part 2, a diagonal pattern of three blue stripes, each 3 mm wide, shall run from the bottom left-hand corner to the top right-hand corner.

Form A.CY.2 may be perforated mechanically so that the two parts may be separated and the portion of the form to be affixed on the consignment can be detached. The back of this portion may be adhesive.

The Member States and the Republic of Cyprus may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form must carry a reference to such approval. Each form must bear the name and address of the printer or a sign by which the printer can be identified. Each part shall also bear a serial number by which it can be identified.

Article 13

For each postal consignment, an A.CY.2 form shall be completed. After completing and signing the two parts of the form, the exporter shall insert his declaration (Part 1) in the consignment and stick the label from Part 2 on the outer packing of the consignment.

These provisions do not dispense exporters from complying with any formalities required by customs or postal regulations.

Article 14

Unless they suspect some irregularity, the customs authorities of the Member State or of the Republic of Cyprus shall admit as benefiting from the provisions of the Agreement any goods contained in a consignment bearing an A.CY.2 label.

For the purpose of a random check or in a case of doubt as to regularity, the customs authorities of a Member State or of the Republic of Cyprus may ask for a verification by the customs authorities of the Republic of Cyprus or the Member State, forwarding, for this purpose, Part 1 of the A.CY.2 form contained in the consignment, and may suspend, while waiting for the result of such examination, the application of the Agreement. In such cases, the goods may be released to the importer, subject to such safeguards as may be considered necessary.

Article 15

1. Member States and the Republic of Cyprus shall admit as 'originating' products benefiting from the provisions of the Agreement, without requiring the production of an A.CY.1 movement certificate or the completion of an A.CY.2 form, goods sent as small packages to private persons or forming part of passengers' personal luggage, in so far as such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of this Agreement, and where there is no doubt as to the veracity of such declaration.

2. Importations which are occasional and consist solely of goods for the personal use of the addressee or passenger or his family, it being evident from the nature and quality of the goods that no commercial purpose is in view, shall not be considered as importations by way of trade. Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of passengers' personal luggage.

Article 16

1. Goods sent from a Member State or from Cyprus for exhibition in another country and sold after the exhibition for importation into Cyprus or into a Member State shall benefit on importation into that State from the provisions of the Agreement on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in the exporting country and provided that it is shown to the satisfaction of the customs authorities of the importing State that:

- (a) an exporter has consigned these goods from the territory of a Member State or from Cyprus to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in Cyprus or in a Member State;
- (c) the goods have been consigned during the exhibition or immediately thereafter to Cyprus or to a Member State in the condition in which they were sent for exhibition;
- (d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate A.CY.1 must be produced to the customs authorities of the importing

State in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required from the country where the exhibition was held.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 17

In order to ensure the proper application of this Title, the Member States and the Republic of Cyprus shall assist each other, through their respective customs administrations, for the purpose of checking the authenticity and correctness of A.CY.1 movement certificates and of exporters' declarations made on A.CY.2 forms.

The Association Council shall draw up any recommendations necessary for the application of this Protocol, especially of this Title, so that the methods of administrative cooperation may be applied in due course in the Member States and in the Republic of Cyprus.

TITLE III

Final Provisions

Article 18

The Member States and the Republic of Cyprus shall take all the measures necessary for the A.CY.1 movement certificates to be produced, in accordance with Article 11, as from the date of entry into force of the Agreement.

Article 19

The Republic of Cyprus, the Member States and the Community shall, each to the extent to which they are concerned, take the necessary steps to implement this Protocol.

Article 20

The explanatory notes, Lists A, B and C, the model of the A.CY.1 movement certificate and that of the

A.CY.2 form annexed to this Protocol shall form an integral part of the latter.

Article 21

Goods which conform to the provisions of Title I and which, on the date of entry into force of the Agreement, are either being transported or are being held in a Member State or Cyprus under temporary

warehouse procedure, in bonded warehouses or in free zones, including free ports and free bonded warehouses, may be allowed to benefit from the provisions of the Agreement, subject to the submission — within four months from that date — to the customs authorities of the importing state of an A.CY.1 movement certificate, issued retrospectively by the authorities of the exporting State, and of any documents that provide supporting evidence of direct transport.

ANNEX I

EXPLANATORY NOTES

Note 1 — Article 1

The terms 'in the Member States' or 'in Cyprus' shall also cover territorial waters.

Ships operating on the high seas, including 'factory ships' on which the fish caught is worked or processed, shall be considered as part of the Member State to which they belong or of Cyprus provided that they satisfy the conditions laid down in Explanatory Note 4.

Note 2 — Article 1

In order to determine whether goods originate in a Member State or in Cyprus, it shall not be necessary to establish whether the power and fuel, plant and equipment and machine tools used to obtain such goods originate or not in third countries.

Note 3 — Article 1

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic value of a durable nature apart from its function as packing.

Note 4 — Article 2 (f)

The term 'their vessels' shall apply only to vessels:

- which are registered in a Member State or in the Republic of Cyprus;
- which sail under the flag of a Member State or of the Republic of Cyprus;
- which are owned to an extent of at least 50 % by nationals of Member States or the Republic of Cyprus, or by a company or firm with its head office in one of these States, of which the 'manager' or 'managers', chairman of the board of directors or of the supervisory board, and the majority of the members of such boards are nationals of a Member State or the Republic of Cyprus, and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to States party to the Agreement to public bodies or to nationals of the said States;
- of which the captain and officers are all nationals of the Member States or the Republic of Cyprus;
- of which at least 75 % of the crew are nationals of the Member States or the Republic of Cyprus.

Note 5 — Article 4

'Ex factory price' shall mean the price paid to the manufacturer in whose undertaking sufficient working or processing is carried out. Where such working or processing is carried out successively in two or more undertakings, the price to be taken into account shall be that paid to the last manufacturer.

Note 6 — Article 8

Where an A.CY.1 movement certificate relates to goods originally imported from a Member State or Cyprus and re-exported in the same state, the new certificates issued by the re-exporting State must show in which country the original movement certificate was issued.

Note 7 — Article 13

After completing the A.CY.2 form, the exporter shall insert the words 'A.CY.2', followed by the serial number of the form used, either on the C 1 green label or on the C 2/C P 3 or C 2 M/C P 3 M customs declaration. The invoice concerning the goods contained in the consignment shall also contain the words 'A.CY.2' and the serial number of the form used.

ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
All heading Nos of the Common Customs Tariff	All products	<ol style="list-style-type: none"> 1. Operations intended to prevent deterioration of goods during carriage and storage (ventilation, spreading out, drying, chilling, placing in brine, in sulphur water or in other solutions, removal of damaged parts, and like operations) 2. Simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up 3. (a) Changes of packings, dividing up and assembling of parcels; (b) placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations 4. Affixing of marks, labels and other like distinguishing signs on the products or their packings 5. Simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not satisfy the conditions laid down by the Council Association for acceptance as originating either in the Member States or in the Republic of Cyprus 6. Simple assembly of parts of articles in order to constitute a complete article 7. A combination of two or more operations referred to in items 1 to 6 above 8. Slaughtering of animals 	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of headings Nos 02.01 and 02.04	
03.02	Fish, dried, salted, or in brine; smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine of fish; smoking of fish, whether or not cooked	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of headings Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation, cutting, grinding, powdering of vegetables of headings Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit 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	Placing in brine or in other solutions of fruit of headings Nos 08.01 to 08.09	
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables	
11.04	Flours of the fruits falling within any heading in chapter 8	Manufacture from fruits of chapter 8	
11.05	Flour, meal and flakes of potato	Manufacture from potatoes	
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06	
11.07	Malt, roasted or not	Manufacture from cereals	
11.08	Starches; inulin	Manufacture from cereals of chapter 10, or from potatoes or other products of chapter 7	
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours	
15.01	Lard, other pigfat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05	
15.02	Fats of bovine cattle, sheep or goats unrendered, rendered or solvent-extracted fats (including 'premiers jus') obtained from those unrendered fats	Manufacture from products of headings Nos 02.01 and 02.06	
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of third countries	
15.06	Other animal oils and fats (including neats foot oil and fats from bones or waste)	Manufacture from products of chapter 2	
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood and oiticica oils; myrtle wax and Japan wax; also not including oils for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture from products of chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of chapter 2	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of chapter 3	
17.02	Other sugar; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel	Manufacture from any product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of chapter 17	
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	Manufacture from any product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 or manufacture in which the value of the cocoa in the bean used exceeds 40 % of the value of the manufactured product	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa	Manufacture from cereals and derived products, meat, milk and sugars	
19.03	Macaroni, spaghetti and similar products	Manufacture from any product	
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches	Manufacture from any product	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn-flakes and similar products)	Manufacture from any product	
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
20.03	Fruit preserved by freezing, containing added sugar		Manufacture from 'originating products' of chapters 8 and 17
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)		Manufacture from 'originating products' of chapters 8 and 17
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar		Manufacture from 'originating products' of chapters 8 and 17
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts, including groundnuts, roasted B. Other		Manufacture, without the addition of sugar or spirit, in which the value of the constituent 'originating products' of heading No 08.01, 08.05 or 12.01, represents at least 60 % of the value of the manufactured product Manufacture from 'originating products' of chapters 8, 17 and 22
ex 20.07	Fruit juices (including 'grape must'), whether or not containing added sugar, but unfermented and not containing spirit		Manufacture from 'originating products' of chapters 8 and 17
ex 21.01	Roasted chicory; extracts, essences and concentrates thereof	Manufacture from chicory roots, fresh or dried	
ex 22.06	Vermouths	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex 23.03	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors) of a protein content, calculated on the dry product, exceeding 40 % by weight	Manufacture from maize or maize flour	
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture in which at least 70 % by quantity of the products of heading No 24.01 used are originating products
ex 28.13	Hydrobromic acid	Any manufacture from products of heading No 28.01	
ex 28.19	Zinc oxide	Any manufacture from products of heading No 79.01	
28.27	Lead oxides; red lead and orange lead	Any manufacture from products of heading No 78.01	
ex 28.28	Lithium hydroxide	Any manufacture from products of heading No 28.42	
ex 28.29	Lithium fluoride	Any manufacture from products of heading No 28.28 or 28.42	
ex 28.30	Lithium chloride	Any manufacture from products of heading No 28.28 or 28.42	
ex 28.33	Bromides	Any manufacture from products of heading No 28.01 or 28.13	
ex 28.38	Aluminium sulphate	Any manufacture from products of heading No 28.20	
ex 28.42	Lithium carbonate	Any manufacture from products of heading No 28.28	
ex 29.02	Organic bromides	Any manufacture from products of heading No 28.01 or 28.13	
ex 29.02	Trichlorodi-(chlorophenyl)-ethane		Processing of ethanol into chloral and condensation of chloral with monochlorobenzene

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex 29.35	Pyridine; alphapicoline; betapicoline; gammapicoline		Processing of acetylene into acetaldehyde and processing of acetaldehyde into pyridine or picoline
ex 29.35	Vinylpyridine		Processing of acetaldehyde into picoline and processing of picoline into vinylpyridine
ex 29.38	Nicotinic acid (Vitamin PP)		Processing of acetaldehyde into betapicoline and processing of betapicoline into nicotinic acid
ex 30.03	Medicaments (including veterinary medicaments) containing antibiotics	Any manufacture from antibiotics of heading No 29.44	
31.05	Other fertilizers; goods of the present chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
32.06	Colour lakes	Any manufacture from products of heading No 32.04 or 32.05	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of chapter 28 with extenders such as barium sulphate, chalk, barium carbonate and satin white	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues	Manufacture from any product	
38.11	Disinfectants, insecticides, fungicides, weedkillers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, flypapers)		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anticorrosive preparations, and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
38.15	Prepared rubber accelerators		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
ex 38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products) not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding: <ul style="list-style-type: none"> — Fusel oil and dipple's oil; — Naphthenic acids and their water-insoluble salts; esters of naphthenic acids; — Sulphonaphthenic acids and their water-insoluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — mixed alkylbenzenes or mixed alkylnaphthalenes; — ion exchangers; — catalysts; 		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex 38.19 (Cont'd)	<p>— getters for vacuum tubes;</p> <p>— refractory cements, or mortars and similar preparations;</p> <p>— alkaline iron oxide for the purification of gas;</p> <p>— carbon (other than artificial graphite of heading No ex 38.01) in metal-graphite or other compounds, in the form of small plates, bars or other semi-manufactures</p>		
ex Chapter 39	Fabrics excluded from heading No 59.08 by Note 2 (A) of chapter 59		Manufacture from yarn
ex 39.02	Polymers	Any manufacture from monomers of Chapter 29	
39.07	Articles of materials of the kinds described in headings Nos 39.01 to 39.06	Working of artificial plastic materials, cellulose ethers and esters, and artificial resins	
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.03	Sheep and lamb skin leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
41.04	Goat and kid skin leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.05	Other kinds of leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of headings Nos 41.02 to 41.07 (other than leather of Indian cross-bred sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles), in which the value of the leather used does not exceed 50 % of the value of the manufactured product
43.03	Articles of furskin	Making up of furskin in plates, crosses and similar forms (heading No ex 43.02)	
44.21	Complete wooden packing cases; boxes, crates, drums and similar packings		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products of heading No 50.01
51.03	Yarn of man-made fibres (continuous), put up for retail sale		Manufacture from chemical products or textile pulp

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02		Manufacture from chemical products or textile pulp
53.06	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from wool not carded or combed
53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from wool not carded or combed
53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufactured from raw fine animal hair of heading No 53.02
53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03, not prepared
53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from products of heading No 05.03 or 53.01 to 53.04
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from products of headings Nos 53.01 to 53.05
54.04	Flax or ramie yarn, put up for retail sale		Manufacture from products of heading No 54.01 or 54.02
54.05	Woven fabrics of flax or of ramie		Manufacture from products of heading No 54.01 or 54.02
55.05	Cotton yarn, not put up for retail sale		Manufacture from products of heading No 55.01 or 55.03
55.06	Cotton yarn, put up for retail sale		Manufacture from products of heading No 55.01 or 55.03
55.07	Cotton gauze		Manufacture from products of heading No 55.01, 55.03 or 55.04
55.08	Terry towelling and similar terry fabrics, of cotton		Manufacture from products of heading No 55.01, 55.03 or 55.04
55.09	Other woven fabrics of cotton		Manufacture from products of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
56.04	Man-made fibres, (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of headings Nos 56.01 to 56.03
57.09	Woven fabrics of true hemp		Manufacture from products of heading No 57.01
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03		Manufacture from raw jute or from other raw textile bast fibres of heading No 57.03
57.11	Woven fabrics of other vegetable textile fibres		Manufacture from products of heading No 57.02 or 57.04
58.01	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04 or 56.01 to 56.03
58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04 or 56.01 to 56.03.

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04 or 56.01 to 56.03.
ex 58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; mechanically made lace, in the piece, in strips or in motifs		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04 or 56.01 to 56.03
59.04	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp
59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp
59.07	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil		Manufacture from yarn
59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not		Manufacture from yarn
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods		Manufacture from yarn

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like		Manufacture from yarn
59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15	Textile hose-piping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from single yarn
59.16	Transmission, conveyor or elevator belts or belting of textile material, whether or not strengthened with metal or other material		Manufacture from single yarn
59.17	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from products of headings Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
Chapter 60	Knitted and crocheted goods:		
	— Man-made fibres (continuous or discontinuous)		Manufacture from products of headings Nos 56.01 to 56.03, from chemical products or textile pulp
	— Other		Manufacture from carded or combed natural fibres
61.01	Men's and boys' outer garments		Manufacture from yarn or unbleached textile fabrics
61.02	Women's, girls' and infants' outer garments		Manufacture from yarn or unbleached textile fabrics
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs		Manufacture from yarn or unbleached textile fabrics
61.04	Women's, girls' and infants' under garments		Manufacture from yarn or unbleached textile fabrics
61.05	Handkerchiefs		Manufacture from yarn
61.06	Shawls, scarves, mufflers, mantillas, veils and the like		Manufacture from yarn
61.07	Ties, bow ties and cravats		Manufacture from yarn

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments		Manufacture from yarn
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn
ex 62.01	Travelling rugs and blankets other than electrically heated		Manufacture from unbleached yarn of chapters 50 to 56
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles		Manufacture from single unbleached yarn
62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from yarn
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods		Manufacture from single unbleached yarn
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the constituent products does not exceed 40 % of the value of the manufactured product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies (eg uppers affixed to inner soles or to other bottom parts and without outer soles), of any material except metal	
ex 64.02	Footwear with uppers of leather	Manufacture from assemblies (eg uppers affixed to inner soles or to other bottom parts and without outer soles), of any material except metal	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex 64.02	Footwear other than with uppers of leather	Manufacture from assemblies (eg uppers affixed to inner soles or to other bottom parts and without outer soles), of any material except metal	
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies (eg uppers affixed to inner soles or to other bottom parts and without outer soles), of any material except metal	
64.04	Footwear with outer soles of other materials	Manufacture from assemblies (eg uppers affixed to inner soles or to other bottom parts and without outer soles), of any material except metal	
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		Manufacture from fibre
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		Manufacture from yarn
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
ex 68.04 ex 68.05 ex 68.06	Articles of artificial abrasives with a basis of silicon carbide	Any manufacture from silicon carbide (heading No ex 28.56)	
ex 70.07	Cast or rolled glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; multiple-walled insulating glass	Manufacture from drawn, cast or rolled glass of headings Nos 70.04 to 70.06	
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Cutting without rolling of iron or steel coils of heading No 73.08	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Cutting without rolling of iron or steel coils of heading No 73.08	
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.04	Wrought plates, sheets and strip, of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.06	Copper powders and flakes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.07	Tubes and pipes and blanks therefore, of copper; hollow bars of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of copper, of a capacity exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.12	Expanded metal, of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.16	Springs, of copper		Manufactured in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
74.19	Other articles of copper		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
75.02	Wrought bars, rods, angles, shapes, and sections of nickel; nickel wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
75.06	Other articles of nickel		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.03	Wrought plates, sheets and strip, of aluminium, of a thickness of more than 0.20 mm		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.05	Aluminium powders and flakes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
76.08	Structures, parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of aluminium, of a capacity exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.11	Containers of aluminium for compressed or liquified gas		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.14	Expanded metal, of aluminium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
76.16	Other articles of aluminium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
77.03	Other articles of magnesium		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 700 g/m ² ; lead powders and flakes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
78.06	Other articles of lead		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Products manufactured		
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
79.06	Other articles of zinc		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
80.03	Wrought plates, sheets and strip, of tin of a weight exceeding 1 kg/m ²		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges) of tin		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
82.06	Knives and cutting blades, for machines or for mechanical appliances		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex Chapter 84	Boilers, machinery and mechanical appliances; parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) of heading No 84.15 and excluding sewing machines and furniture specially designed for sewing machines, of heading No ex 84.41		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
84.15	Refrigerators and refrigerating equipment (electrical and other)		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating' products
ex 84.41	Sewing machines; furniture specially designed for sewing machines		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that: <ul style="list-style-type: none"> — at least 50 % by value of the components and parts ⁽¹⁾ for the assembly of the head (motor excluded) are 'originating products', and — the thread tension, crochet and zigzag mechanisms are 'originating products'
ex Chapter 85	Electrical machinery and equipment; parts thereof, excluding products of headings Nos 85.14 and 85.15		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
85.14	Microphones and stands therefor, loudspeakers; audio-frequency electric amplifiers		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that: <ul style="list-style-type: none"> — at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products' and — all the transistors are 'originating products'

⁽¹⁾ In determining the value of components and parts the following must be taken into account:

- (a) in respect of 'originating' components and parts, the first verifiable price which was paid for them, or which would be paid in case of sale, in the territory of the State where assembly is carried out;
- (b) in respect of other components and parts, the provisions of Article 4 of this Protocol on:
 - the value of imported products,
 - the value of products of undetermined origin.

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radiobroadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that: — at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09		Assembly in which the value of components and parts does not exceed 40 % of the value of the manufactured product
87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, except products of headings Nos 90.05, 90.07, 90.08, 90.12 and 90.26		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'

⁽¹⁾ In determining the value of components and parts the following must be taken into account:

- (a) in respect of 'originating' components and parts, the first verifiable price which was paid for them, or which would be paid in case of sale, in the territory of the State where assembly is carried out;
- (b) in respect of other components and parts, the provisions of Article 4 of this Protocol on:
 - the value of imported products,
 - the value of products of undetermined origin.

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
90.07	Photographic cameras; photographic flashlight apparatus		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
ex Chapter 91	Clocks and watches and parts thereof, excluding products of headings Nos 91.04 and 91.08		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
91.04	Other clocks		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
91.08	Clock movements, assembled		Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'

⁽¹⁾ In determining the value of components and parts the following must be taken into account:

- (a) in respect of 'originating' components and parts, the first verifiable price which was paid for them, or which would be paid in case of sale, in the territory of the State where assembly is carried out;
- (b) in respect of other components and parts, the provisions of Article 4 of this Protocol on:
 - the value of imported products,
 - the value of products of undetermined origin.

List A (Cont'd)

Products manufactured		Working or processing which does not confer the status of 'originating product'	Working or processing which confers the status of 'originating product' when the following conditions are met
CCT heading No	Description		
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles, excluding products of heading No 92.11		Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record-players and tape decks, with or without soundheads; television image and sound recorders and reproducers, magnetic		Assembly in which the value of 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that: <ul style="list-style-type: none"> — at least 50 % of the components and parts ⁽¹⁾ are 'originating products', and — all the transistors are 'originating products'
ex 93.07	Lead shot prepared for sporting ammunition		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
97.03	Other toys; working models of a kind used for recreational purposes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs; blanks and parts of such articles		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes		Manufacture in which the value of the constituent products does not exceed 50 % of the value of the manufactured product
ex 98.15	Vacuum flasks and other vacuum vessels, complete with cases		Manufacture from products of heading No 70.12

⁽¹⁾ In determining the value of components and parts the following must be taken into account:

- (a) in respect of 'originating' components and parts, the first verifiable price which was paid for them, or which would be paid in case of sale, in the territory of the State where assembly is carried out;
- (b) in respect of other components and parts, the provisions of Article 4 of this Protocol on:
- the value of imported products,
 - the value of products of undetermined origin.

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading but which do confer the status of 'originating' products on the products undergoing such operations

Products manufactured		Working or processing which confers the status of 'originating product'
CCT heading No	Description of goods	
		Incorporation of 'non-originating' components and parts in machinery, mechanical appliances, etc., of chapters 84 to 92 does not make such products lose their status of 'originating product', provided that the value of these components and parts does not exceed 5 % of the value of the manufactured product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol obtained exclusively by distilling cereals and in which the value of the constituent 'non-originating products' does not exceed 15 % of the value of the manufactured product
ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble not further worked than squared by sawing, of a thickness of 25 cm or less	Sawing into slabs or sections, polishing, grinding and cleaning of marble, of a thickness greater than 25 cm including marble not further worked than roughly split, roughly squared, or squared by sawing
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, of a thickness of 25 cm or less, not further worked than roughly squared by sawing	Sawing of granite, porphyry, basalt, sandstone and other monumental and building stone, of a thickness greater than 25 cm, including such stone not further worked than roughly split, roughly squared or squared by sawing
ex 25.18	Calcined dolomite, agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex 33.01	Essential oils other than of citrus fruits, terpeneless	Deterpenation of essential oils other than of citrus fruits
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification, comprising distillation and refining of crude sulphate turpentine
ex 40.01	Plates of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lamb skins without the wool	Removing of wool from sheep and lamb skins

List B (Cont'd)

Products manufactured		Working or processing which confers the status of 'originating product'
CCT heading No	Description of goods	
ex 41.03	Retanned skin-leather of Indian cross-bred sheep	Retanning of Indian cross-bred sheep skin-leather not further prepared than tanned
ex 41.04	Retanned Indian goat or kid skin-leather	Retanning of Indian goat or kid skin-leather not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembly of tanned or dressed furskin
ex 50.09 ex 50.10 ex 51.04 ex 53.11 ex 53.12 ex 53.13 ex 54.05 ex 55.07 ex 55.08 ex 55.09 ex 56.07	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5 % of the value of the finished product
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut glass bottles	Cutting of bottles the value of which does not exceed 50 % of the value of the manufactured product
ex 70.13	Cut glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	Cutting of glassware the value of which does not exceed 50 % of the value of the manufactured product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious or semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones
ex 71.05	Silver, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold

List B (Cont'd)

Products manufactured		Working or processing which confers the status of 'originating product'
CCT heading No	Description of goods	
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum and other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled platinum or other platinum group metals on base metal or precious metal
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14	<p>Manufacture from alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14 involving conversion from one of the undermentioned categories to another:</p> <ol style="list-style-type: none"> 1. Ingots, blooms, billets, slabs and sheet bars 2. Roughly forged pieces 3. Coils for re-rolling; universal plates 4. Bars and rods (including wire rod and hollow mining drill steel) and angles, shapes and sections 5. Hoop and strip 6. Sheets and plates 7. Wire, whether or not coated, but not insulated
ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloys	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes falling within heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 77.04	Beryllium, wrought, and articles of beryllium	Rolling, drawing or grinding of unwrought beryllium, the value of which does not exceed 50 % of the value of the manufactured product
ex 81.01	Tungsten, wrought, and articles thereof	Manufacture from unwrought tungsten, the value of which does not exceed 50 % of the value of the manufactured product
ex 81.02	Molybdenum, wrought, and articles thereof	Manufacture from unwrought molybdenum, the value of which does not exceed 50 % of the value of the manufactured product
ex 81.03	Tantalum, wrought, and articles thereof	Manufacture from unwrought tantalum, the value of which does not exceed 50 % of the value of the manufactured product

List B (Cont'd)

Products manufactured		Working or processing which confers the status of 'originating product'
CCT heading No	Description of goods	
ex 81.04	Other base metals, wrought, and articles thereof	Manufacture from other base metals, unwrought, the value of which does not exceed 50 % of the value of the manufactured product
ex 84.06	Internal combustion piston engines	Assembly in which the value of the components and parts does not exceed 40 % of the value of the manufactured product
ex 84.08	Other engines and motors, excluding reaction engines and gas turbines	Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that at least 50 % by value of the components and parts ⁽¹⁾ are 'originating products'
ex 84.41	Sewing machines; furniture specially designed for sewing machines	Assembly in which the value of the 'non-originating' components and parts does not exceed 40 % of the value of the manufactured product, provided that: <ul style="list-style-type: none"> — at least 50 % by value of the components and parts ⁽¹⁾ used for assembly of the head (motor excluded) are 'originating products' and — the thread tension, crochet and zigzag mechanisms are 'originating products'
ex 95.01	Articles of tortoiseshell	Manufacture from worked tortoiseshell
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone	Manufacture from worked bone
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls	Manufacture from roughly shaped blocks of wood or root

⁽¹⁾ In determining the value of components and parts the following must be taken into account:

- (a) in respect of 'originating' components and parts, the first verifiable price which was paid for them, or which would be paid in case of sale, in the territory of the country where assembly is carried out;
- (b) in respect of other components and parts, the provisions of Article 4 of this Protocol on:
 - the value of imported products,
 - the value of products of undetermined origin.

ANNEX IV

LIST C

List of products temporarily excluded from the scope of this Protocol

CCT heading No	Description
ex 27.07	Similar aromatic oils as defined in Note 2 to Chapter 27, of which more than 65 % by volume distils at a temperature of up to 250 °C (including mixtures of petroleum spirit and benzol), intended for use as power or heating fuels
27.09 to 27.16	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	Hydrocarbons: -- Acyclic -- Cyclanes and cyclenes, excluding azulenes -- Benzene, toluene, xylenes intended for use as power or heating fuels
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin wax, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants

EEC - CYPRUS AGREEMENT

Exporter (name, full address, country)		A.CY.1 NoA 000.000			
Consignee (name, full address, country) (optional information)		Movement certificate Warenverkehrsbescheinigung Varecertifikat Certificat de circulation des marchandises Certificato di circolazione delle merci Certificaat inzake goederenverkeer			
Initial means of transport (kind, number or name) (optional information)		Country of destination ⁽¹⁾			
Intended route (optional information)		For official use			
Serial Number	Packages ⁽²⁾		Description of Goods	Gross weight (kg) or other measure (hl, m ³ , etc.)	Number and date of invoices (optional information)
	Marks and numbers	Number and kind			
Total number of packages and total quantities					(in words)
Remarks					
CUSTOMS ENDORSEMENT			DECLARATION BY THE EXPORTER		
Declaration certified Export document ⁽³⁾ : Type No Issuing country: Customs office: (Date and signature)			I, the undersigned, declare that the goods described above situated in ⁽¹⁾ meet the conditions required for the issue of this certificate ⁽²⁾ Place and date of signature (Signature)		
Official Stamp			Consignment dated No (Optional entry)		

(1) Insert either 'European Economic Community' or 'Cyprus'.
 (2) For goods in bulk indicate the name of the vessel or the number of the railway wagon or road vehicle.
 (3) Complete only where the regulations of the exporting country require.
 (4) Insert 'Cyprus' or 'the Community' if the certificate is applied for in a Member State of the Community.
 (5) See notes overleaf.

REQUEST FOR VERIFICATION

The undersigned customs officer requests verification of the authenticity and accuracy of this certificate.

.....
 (Place and date of signature)

Official Stamp

.....
 (Signature of customs officer)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate:

1. was issued by the customs office indicated and that the information contained therein is accurate ⁽¹⁾;
2. does not meet the requirements as to authenticity and accuracy (see remarks appended) ⁽¹⁾.

.....
 (Place and date of signature)

Official Stamp

.....
 (Signature of customs officer)

⁽¹⁾ Delete as necessary.

I. Goods for which movement certificate A.CY.1 may be endorsed

1. The goods should be:
 - either wholly obtained or produced within the exporting country, that is, they should comply with the definition of goods regarded as 'wholly obtained or produced', as set out in the protocol annexed to the Agreement concluded between the Community and Cyprus,
 - or manufactured entirely from goods wholly obtained or produced in the exporting country and from originating goods of the other Contracting Party to the Agreement.
2. If they are manufactured wholly or in part from materials or components imported into the exporting country which are not originating goods of the other Contracting Party, or from components of undetermined origin, these materials or components must have undergone substantial processing, resulting in a different product. In general, processing should be such as to result in the exported goods being classified under a Brussels Nomenclature heading different from those applicable to these materials or components. Furthermore, special rules and additional provisions are laid down for particular goods shown in lists A and B in the protocol annexed to the Agreement concluded between the Community and Cyprus. These rules and provisions should be carefully studied before an application for a certificate is made.

II. Scope of movement certificate A.CY.1

Movement certificate A.CY.1 may only be used if the goods to which it relates are transported direct from the exporting country to the importing country. The following shall be considered as transported direct from the exporting country to the importing country:

- (a) goods transported without passing through territories other than those of the Contracting Parties;
- (b) goods transported through territories other than those of the Contracting Parties or with transshipment in such territories provided that carriage through such territories is covered by a single transport document, made out in a Member State or in Cyprus;
- (c) goods shipped in ports situated in territories other than those of the Contracting Parties when this transshipment is attributable to *force majeure* or events at sea.

III. Rules for completing movement certificate A.CY.1

1. Movement certificate A.CY.1 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting country.
2. Movement certificate A.CY.1 must be typed or handwritten; if the latter, it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and be endorsed by the customs authorities.
3. Each item listed in movement certificate A.CY.1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
4. Goods must be described in accordance with commercial usage in sufficient detail to enable them to be identified.
5. The exporter or the carrier may complete the part of the certificate reserved for the declaration by the exporter by a reference to the transport document. It is also recommended that the exporter or the carrier show on the transport document covering the dispatch of the goods the serial number of the movement certificate A.CY.1.

IV. Effect of movement certificate A.CY.1

When correctly used, the movement certificate A.CY.1 enables the goods described therein to benefit in the importing country from the provisions of the Agreement between the EEC and Cyprus.

The customs authorities of the importing country may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. Time limit for submission of movement certificate A.CY.1

Movement certificate A.CY.1 must be produced at the customs office of the importing country where the goods are presented, within a period of four months from the date of endorsement.

EEC – CYPRUS AGREEMENT

Exporter (name, full address, country)		A.CY.1 No A 000.000			
Consignee (name, full address, country) (optional information)		Movement certificate Warenverkehrsbescheinigung Varecertifikat Certificat de circulation des marchandises Certificato per la circolazione delle merci Certificaat inzake goederenverkeer			
Initial means of transport (kind, number or name) (optional information)		Country of destination			
Intended route (optional information)		For official use			
Serial Number	Packages		Description of goods	Gross weight (kg) or other measure (hl, m ³ , etc.)	Number and date of invoices (optional information)
	Marks and numbers	Number and kind			
Total number of packages					} (in words)
and total quantities					
Remarks					

DECLARATION BY THE EXPORTER

The undersigned, exporter of the goods described overleaf,

DECLARE that these goods were obtained in (1) and that they meet the requirements laid down in Article 1 of the Protocol relating to the definition of the concept of 'originating products' annexed to the Agreement concluded between the Community and Cyprus.

SPECIFY as follows the circumstances which have conferred the status of 'originating products' on these goods (2):

.....
.....
.....

SUBMIT the following supporting documents (3):

.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any additional supporting evidence which these authorities may require for the purpose of issuing this certificate, and undertakes, if required, to agree to any inspection of his accounts and any check on the processes of manufacture of the above goods, carried out by the said authorities.

REQUEST the issue of an A.CY.1 movement certificate for these goods.

Place and date of signature

.....
(Exporter's signature)

(1) Insert 'Cyprus' or 'the Community' (if the goods were obtained or produced in a Member State of the Community).
(2) To be completed for goods other than those covered by Article 1 (1) (a) and (2) (a) of the Protocol concerning the concept of 'originating products' annexed to the Agreement between the Community and Cyprus.
State the constituent products, their tariff heading and their origin and, where appropriate, the manufacturing process qualifying the goods as originating in the country of manufacture (application of List B or of the conditions laid down in List A), the goods manufactured and their tariff heading.
If, as a condition for conferring the status of 'originating product' on the goods manufactured, the value of the constituent products may not exceed a certain percentage of the value of these goods, state:
— in respect of the constituent products:
— the value for customs purposes, where these products originate in third countries;
— the earliest verifiable price paid for the said products in the territory of the State in which manufacture takes place, where these products are of undetermined origin;
— in respect of the manufactured goods: the ex-factory price, i.e. the price paid to the manufacturer in whose undertaking the last working or processing took place, including the value of all the constituent products, less internal charges refunded or to be refunded on exportation from the country in question.
(3) For example, import documents, invoices, statement by the manufacturer, etc., relating to the constituent products.

1. The goods should be:
 — either wholly obtained or produced within the exporting country, that is, they should comply with the definition of goods regarded as 'wholly obtained or produced', as set out in the protocol annexed to the Agreement concluded between the Community and Cyprus,
 — or manufactured entirely from goods wholly obtained or produced in the exporting country and from originating goods of the other Contracting Party to the Agreement;
 2. If they are manufactured wholly or in part from materials or components imported into the exporting country which are not originating goods of the other Contracting Party, or from components of undetermined origin, these materials or components must have undergone substantial processing, resulting in a different product. In general, processing should be such as to result in the exported goods being classified under a Brussels Nomenclature heading different from those applicable to these materials or components. Furthermore, special rules and additional provisions are laid down for particular goods shown in lists A and B to the protocol annexed to the Agreement concluded between the Community and Cyprus. These rules and provisions should be carefully studied before an application for a form is made.

GOODS FOR WHICH A FORM A.CY.2 MAY BE ISSUED

(PART 1)

FORM A.CY.2

EEC — CYPRUS AGREEMENT	A.CY.2 A 000.000
<p align="center">Declaration by the exporter</p> <p>I, the undersigned, exporter of the goods described herein and contained in this postal packet:</p> <p>— declare that they are situated in</p> <p align="center">(exporting country)</p> <p>and meet the conditions set out on the reverse of Part 2 of this declaration;</p> <p>— undertake to submit at the request of the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection of my accounts and any check on the processes of manufacture of the goods described herein, carried out by the said authorities.</p> <p>— Country of destination</p> <p align="center">(Place and date of signature)</p> <p align="center">..... (Signature of exporter)</p> <p>Exporter: (Surname and forename or business name and full address of exporter)</p> <p>.....</p>	<p align="center">Description of goods</p> <p align="center">.....</p> <p align="center">.....</p> <p align="center">.....</p> <p align="center">.....</p> <p align="center">.....</p> <hr/> <p>Remarks ⁽¹⁾ :</p> <p align="center">.....</p> <hr/> <p align="center">Authorities in the exporting country responsible for verification of the declaration by the exporter:</p> <p align="center">.....</p> <p align="center">.....</p> <p align="center">.....</p>
<p>⁽¹⁾ Give the references of any verification already carried out by the competent authorities.</p>	

(Signature of exporter)
Description of goods
LABEL A.CY.2 000.000

(PART 2)

— The label opposite is to be detached and affixed to the outer wrapping of the postal packet or parcel.
 — The exporter must sign the label. Firms must also affix their stamp.

NOTE

REQUEST FOR VERIFICATION	RESULT OF VERIFICATION
<p>The undersigned customs officer requests that the declaration by the exporter on the front of this form A.CY.2 be verified (*)</p> <p style="text-align: center;">..... (Place and date of signature)</p> <div style="border: 1px dashed black; width: 60px; height: 40px; margin: 10px auto; text-align: center;"> Official Stamp </div> <p style="text-align: center;">..... (Signature of customs officer)</p>	<p>Verification carried out by the undersigned customs officer shows that:</p> <ol style="list-style-type: none"> 1. the statements and particulars given in this form are accurate ⁽¹⁾; 2. this form A.CY.2 does not meet the requirements as to authenticity and accuracy (see notes appended) ⁽¹⁾. <p style="text-align: center;">..... (Place and date of signature)</p> <div style="border: 1px dashed black; width: 60px; height: 40px; margin: 10px auto; text-align: center;"> Official Stamp </div> <p style="text-align: center;">..... (Signature of customs officer)</p> <p>⁽¹⁾ Delete as necessary.</p>

(*) Verification of form A.CY.2 carried out at random or whenever the customs authorities of the importing country have reasonable doubt as to the true origin of the goods in question or of constituents thereof.

The customs authorities of the importing country must send the form A.CY.2 contained in the parcel to the authorities of the exporting country responsible for verification, specifying the reasons relating to fact or form which justify an inquiry. Wherever possible, they must attach to the form the invoice submitted to them or a copy thereof, and give any information which it has been possible to obtain and which suggests that the particulars given in form A.CY.2 are inaccurate.

If the customs authorities of the importing country decide to await the results of the verification before applying the provisions of the agreement, they shall offer the importer release of the goods subject to such safeguards as may be considered necessary.

FINAL ACT

The Plenipotentiaries of

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

and

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS,

of the other part,

assembled at Brussels, on this nineteenth day of December, in the year one thousand nine hundred and seventy-two,

for the purpose of signing the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus,

have, at the time of signing this Agreement,

— adopted the following Joint Declarations by the Contracting Parties:

1. Joint Declaration by the Contracting Parties concerning cooperation and contacts between the European Parliament and the House of Representatives of the Republic of Cyprus,
2. Joint Declaration by the Contracting Parties concerning amendments to the customs tariffs and to the import regulations,
3. Joint Declaration by the Contracting Parties concerning Article 2 of the Agreement,
4. Joint Declaration by the Contracting Parties concerning Article 2 of Annex I;

— and have taken note of the following Declarations:

1. Declaration by the European Economic Community concerning agricultural products,
2. Declaration by the Republic of Cyprus concerning Article 6 of Annex II.

The aforementioned Declarations are annexed to this Final Act.

The Plenipotentiaries have agreed that these Declarations shall, in so far as necessary, be subject, under the same conditions as the Agreement, to the procedures required to ensure their validity.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlußakte gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent acte final.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente atto finale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte hebben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below the Final Act.

Geschehen zu Brüssel am neunzehnten Dezember neunzehnhundertzweiundsiebzig.

Fait à Bruxelles, le dix-neuf décembre mil neuf cent soixante-douze.

Fatto a Bruxelles, addì diciannove dicembre millenovecentosettantadue.

Gedaan te Brussel, de negentiende december negentienhonderdtweeënzeventig.

Done at Brussels on this nineteenth day of December in the year one thousand nine hundred and seventy-two.

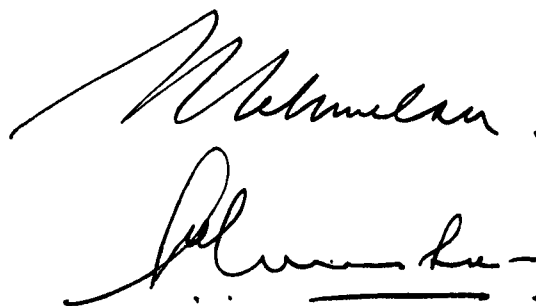
Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés européennes,

Per il Consiglio delle Comunità europee,

Voor de Raad der Europese Gemeenschappen,

For the Council of the European Communities,



Mit dem Vorbehalt, daß für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie der anderen Vertragspartei notifiziert hat, daß die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren, namentlich die Anhörung des Europäischen Parlaments, stattgefunden haben.

Sous réserve que la Communauté économique européenne ne sera définitivement engagée qu'après notification à l'autre partie contractante de l'accomplissement des procédures requises par le traité instituant la Communauté économique européenne et notamment la consultation de l'Assemblée.

Con riserva che la Comunità economica europea sarà definitivamente vincolata soltanto dopo la notifica all'altra parte contraente dell'espletamento delle procedure richieste dal trattato che istituisce la Comunità economica europea e, in particolare, dell'avvenuta consultazione del Parlamento europeo.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partij van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures, met name van de raadpleging van het Europese Parlement.

Provided that the Community shall be finally bound only after the other Contracting Party has been notified that the procedures required by the Treaty establishing the European Economic Community, and, in particular, consultation of the European Parliament, have been completed.

Im Namen der Regierung der Republik Zypern,

Pour le gouvernement de la république de Chypre,

Per il governo della Repubblica di Cipro,

Voor de Regering van de Republiek Cyprus,

For the Government of the Republic of Cyprus,

J. Ch. Christodoulides
Nikos Mouskos

ANNEX

Joint Declaration by the Contracting Parties concerning cooperation and contacts between the European Parliament and the House of Representatives of the Republic of Cyprus

The Contracting Parties agree to take all appropriate measures in order to facilitate cooperation and contacts between the European Parliament and the House of Representatives of the Republic of Cyprus.

Joint Declaration by the Contracting Parties concerning amendments to the customs tariffs and to the import regulations

The Contracting Parties agree to notify each other with the least possible delay of any amendments made to their respective customs tariffs, or to the regulations governing their import trade.

Joint Declaration by the Contracting Parties concerning Article 2 of the Agreement

1. The Republic of Cyprus envisages the progressive establishment, during the course of the second stage of the Agreement, of a customs union with the European Economic Community. To this end, the Republic of Cyprus envisages applying with due regard to its economic situation, to the products mentioned in List A of Annex II to the Agreement, as from the commencement of the second stage an initial reduction *vis-à-vis* the Community of at least 35 % of customs duties and taxes having an equivalent effect.
 2. The European Economic Community envisages granting the Republic of Cyprus, from the commencement of the second stage, exemption from customs duties and taxes having equivalent effect in respect of products referred to in Article 1 of Annex I of the Agreement.
 3. The procedures for the introduction by the Republic of Cyprus of the common customs tariff, the elimination of the customs duties and quantitative restrictions applied *vis-à-vis* the Community, complementary provisions for the proper implementation of the customs union, and the special arrangements for the importation into the Community of products falling under Annex II of the Treaty establishing the European Economic Community or subject to a specific regulation within the framework of the Common Agricultural Policy, which latter arrangements shall take due account of this policy of the Community, shall be determined during the course of negotiations for transition to the second stage.
-

Joint Declaration by the Contracting Parties concerning Article 2 of Annex I

The Contracting Parties, taking into consideration the undertaking by the Republic of Cyprus to apply the Common Customs Tariff during the second stage of the Agreement, agree that, for the purpose of the implementation of the Protocol concerning the definition of 'originating' products and on methods of administrative cooperation, the special provisions mentioned in List A to that Protocol shall not be applicable, during the first stage, to imports, made under the conditions laid down in Article 2 of Annex I, of products falling under tariff heading Nos 56.04 (man-made fibres discontinuous or waste, carded, combed or otherwise prepared for spinning) and 61.01 (men's and boys' outer garments).

Declaration by the European Economic Community concerning agricultural products

The Community is prepared to re-examine with the Republic of Cyprus, the agricultural content of the Agreement in the light of the result of work in progress with a view to a global approach on the Community's relations with the Mediterranean countries. In the course of this work the interests of Cyprus shall also be taken into consideration.

Declaration by the Republic of Cyprus concerning Article 6 of Annex II

The Government of the Republic of Cyprus declares that it is prepared to take the necessary steps to procure that, during the first stage of the Agreement, imports which are still subject to quantitative restrictions shall be freed from such restrictions as early as possible and to the extent compatible with the proper development of the economy of Cyprus.

It also declares that it is prepared to ensure that, when products still subject to quantitative restrictions are imported, normal conditions of competition are respected.

(OJ No L 133, 21.5.1973)

PROTOCOL

laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS,

of the other part,

HAVE DECIDED to determine by mutual agreement certain transitional measures and adaptations to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus signed at Brussels the nineteenth day of December one thousand nine hundred and seventy-two, which are necessary consequent on the Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community, and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Mr W. K. N. SCHMELZER,

President of the Council of the European Communities,

Minister for Foreign Affairs of the Netherlands;

Mr Sicco L. MANSHOLT,

President of the Commission of the European Communities;

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS:

Mr John Cl. CHRISTOPHIDES,

Minister for Foreign Affairs;

Mr Titos PHANOS,

Ambassador,

Head of the Cypriot Mission to the European Communities;

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

TITLE I

Measures of adaptation

Article 1

The text of the Agreement and the declarations annexed to the Final Act drawn up in Danish and annexed to this Protocol are authentic in the same way as the original texts.

Article 2

The annual tariff quotas for the Republic of Cyprus in application of Article 2 of Annex I to the Agreement and of the Joint Declaration thereon by the contracting parties shall be increased as follows:

CCT heading No	Description	Annual Community tariff quota
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	100 metric tons
61.01	Men's and boys' outer garments	500 metric tons

TITLE II

Transitional measures

Article 3

The Kingdom of Denmark shall apply in respect of the Republic of Cyprus the reductions in customs duties and charges having equivalent effect provided for in Articles 1, 2, 3, 4, 5, 6 and 7 of Annex I to the Agreement and at rates shown therein.

However, the duties thus reduced may in no case be lower than those applied by the Kingdom of Denmark in respect of the Community as originally constituted.

Article 4

1. Ireland and the United Kingdom shall apply to imports originating in Cyprus the customs duties and

rules of origin applied in respect of the Republic of Cyprus at the time of entry into force of the Protocol.

This provision shall apply until 30 June 1977.

2. Products originating in Cyprus in respect of which the rates of customs duties and charges having equivalent effect, reduced in accordance with Articles 1, 2, 3, 4, 5, 6 and 7 of Annex I to the Agreement and calculated in accordance with Article 5, are lower than the customs duties and charges having equivalent effect applied by Ireland and the United Kingdom in respect of the Republic of Cyprus at the time of entry into force of the Protocol may be imported into Ireland and the United Kingdom at the reduced rates of customs duties and charges having equivalent effect set out in the Agreement and under the rules of origin appropriate thereto.

However, the duties thus reduced may in no case be lower than those applied by Ireland and the United Kingdom in respect of the Community as originally constituted.

3. Should the progressive alignment of the Irish and United Kingdom tariffs on the Common Customs Tariff result in the application by Ireland and the United Kingdom as regards Cyprus of customs duties lower than those applied in respect of that State at the time the Protocol enters into force, the first-mentioned customs duties shall be applied.

Article 5

1. The rates on the basis of which the new Member States apply to the Republic of Cyprus the reductions provided for in Articles 3 and 4 (2) shall be those which they apply at the time in respect of third countries.

2. By way of derogation from the provisions of Articles 3 and 4 (2), should the application of these provisions temporarily result in tariff movements away from alignment on the final duty, the new Member States may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty resulting from a subsequent alignment as soon as this alignment reaches or passes the said level.

Article 6

Subject to the effect to be given by the Community to Article 39 (5) of the Act concerning the Conditions

of Accession and the Adjustments to the Treaties, annexed to the Treaty of Accession, as regards the specific duties or the specific part of the mixed duties of the customs tariffs of Ireland and the United Kingdom, the provisions of Articles 4 and 5 shall be applied by rounding to the fourth place of decimals.

Article 7

Where, for the products listed in Annex I to the Agreement, the new Member States apply duties comprising protective and fiscal elements, only the protective elements of those duties, within the meaning of Article 38 of the Act concerning the Conditions of Accession and the Adjustments to the Treaties, shall be aligned on the preferential duties set out in that Annex and reduced as provided in Articles 3, 4 and 5.

Article 8

1. The minimum price provided for in Article 5 of Annex I to the Agreement shall be calculated in the new Member States by reference to the incidence of the duties which these Member States apply at the time to third countries.

2. The levies, variable components and fixed components, referred to in Annex I to the Agreement shall be calculated in these States by reference to the rates they apply to third countries at the time.

Article 9

The arrangements which the Kingdom of Denmark applies in respect of the Republic of Cyprus, in application of Article 9 of Annex I to the Agreement, may under no circumstances be more favourable than those which it applies in respect of the Community as originally constituted.

Article 10

1. Ireland and the United Kingdom shall apply to imports originating in Cyprus the quantitative restrictions in force in respect of Cyprus at the time of entry into force of this Protocol.

This provision shall apply until 30 June 1977.

2. The arrangements which Ireland and the United Kingdom apply in respect of the Republic of Cyprus may not be less favourable than those provided for in Article 9 of Annex I to the Agreement.

3. However, the quantitative restrictions in force in Ireland which are referred to in Protocols Nos 6

and 7 of the Act concerning the Conditions of Accession and the Adjustments to the Treaties shall be abolished as regards the Republic of Cyprus in accordance with procedures to be determined, account being taken of the provisions of the abovementioned Protocols.

Article 11

Until 31 December 1974, imports into the United Kingdom of the products listed in Annex A and originating in Cyprus may be limited to the following annual quotas:

- 1973: 100 metric tons,
- 1974: 125 metric tons.

Article 12

The rules applicable under the common agricultural policy to imports of 'Cyprus sherry' into the Community are set out in the exchange of letters at Annex B.

Article 13

During the period from 1 January 1974 to 30 June 1977, the Republic of Cyprus shall be entitled to annual tariff quotas, free of customs duties, in respect of imports into the United Kingdom of the following products originating in Cyprus:

CCT heading No	Description
07.01 A II	New potatoes

The annual tariff quota takes into account the traditional United Kingdom imports from Cyprus.

Article 14

The Republic of Cyprus shall apply in respect of the Kingdom of Denmark the reductions in customs duties and charges having equivalent effect provided for in Articles 1, 2, 3 and 4 of Annex II to the Agreement at the rates and in accordance with the timetable set out therein.

Article 15

1. The Republic of Cyprus shall continue to apply to imports originating in Ireland and the United

Kingdom the tariff and rules of origin applied prior to the Agreement, without prejudice to the protective clauses of that Agreement.

This provision shall apply until 30 June 1977.

2. Products originating in Ireland and the United Kingdom in respect of which the rates of customs duties and charges having equivalent effect, reduced in accordance with Article 1 of Annex II to the Agreement, are lower than the customs duties and charges having equivalent effect applied by Cyprus at the time of entry into force of this Protocol may be imported into the Republic of Cyprus at the reduced rates of customs duties and charges having equivalent effect in accordance with the timetable set out in the Agreement and under the rules of origin appropriate thereto.

Article 16

1. Until 1 January 1976 as regards the application of Article 1 (1) of the Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation, the condition as regards sufficient working or processing, within the meaning of Article 3 thereof, shall be waived only in respect of products originating, within the meaning of that Protocol, in Cyprus or in the Member States to which Cyprus applies a treatment not less favourable than that applied to products wholly obtained or produced in the exporting Member States where the products were obtained or produced.

During the same period, as regards the application of Article 1 (2) (b) of the abovementioned Protocol, this condition shall be waived only in respect of products

originating, within the meaning of that Protocol, in the Member State of destination or in other Member States to which the Member State of destination applies a treatment not less favourable than that applied to products wholly obtained or produced in Cyprus.

2. The amendments to the provisions of the Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation are listed in Annex C.

TITLE III

Final provisions

Article 17

This Protocol including Annexes A, B and C thereto form an integral part of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus.

Article 18

This Protocol shall enter into force on the first day of the month following the date on which the contracting parties notify each other of the completion of the procedures necessary to that end.

Article 19

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being authentic.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Protocol.

Udfærdiget i Bruxelles, den nittende december nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am neunzehnten Dezember neunzehnhundertzweiundsiebzig.

Fait à Bruxelles, le dix-neuf décembre mil neuf cent soixante-douze.

Fatto a Bruxelles, addì diciannove dicembre millenovecentosettantadue.

Gedaan te Brussel, de negentiende december negentienhonderdtweeënzeventig.

Done at Brussels on this nineteenth day of December in the year one thousand nine hundred and seventy-two.

For Rådet for De europæiske Fællesskaber

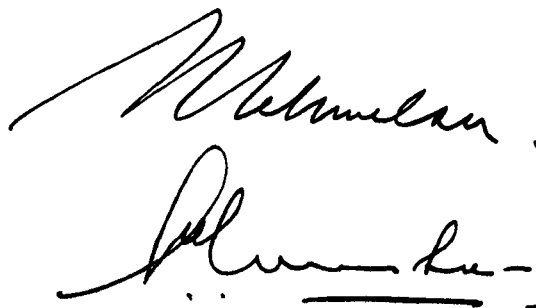
Im Namen des Rates der Europäischen Gemeinschaften

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad der Europese Gemeenschappen

For the Council of the European Communities



For regeringen for republikken Cypern

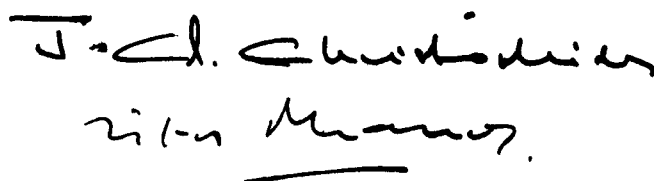
Im Namen der Regierung der Republik Zypern

Pour le gouvernement de la république de Chypre

Per il governo della Repubblica di Cipro

Voor de Regering van de Republiek Cyprus

For the Government of the Republic of Cyprus



ANNEX A
concerning Article 11

UK Tariff No	Description
ex 55.08	Terry towelling and similar terry fabrics of cotton, containing more than 50 % by weight of cotton
ex 55.09	Other woven fabrics of cotton, containing more than 50 % by weight of cotton
ex 58.04	Woven pile fabrics and chenille fabrics containing more than 50 % by weight of cotton
ex 59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads, containing more than 50 % by weight of cotton
ex 61.01	Men's and boys' outer garments containing more than 50 % by weight of cotton
ex 61.02	Women's girls' and infants' outer garments containing more than 50 % by weight of cotton
ex 61.03	Men's and boys' undergarments containing more than 50 % by weight of cotton
ex 61.04	Women's, girls' and infants' undergarments containing more than 50 % by weight of cotton
ex 61.05	Handkerchiefs containing more than 50 % by weight of cotton
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like containing more than 50 % by weight of cotton
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen, curtains and other furnishing articles, containing more than 50 % by weight of cotton
ex 62.05	Other made up textiles articles (including dress patterns) containing more than 50 % by weight of cotton

ANNEX B

Exchange of letters concerning Article 12

Brussels, 19 December 1972

Your Excellency,

Concerning the implementation of the provisions of Article 12 of the Protocol, I have the honour to place the following on record:

1. The Government of Cyprus undertakes to adopt before 1 September 1973 vine-products regulations corresponding to those of the Community which will enable it to examine the classification of the wine known as 'Cyprus sherry'. The Government of Cyprus undertakes also to make the said regulations applicable from 1 January 1975.
2. The Community, for its part, undertakes to examine, on the basis of the agreed provisions mentioned above and within the same time limits, the question of the classification of the wine known as 'Cyprus sherry'.

It also undertakes that the following measures will be taken for the marketing of this wine in Ireland and the United Kingdom:

- suspension, while the abovementioned provisions are being implemented, ie until 1 January 1975, of the countervailing charges to which imports of this wine are subject, in respect of an annual of 200 000 hectolitres,
- appropriate extension of this suspension measure to the marketing of wines of the 1974 harvest.

I shall be obliged if you will confirm your agreement with the contents of this letter.

Please accept, Your Excellency, the assurance of my highest consideration.

H. SIGRIST

Director-General

His Excellency Mr PHANOS

Head of the Mission of the Republic of Cyprus
to the European Communities

Brussels, 19 December 1972

Mr Director-General,

I have the honour to acknowledge receipt of your letter of today, the contents of which are as follows:

'Concerning the implementation of the provisions of Article 12 of the Protocol, I have the honour to place the following on record:

1. The Government of Cyprus undertakes to adopt before 1 September 1973 vine-products regulations corresponding to those of the Community which enable it to examine the classification of the wine known as 'Cyprus sherry'. The Government of Cyprus undertakes also to make such regulations applicable from 1 January 1975.
2. The Community, for its parts, undertakes to examine, on the basis of the agreed provisions mentioned above and within the same time limits, the question of the classification of the wine known as 'Cyprus sherry'.

It also undertakes that the following measures will be taken for the marketing of this wine in Ireland and the United Kingdom:

- suspension, while the abovementioned provisions are being implemented, ie until 1 January 1975, of the countervailing charges to which imports of this wine are subject, in respect of an annual quota of 200 000 hectolitres,
- appropriate extension of this suspension measure to the marketing of wines of the 1974 harvest.

I shall be obliged if you will confirm your agreement with the contents of this letter.

Please accept, Your Excellency, the assurance of my highest consideration.'

I have the honour to confirm the agreement of my Government with the contents of this letter.

Please accept, Mr Director-General, the assurance of my highest consideration.

T. PHANOS
Ambassador

Mr H. SIGRIST

Director-General of External Relations
Commission of the European Communities
Brussels

ANNEX C

concerning Article 16 (2)

1. The following text is added under section I 'Goods for which a movement certificate A.CY.1 may be endorsed' appearing on the back of the certificate, and under section I 'Goods for which a form A.CY.2 may be made out' appearing on the back of Panel 2 of the form:

'These provisions shall be valid subject to the transitional measures and adaptations in the Protocol laying down certain provisions relating to the Agreement.'

2. Movement certificates A.CY.1 and forms A.CY.2 which are based on the forms annexed to the Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation may be endorsed by the customs authorities of the exporting State and used under the conditions laid down by that Protocol.
-

FINAL ACT

The Plenipotentiaries of

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS,

of the other part,

meeting at Brussels on the nineteenth day of December one thousand nine hundred and seventy-two

for the signature of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community,

have, in signing this Protocol,

— adopted the following joint Declarations by the Contracting Parties:

1. Joint Declaration concerning Article 2 of the Protocol
2. Joint Declaration concerning Article 4 of the Protocol

— and taken note of the following Declaration:

Declaration by the European Economic Community on the regional application of certain provisions of the Agreement.

The Plenipotentiaries have agreed that these Declarations shall be subjected in the same manner as for the Protocol to any procedures that may be necessary to ensure their validity.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Slutakt.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlußakte gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent acte final.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente atto finale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte hebben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below the Final Act.

Udfærdiget i Bruxelles, den nittende december nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am neunzehnten Dezember neunzehnhundertzweiundsiebzig.

Fait à Bruxelles, le dix-neuf décembre mil neuf cent soixante-douze.

Fatto a Bruxelles, addì diciannove dicembre millenovecentosettantadue.

Gedaan te Brussel, de negentiende december negentienhonderd tweeënzeventig.

Done at Brussels on this nineteenth day of December in the year one thousand nine hundred and seventy-two.

For Rådet for De europæiske Fællesskaber

Im Namen des Rates der Europäischen Gemeinschaften

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad der Europese Gemeenschappen

For the Council of the European Communities

For regeringen for republikken Cypern

Im Namen der Regierung der Republik Zypern

Pour le gouvernement de la république de Chypre

Per il governo della Repubblica di Cipro

Voor de Regering van de Republiek Cyprus

For the Government of the Republic of Cyprus

ANNEXES

Joint Declaration concerning Article 2 of the Protocol

The contracting parties agree that the Community shall allocate the tariff quotas provided for in Article 2 between the Community as originally constituted and the new Member States as follows:

CCT heading No	Description	Community as originally constituted	New Member States
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	70 metric tons	30 metric tons
61.01	Men's and boys' outer garments	100 metric tons	400 metric tons

Joint Declaration concerning Article 4 of the Protocol

The contracting parties agree that, as regards the subheadings of the United Kingdom Customs Tariff which are to be deleted on 1 January 1974 as a result of the application of the nomenclature of the Common Customs Tariff and on which the duties are lower than the duties applied by the United Kingdom Tariff on the corresponding headings of the abovementioned nomenclature, the reductions by the United Kingdom under Article 4 shall be made only in respect of the latter headings.

Declaration by the European Economic Community concerning the regional application of certain provisions of the Agreement

The European Economic Community declares that the application of the measures open to it under Article 10 of the Agreement might be limited, by reason of Community rules, to one of its regions.

(OJ No L 143, 30.5.1973)

Note concerning the entry into force of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community and to the Agreement in the form of an exchange of letters concerning Article 5 of Annex I of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus

The exchange of instruments of notification of the conclusion of the procedures necessary for the entry into force of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community and to the Agreement in the form of an exchange of letters concerning Article 5 of Annex I of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, signed at Brussels 19 December 1972 and 28 March 1973 respectively, having taken place 23 May 1973, the Agreements enter into force, in accordance with Article 18 of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, to Article 18 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community and to the Agreement in the form of an exchange of letters concerning Article 5 of Annex I of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, on 1 June 1973.

II. Provisions within the Community relating
to the Association Agreement

Table

I

Subject	Pages in the Collected Acts
Regulation (EEC) No 1246/73 of the Council of 14 May 1973 on the conclusion of an Agreement establishing an Association between the European Economic Community and the Republic of Cyprus	1
Regulation (EEC) No 1247/73 of the Council of 14 May 1973 on the conclusion of a Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community	2
Regulation (EEC) No 1248/73 of the Council of 14 May 1973 on the conclusion of the Agreement, in the form of an exchange of letters, on Article 5 of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus	3 - 5

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1246/73 OF THE COUNCIL
of 14 May 1973

on the conclusion of an Agreement establishing an Association between the European Economic Community and the Republic of Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof;

Having regard to the recommendation from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas it is opportune to conclude the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, signed at Brussels on 19 December 1972;

Whereas, further, it is necessary to specify the means whereby the position to be adopted by the Community within the Council of Association established by the Agreement will be formulated;

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement establishing an Association between the European Economic Community and the

Republic of Cyprus, the annexes and protocol, and the Final Act and declarations annexed thereto are hereby concluded, approved and confirmed on behalf of the European Economic Community.

The texts of the Agreement and Final Act are annexed to this Regulation.

Article 2

In pursuance of Article 18 of the Agreement the President of the Council of the European Communities shall effect notification that the requisite procedures for entry into force of the Agreement have been completed.

Article 3

The position to be adopted by the Community within the Council of Association shall be laid down by the Council of the European Communities acting on a proposal from the Commission in accordance with the provisions of the Treaty.

Article 4

This Regulation shall enter into force on the third 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, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1247/73 OF THE COUNCIL

of 14 May 1973

on the conclusion of a Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed on 22 January 1972, and in particular Article 108 of the Act annexed thereto;

Having regard to the recommendation from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas it is desirable to conclude the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol fixing certain provisions relating to the Agreement establishing an Association between the

European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community, the Final Act thereof, together with the declarations and exchange of letters annexed thereto, are hereby concluded, approved and confirmed on behalf of the Community.

The texts of the Protocol and the Final Act are annexed to this Regulation.

Article 2

As regards the Community, the President of the Council of the European Communities shall, in application of Article 18 of the Protocol, effect notification that the procedures necessary for the entry into force of the Protocol have been completed.

Article 3

This Regulation shall enter into force on the third 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, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1248/73 OF THE COUNCIL

of 14 May 1973

on the conclusion of the Agreement, in the form of an exchange of letters, on Article 5 of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof;

Having regard to the recommendation from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas it is appropriate that the Agreement on Article 5 of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus be concluded in the form of an exchange of letters;

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters on Article 5 of Annex I to the Agreement establishing

an Association between the European Economic Community and the Republic of Cyprus is hereby concluded on behalf of the European Economic Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council of the European Communities shall notify that the necessary procedures for the entry into force of the Agreement have been completed.

Article 3

This Regulation shall enter into force on the third 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, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

Brussels, . . .

Your Excellency,

With reference to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus signed on 19 December 1972 and to the Protocol laying down certain provisions of that Agreement, the contracting parties have agreed as follows:

'From the date of the entry into force of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and until 31 December 1973, Article 5 of Annex I to that Agreement shall not apply to trade between Cyprus on the one hand and Denmark, Ireland and the United Kingdom on the other.'

I should be obliged if you would kindly acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Your Excellency, the expression of our highest consideration.

*For the Council
of the European Communities*

Provided that the European Economic Community will be finally committed only after notifying the other contracting party of the completion of the procedures required by the Treaty establishing the European Economic Community, particularly consultation of the European Parliament.

Brussels, . . .

Your Excellencies,

The following communication was received from you today:

'Your Excellency,

With reference to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus signed on 19 December 1972 and to the Protocol laying down certain provisions of that Agreement, the contracting parties have agreed as follows:

'From the date of the entry into force of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and until 31 December 1973, the provisions of Article 5 of Annex I to that Agreement shall not apply to trade between the Republic of Cyprus on the one hand and Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland on the other.'

I should be obliged if you would kindly acknowledge receipt of this letter and confirm your Government's agreement with its content.

Please accept, Your Excellency, the expression of our highest consideration.

*For the Council
of the European Communities*

Provided that the European Economic Community will be finally committed only after notifying the other contracting party of the completion of the procedures required by the Treaty establishing the European Economic Community, particularly consultation of the European Parliament.'

I hereby acknowledge receipt of this communication and confirm my Government's agreement thereto.

Please accept, Your Excellencies, the assurance of my highest consideration.

*For the Government of
the Republic of Cyprus*

Institutional Questions

Subdivision :

O. General

I. Acts of the Association Council

I. Acts of the Association Council

Table

I

Subject	Pages in the Collected Acts
Decision N° 1/73 of the Association Council laying down the rules of procedure of the Association Council and establishing the Association Committee and the Customs Co-operation Committee	1 - 9
Decision N° 2/73 of the Association Council fixing the duration of the first term of office of the President of the Association Council	10

DECISION No 1/73 OF THE ASSOCIATION COUNCIL

laying down the rules of procedure of the Association
Council and establishing the Association Committee
and the Customs Co-operation Committee

THE ASSOCIATION COUNCIL, .

Having regard to the Agreement establishing an Association
between the European Economic Community and the Republic
of Cyprus and in particular Article 12 (3) and Article 14 (3)
thereof,

HAS DECIDED AS FOLLOWS:

Article 1

The rules of procedure of the Association Council are
hereby adopted. These rules of procedure shall be annexed
to this Decision and form an integral part thereof.

Article 2

An Association Committee shall be established to
assist the Association Council in carrying out its tasks.

Article 3

A Customs Co-operation Committee shall be established, to act under the authority of the Association Committee, with the specific task of ensuring administrative co-operation between the Contracting Parties with regard to the correct and uniform implementation of the customs provisions of the Agreement.

Article 4

The composition, tasks and operation of these Committees shall be laid down in the rules of procedure of the Association Council.

Done at Brussels, 26 November 1973

For the Association Council

The President

Ivar NØRGAARD

The Secretaries

G.L. GIOLA

N. AGATHOCLEOUS

ANNEX

RULES OF PROCEDURE OF THE ASSOCIATION COUNCIL

Article 1

The Association Council shall meet at ministerial level at least once every year.

Apart from the meetings provided for in the preceding paragraph, the Association Council shall meet at the level of the representatives of the members of the Association Council.

The representative of a member of the Association Council shall have the same rights as the full member.

Article 2

The Office of President of the Association Council shall be held in rotation for a period of six months by a member of the Council of the European Communities and a member of the Government of Cyprus.

The first term of office of the President may be shortened by decision of the Association Council.

Article 3

Meetings of the Association Council shall take place where the meetings of the Council of the European Communities are usually held.

The date of the meetings shall be fixed by the President of the Association Council, after consultation with the members.

Article 4

The members of the Association Council may be accompanied by officials to assist them. The President shall be informed of the composition of each delegation before the beginning of each meeting.

Article 5

Unless otherwise decided, the meetings of the Association Council shall not be open to the public. Entry to meetings of the Council shall be subject to presentation of a pass.

Article 6

Decisions on urgent matters may be taken by the Association Council by means of a vote by correspondence provided such a procedure is acceptable both to the Community and to the Republic of Cyprus.

Article 7

All communications from the President as provided for in these rules of procedure shall be addressed to the members of the Council of the European Communities, the General Secretariat of the Council, the General Secretariat of the Commission and to the permanent delegation of the Republic of Cyprus to the European Communities.

Article 8

The provisional agenda for each meeting shall be drawn up by the President. It shall be sent to the persons and institutions referred to in the preceding Article not less than 15 days before the beginning of the meeting.

The provisional agenda shall include those items in respect of which a request for their inclusion has reached the President not less than twenty-one days before the beginning of the meeting.

The only items which may appear on the provisional agenda are those in respect of which the relevant documentation is transmitted to the persons and institutions referred to in the preceding Article, not later than on the date of despatch of the agenda.

The agenda shall be adopted by the Association Council at the beginning of each meeting. Items other than those appearing on the provisional agenda may be included in the agenda provided both the Community and the Republic of Cyprus agree thereto.

Article 9

Minutes shall be kept of each meeting and include a summary of conclusions adopted by the Association Council; on the basis of a brief account of the discussions drawn up by the President.

After their approval by the Association Council, the minutes shall be signed by the President in office and by the Secretaries of the Association Council and shall be kept in the archives of the Association Council. A copy of the minutes shall be forwarded to the persons and institutions referred to in Article 7.

Article 10

The official languages of the Association Council shall be Danish, Dutch, English, French, German and Italian.

Unless otherwise decided, the Association Council shall deliberate on the basis of documents prepared in these six languages.

Any member of the Association Council may object to the discussion of a text proposed during a meeting, if such text is not made available in one of the six languages which he specifies.

Article 11

Acts adopted by the Association Council shall bear the signature of the President.

Article 12

Recommendations and Decisions of the Association Council within the meaning of Article 12 of the Agreement shall bear the title of "Recommendation" or "Decision", followed by a serial number and a description of their subject matter.

Article 13

All Recommendations and Decisions within the meaning of Article 12 of the Agreement shall be divided into articles.

The Acts referred to in the above paragraph shall be concluded with the words "Done at on", the date to be inserted being the date on which they are adopted by the Association Council.

Recommendations and Decisions of the Association Council shall be communicated to the persons and institutions referred to in Article 7.

Article 14

The Association Committee shall be instructed to assist the Association Council in carrying out its tasks, preparing discussions, examining any matter entrusted to it by the Association Council, and in general, ensuring the continuity of co-operation required for the smooth operation of the Agreement.

The Association Committee shall be composed of representatives of the members of the Association Council.

The office of Chairman and the Secretariat of this Committee shall be held under the same conditions and subject to the same rules of rotation as those of the Association Council.

Article 15

The tasks of the secretariat shall be carried out jointly by a representative of the Community and a representative of the Government of Cyprus.

Article 16

The Customs Co-operation Committee shall be instructed to undertake administrative co-operation for the correct and uniform implementation of the provisions of the Protocol annexed to the Association Agreement, and to carry out such other duties in the customs field as might be entrusted to it by the Association Committee.

It shall be composed both of customs experts of the Member States and officials of the Commission whose duties include dealing with customs matters, and of customs experts of the Republic of Cyprus. Meetings shall be chaired by Commission staff.

The Customs Co-operation Committee shall keep the Association Committee regularly informed of all its work and submit the agendas for its meetings to the Association Committee in advance. This shall be done through the secretariat of the Association Council. The Customs Co-operation Committee shall submit to the Association Committee any matters entailing questions of principle or of interpretation of the Agreement.

Article 17

The Community and the Republic of Cyprus shall be individually responsible for such expenditure as they may incur by reason of their participation in the meetings of the Association Council and of its Committees or Working Parties, both with regard to personnel, travelling and subsistence expenses, and to postal and telecommunications expenses.

Expenditure on interpretation at meetings, translation and reproduction of documents shall be borne by the Community.

Expenditure relating to practical arrangements for meetings shall be borne by the Community.

Article 18

Without prejudice to other applicable provisions, the deliberations of the Association Council shall be covered by the obligation of professional secrecy, unless the Council decides otherwise.

Article 19

Correspondence intended for the Association Council shall be addressed to the President of the Association Council and sent to the address of the General Secretariat of the Council of the European Communities.

DECISION No 2/73 OF THE ASSOCIATION COUNCIL

fixing the duration of the first term of office
of the President of the Association Council

THE COUNCIL OF ASSOCIATION,

Having regard to the Agreement establishing an Association
between the European Economic Community and the Republic of
Cyprus;

Having regard to the rules of procedure of the Association
Council, adopted by Decision No 1/73 of the Association Council
and in particular Article 2, second paragraph thereof,

HAS DECIDED AS FOLLOWS:

Single Article

The first term of office of the President of the Association
Council shall be shortened so that it expires on 31 March 1974.

Done at Brussels, on 26 November 1973

For the Association Council

The President

Ivar NØRGAARD

Secretaries

G.L. GIOLA N. AGATHOCLEOUS

Free movement of goods

Subdivision :

0. General - Blank

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II. Provisions within the EEC

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(OJ N° 145, 30.5.1974)

RECOMMENDATION No 1/73 OF THE EEC/CYPRUS ASSOCIATION COUNCIL**laying down the methods of administrative cooperation in the customs field for the purpose of implementing the Agreement between the European Economic Community and the Republic of Cyprus**

THE ASSOCIATION COUNCIL,

Having regard to the Agreement between the European Economic Community and the Republic of Cyprus signed in Brussels on 19 December 1972;

Having regard to the Protocol on the definition of the concept of 'originating products' and methods of administrative cooperation, and in particular Article 17 (2) thereof;

Whereas it is necessary, for the proper functioning of the Agreement, to organize close administrative cooperation between the Contracting Parties to the Agreement to ensure correct and uniform application of the customs provisions contained therein, in particular those of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter called 'the Protocol',

HAS RECOMMENDED THE EUROPEAN ECONOMIC COMMUNITY AND THE REPUBLIC OF CYPRUS

to take the measures necessary for application of the following provisions:

A. RULES GOVERNING THE ISSUE OF AN A.CY.1 MOVEMENT CERTIFICATE**I. Role of the exporter**

1. It shall be for the exporter or his authorized representative, under the former's responsibility, to apply for the issue of a movement certificate.

This application shall be made out on an A.CY.1 form of which a specimen is to be found in Annex V to the Protocol. The form must be completed in accordance with the Protocol.

2. The exporter or his representative shall submit with his application any appropriate supporting document proving that the goods to be exported are eligible for the issue of a movement certificate.

II. Role of the customs authorities

1. It shall be the responsibility of the customs authorities of the exporting country to ensure that the A.CY.1 form is duly completed. In

particular, they shall check whether the space reserved for the description of the goods has been completed in such a manner as to exclude any possibility of fraudulent additions. To this end, the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

2. Since the movement certificate constitutes the documentary evidence for the application of the preferential tariff and quota arrangements laid down in the Agreement, it shall be the responsibility of the customs authorities of the exporting country to take any steps necessary to verify the origin of the goods and to check the other statements on the certificate.

III. Exports from a Member State of the European Economic Community or from Cyprus

1. The A.CY.1 movement certificate shall be issued by the customs authorities of a Member State of the European Economic Community if the goods to be exported can be considered products originating in the Community within the meaning of Article 1 (1) of the Protocol.
2. The A.CY.1 movement certificate shall be issued by the customs authorities of Cyprus if the goods to be exported can be considered products originating in Cyprus within the meaning of Article 1 (2) of the Protocol.
3. For the purpose of verifying whether the conditions stated in paragraphs 1 and 2 of Section III above have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.
4. The customs authorities of the Member State or of Cyprus shall refuse to issue an A.CY.1 movement certificate if the export documents submitted to those authorities reveal that the goods to which they relate are not being sent to Cyprus or to the Community.

IV. Indication of the date of issue of the certificate

The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

V. Provisions of specimen impressions of the types of stamp used

The customs authorities of the Member States and Cyprus shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of movement certificates.

VI. Replacement of A.CY.1 movement certificate by certificates of the same kind

1. It shall always be possible to replace one or more movement certificates by one or more certificates, provided that this is done at the customs office where the goods are located.
2. Where the new movement certificate relates to products which were originally imported from a Member State or from Cyprus and are exported in the same state, it must indicate the country in which the original movement certificate was issued.

VII. Retrospective issue of movement certificates

1. Where a certificate is issued within the meaning of Article 8 (2) of the Protocol after the goods to which it relates have actually been exported, the exporter must, in the application referred to in Article 7 of the said Protocol :

- indicate the place and date of exportation of the goods to which the certificate relates ;
- certify that no certificate was issued at the time of exportation of the goods in question, and state the reasons.

2. The customs authorities may issue a movement certificate retrospectively only after verifying that the particulars supplied in the exporter's application agree with those on the corresponding document.

Certificates issued retrospectively must be endorsed with one of the following phrases : 'NACHTRÄGLICH AUSGESTELLT', 'DELIVRE A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE'.

VIII. Issue of duplicates

In the event of the theft, loss or destruction of a movement certificate, the exporter may apply to the customs authorities which issued it for a duplicate to be made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with one of the following words : 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE'.

The duplicate, which must bear the date of issue of the original movement certificate, shall take effect as from that date.

B. CONDITIONS APPLICABLE TO THE USE OF A.CY.1 MOVEMENT CERTIFICATES**I. Direct transport of goods**

Goods transported without passing through territories other than those of the Contracting Parties shall be considered as transported direct. The following shall, however, not be considered as an interruption of direct transport :

- (a) calling at ports situated in territories other than those of the Contracting Parties ;
- (b) trans-shipments in such ports attributable to *force majeure* or events at sea ;
- (c) passing through territories other than those of the Contracting Parties or trans-shipment in such territories provided that carriage or trans-shipment through such territories is covered by a single transport document made out in a Member State or in Cyprus.

II. Acceptance of movement certificates after expiry of the time limit for their submission

Movement certificates submitted to the customs authorities of the importing country after expiry of the time limit for their submission stipulated in Article 9 of the Protocol may be accepted for the purpose of applying the preferential arrangements, provided the failure to observe this time limit results from *force majeure* or exceptional circumstances.

In addition, the customs authorities of the importing country may accept such certificates provided the goods have been presented to them before the expiry of the said time limit.

III. Acceptance of movement certificates in which the particulars do not correspond to the imported goods

The discovery of slight discrepancies between the particulars entered on the movement certificate and those entered on the documents produced to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate null and void,

provided it is duly established that the certificate relates to the goods presented.

C. FREE ZONES

- I. The Member States and Cyprus shall take all necessary steps to ensure that goods traded under cover of a movement certificate, which in the course of transport use a free zone situated in their territory, are not substituted by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.
- II. When products originating in the Community or Cyprus and imported into a free zone under cover of a movement certificate undergo treatment or processing, the customs authorities concerned must issue a new certificate at the exporter's request if the treatment or processing undergone is in conformity with the Protocol.

D. POSTAL PACKETS (INCLUDING PARCEL POST)

- I. Under the responsibility of the exporter, her or his authorized representative shall complete and sign the two parts of an A.CY.2 form, of which a specimen is annexed to the Protocol.

If the goods contained in the packet have already been subject to verification in the exporting country by reference to the definition of the concept of originating products, the exporter may refer to this check in the space reserved for 'Remarks' in the A.CY.2 form.

- II. The exporter shall enter the title, 'A.CY.2', followed by the serial number of the form on the green label C1 or customs declaration C2/CP3. He shall also enter both those numbers on the invoice relating to the goods contained in the packet.

E. SUBSEQUENT VERIFICATION OF A.CY.1 MOVEMENT CERTIFICATES AND A.CY.2 FORMS

- I. Subsequent verifications of movement certificates and of forms A.CY.2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

- II. For the purpose of implementing the provisions of paragraph I above, the customs authorities of the importing State shall return the movement certificate or Part 1 of the A.CY.2 form or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof shall be attached to Part 1 of the A.CY.2 form and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing State decide to suspend application of the provisions of the Agreement while awaiting the results of the verification, they shall offer to release the goods to the importer subject to such safeguards as they consider necessary.

- III. The customs authorities of the importing State shall be informed of the results of the verification within three months. These results must be such as to make it possible to determine whether the disputed movement certificate or A.CY.2 form applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.
- IV. When such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State or when they raise a question as to the interpretation of the Protocol, they shall be submitted to the Customs Cooperation Committee.
- V. For the purpose of the subsequent verification of certificates, the customs authorities of the exporting country must keep the export documents, or copies of certificates used in place thereof, for not less than two years.

Done at Brussels, 26 November 1973.

For the Association Council

The Chairman

I. NØRGAARD

II. Provisions within the EEC

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(OJ No L 53, 26.2.1973)

REGULATION (EEC) No 456/73 OF THE COMMISSION

of 31 January 1973

on interim measures for the importation into the Community of wine exported as 'Cyprus Sherry' originating in and coming from Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Wine;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 63 of the Act annexed thereto;

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charge provided for in the first subparagraph of Article 9 (3) of Regulation (EEC) No 816/70 shall not be levied on imports into the United Kingdom and Ireland of wine exported as 'Cyprus Sherry' originating in and coming from Cyprus.

Article 2

Article 1 shall apply to a maximum annual volume of 50 000 hectolitres.

Article 3

Wines imported into the United Kingdom and Ireland free of the countervailing charge, as provided by Article 1, may not be dispatched to other Member States.

Article 4

The Member States in question shall inform the Commission, on the 16th day of each month at the latest, of the quantity of wine imported in accordance with this Regulation during the preceding month.

Article 5

This Regulation shall apply until the entry into force of the rules for the import into the Community of the product referred to in Article 1 to be adopted pursuant to the agreement between the Republic of Cyprus and the Community, and in particular the exchange of

Whereas the application, as from 1 February 1973, by the United Kingdom and Ireland of rules for importation laid down in Council Regulation (EEC) No 816/70⁽³⁾ of 28 April 1970, making additional provisions for the common organization of the market in wine, and in particular the countervailing charge referred to in Article 9 (3) thereof, could cause a sharp deflection of the traditional exports of wine by Cyprus to the markets of the United Kingdom and Ireland as 'Cyprus Sherry'; whereas such deflection is of a nature to cause serious harm both to Cyprus, a country to which the Community is bound by an associated agreement, and to British and Irish imports of this product;

Whereas the Community has signed a protocol with Cyprus providing for the application of the rules for importation under Regulation (EEC) No 816/70 to be deferred in the case of the product in question; whereas moreover the provisions of this protocol will not enter into force before 1 February 1973; whereas measures are therefore required to ensure that, pending the entry into force of the interim preferential rules provided for in the above mentioned protocol, imports into the United Kingdom and Ireland shall not be subject to rules for the importation into the Community of wine from third countries;

(1) cf. AGRI/EEC XVI A 51

letters annexed to the protocol on certain provisions bearing on the agreement establishing an association between the European Economic Community and the Republic of Cyprus consequent upon the Accession of new Member States to the Community, signed on 19 December 1972 at Brussels, and no later than 30 April 1973.

Article 6

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

It shall apply from 1 February 1973.

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

Done at Brussels, 31 January 1973.

For the Commission

The President

François-Xavier ORTOLI

(OJ No L 119, 5.5.1973)

REGULATION (EEC) No 1176/73 OF THE COMMISSION
of 4 May 1973

extending the interim measures for the importation into the Community of wine exported as 'Cyprus Sherry' originating in and coming from Cyprus, provided in Regulation (EEC) No 456/73

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the Treaty^o concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 63 of the Act annexed thereto ;

Whereas Regulation (EEC) No 456/73 of 31 January 1973 lays down interim measures for the wine exported as 'Cyprus Sherry' originating in and coming from Cyprus pending the entry into force of the interim preferential rules provided for in the protocol concluded between the Community and Cyprus ;

Whereas the Council has not yet been able to adopt these interim rules ; whereas it is consequently neces-

sary in order that the imports in question into the United Kingdom and Ireland should not be discontinued, to extend the measures laid down by Regulation (EEC) No 456/73 ;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Wine ;

HAS ADOPTED THIS REGULATION :

Article 1

1. In Article 2 of Regulation (EEC) No 456/73 '83 000 hectolitres' is substituted for '50 000 hectolitres'.

2. In Article 5 of Regulation (EEC) No 456/73 '30 June 1973' is substituted for '30 April 1973'.

Article 2

This Regulation shall enter into force on 1 May 1973.

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

Done at Brussels, 4 May 1973.

For the Commission

The President

François-Xavier ORTOLI

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1249/73 OF THE COUNCIL

of 14 May 1973

on the protective measures provided in the Agreement establishing an Association
between the European Economic Community and the Republic of Cyprus

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 an agreement establishing an Association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, hereinafter called the Agreement, was signed on 19 December 1972;

Whereas, for the purposes of implementing the protective clauses provided for in the Treaty establishing the European Economic Community, the procedures to be followed are laid down by the Treaty itself;

Whereas, on the other hand, the detailed rules for implementing the protective clause provided for in Article 10 of the Agreement have yet to be laid down;

HAS ADOPTED THIS REGULATION:

Article 1

1. The Commission may, at the request of a Member State or on its own initiative, decide to apply to products originating in the Republic of Cyprus the protective measures which the European Economic Community reserves the right to take in Article 10 of the Agreement, including the temporary, total or partial withdrawal of tariff or other concessions granted by the Community to the Republic of Cyprus.

Where such a request is made to the Commission by a Member State, the Commission shall take its Decision within three working days following receipt of the request.

The protective measures shall be communicated to the Member States and shall be immediately applicable.

2. Any Member State may refer the Commission's Decision to the Council within ten working days following notification thereof. The Council shall meet forthwith. It may by a qualified majority amend or revoke the Decision in question.

Article 2

1. Without prejudice to Article 1 the Commission may authorize a Member State to deal with such disturbances or difficulties referred to in Article 10 of the Agreement by taking protective measures.

These measures and the Commission's Decision shall be notified to all Member States.

2. In case of urgency the Member State or States concerned may introduce quantitative import restrictions. They shall immediately notify these measures to the Commission and to the other Member States.

The Commission shall decide, by an emergency procedure and within a maximum period of five working days of the notification referred to in the first subparagraph, whether the measures are to be retained, modified or abolished.

All the Member States shall be notified of the Commission's Decision, which shall be immediately enforceable.

3. Any Member State may refer the Commission's Decision to the Council within a maximum period of ten working days of notification of the Decision. The Council shall meet forthwith. It may by a qualified majority amend or revoke the Decision taken by the Commission.

If the Member State which took measures in pursuance of paragraph 2 refers the matter to the Council, the Commission's Decision shall be suspended. The suspension shall end thirty days after the matter has been referred to the Council if by that time the latter has not amended or revoked the Commission's Decision.

(1) cf. GEN I 1

4. For the purpose of implementing this Article, priority must be given in selecting measures to those which least disturb the functioning of the common market.

Article 3

1. Before deciding to apply protective measures under Article 1 (1), before authorizing a Member State to take such measures or before taking its Decision concerning the measures taken in implementation of Article 2 (1) and (2) by the Member State concerned, the Commission shall hold consultations.

2. These consultations shall take place within an advisory committee consisting of representatives of each Member State and presided over by a Commission representative.

3. The Committee shall meet when convened by its Chairman. The latter shall forward to the Member States, within the shortest possible time, any appropriate information.

Article 4

Articles 1 and 2 shall not affect implementation of the protective clauses provided for in the Treaty, in

particular in Articles 108 and 109 thereof, in accordance with the procedures provided for therein.

Article 5

This Regulation shall in no way prevent the full application of the Regulations on the common organization of agricultural markets. Article 2 shall not apply to products covered by those Regulations.

Article 6

Notification to the Association Council by the Community as required by Article 10 (2) of the Agreement shall be effected by the Commission.

Article 7

Article 2 (2) and (3) shall apply until 31 December 1974.

Until that date, the Council, acting by a qualified majority, on a proposal from the Commission, shall decide upon any amendments to be made thereto.

Article 8

This Regulation shall apply from the entry into force of the Agreement.

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

Done at Brussels, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1250/73 OF THE COUNCIL

of 14 May 1973

on the opening, allocation and administration of a Community tariff quota for certain textile fibres falling within heading No 56.04 of the Common Customs Tariff, originating in the Republic of Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

hand and for the new Member States on the other hand;

Having regard to the Treaty establishing the European Economic Community and in particular Article 113 thereof;

Whereas, as regards in particular the Community as originally constituted:

Having regard to the proposal from the Commission;

— equal and continuous access to the quota should be ensured for all importers and quota duties should be applied consistently to all imports of the goods in question until the quota is used up;

Whereas the Agreement ⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus, hereinafter called the Agreement, and the Protocol ⁽²⁾ laying down certain provisions concerning that Agreement as a result of the Accession of new Member States to the European Economic Community, hereinafter called the Protocol, provide for the opening of an annual Community tariff quota of 100 metric tons of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas, pursuant to the joint declaration in Article 2 of the Protocol the tariff quota should be allocated among the Member States as follows: 70 tons for the Community as originally constituted and 30 tons for the new Member States; whereas Annex 1 to the Agreement provides that the duties applicable to the quota shall be equal to 30 % of the Common Customs Tariff duties; whereas as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession should be observed; whereas a Community tariff quota of 100 metric tons should be opened in respect of the abovementioned products; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one

— in the light of the principles elicited above, the Community nature of the quota may best be preserved by an arrangement allocating it among the Member States; whereas in order to reflect most accurately the actual development of the market in the said goods, such allocation should be proportionate to the requirements of the Member States, calculated both from statistics of each State's imports of the said products originating in the Republic of Cyprus over a representative reference period and from the economic outlook for the quota period concerned;

— however, in view of the fact that during the last three years no such products originating in Cyprus have been imported and no forecast can be made for 1973, an initial share percentage of 25 % allocated to each of the Member States concerned would ensure a fair distribution among them;

— in order to take account of import trends of the said goods in the Member States concerned, the quota amount should be divided into two parts, the first part being allocated among those Member States, and the second forming a reserve intended to cover the later requirements of the Member States which have used up their initial share of the quota; whereas, in order to ensure a certain degree of security to importers in each Member State, the first part of the quota should be fixed, in this case, at approximately 75 %;

(1) cf. GEN I 1
(2) cf. GEN I 85

— the initial share of the quota of the Member States concerned may be used up at different rates; whereas, in order to take this into account and to avoid any break in continuity, a Member State which has almost used up its initial share of the quota should draw an additional share from the reserve; whereas this must be done by each Member State as each of its additional shares of the quota is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares of the quota must be valid until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

— if, at a specified date in the quota period, a considerable quantity of the initial share of the quota is left over in a Member State, that Member State must transfer a significant portion of it back into the reserve, to prevent part of the quota allocated to the Community as originally constituted from remaining unused in one Member State when it could be used in others;

— since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and jointly represented by the Benelux Economic Union, any measures concerning the administration of shares granted to that Economic Union may be carried out by any one of its members;

Whereas as regards in particular the new Member States:

— pursuant to the Protocol, a gross amount of 30 metric tons is allocated to the new Member States; whereas, for the purposes of the allocation of this amount among them, the past and foreseeable situations are comparable to those facing the Member States of the Community as originally constituted; whereas, therefore, the quota should also be allocated among the new Member States in equal shares;

— the quota duties are to be calculated by the new Member States in accordance in particular with Articles 3, 4, 5, 6 and 7 of the Protocol;

— equal and continuous access to the quota should be ensured for all importers and quota duties should be applied consistently to all imports of the said goods until the quota is used up;

HAS ADOPTED THIS REGULATION:

Article 1

A Community tariff quota of 100 metric tons is opened within the Community for the period 1 June to 31 December 1973 in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the following provisions.

Provisions applicable to the Community as originally constituted

Article 2

The Common Customs Tariff duties are partially suspended at the rates indicated below in respect of 70 metric tons of the quota referred to in Article 1:

CCT heading No	Description	Rate of duty %
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning:	
	A. Produced by polymerization or condensation of organic monomers	2.5
	B. Produced by chemical transformation of natural organic polymers	3.0

Article 3

1. A first part amounting to 52 metric tons of the amount specified in Article 2 is allocated among the Member States; the shares which, subject to Article 6, are valid until 31 December 1973 are as follows:

Benelux	13 tons
Germany	13 tons
France	13 tons
Italy	13 tons.

2. The second part, amounting to 18 metric tons, constitutes the reserve.

Article 4

1. If 90 % or more of the initial share of a Member State laid down in Article 3 (1), or 90 % of that share less the amount returned into the reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn up by a Member State has been used, that Member State shall proceed without delay, by notifying the Commission, to draw a third share, equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, pursuant to the provisions of paragraph 2, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

The additional shares drawn pursuant to Article 4 shall be valid until 31 December 1973.

Article 6

If, by 15 September 1973, a Member State has not used up its initial share, it shall not later than 10 October 1973 return to the reserve the unused portion of this share in excess of 20 % of the initial amount. It may return a larger quantity if there are reasons to consider that such quantity might not be used.

The Member States shall, not later than 10 October 1973, notify to the Commission of the total imports of the said goods effected up to and including 15 September 1973, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 15 October 1973, notify the Member States of the amount still in reserve after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

Article 9

1. Member States shall guarantee to importers of the said goods established in their territory free access to the share allocated to them.

2. Member States shall charge imports of the said goods against their shares accordingly as the goods are presented for customs clearance under cover of declarations that they have been made available for consumption.

3. The extent to which the Member States' shares have been used up shall be recorded on the basis of the imports charged in the conditions laid down in paragraph 2.

Article 10

Member States shall inform the Commission at regular intervals of imports of the said products originating in the Republic of Cyprus actually charged against their shares.

Article 11

Member States and the Commission shall cooperate closely in order to ensure that the provisions of this Regulation are observed.

Provisions applicable to the new Member States

Denmark	10 metric tons
Ireland	10 metric tons
United Kingdom	10 metric tons.

Article 12

The new Member States shall apply duties applicable to goods within the limits of the quota which conform with the relevant provisions of the Agreement of the Protocol and of the Act of Accession.

Article 14

Articles 9, 10 and 11 shall apply to the new Member States.

Article 13

A total amount of 30 metric tons of the quota referred to in Article 1 is allocated among the new Member States as follows:

Article 15

This Regulation shall enter into force on the third 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, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1251/73 OF THE COUNCIL

of 14 May 1973

on the opening, allocation and administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in the Republic of Cyprus

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 Agreement⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus, hereinafter called 'the Agreement', and the Protocol⁽²⁾ laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 500 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas pursuant to the joint declaration on Article 2 of the Protocol the tariff quota should be allocated among the Member States as follows: 100 tons for the Community as originally constituted and 400 tons for the new Member States; whereas Article 1 of Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30 % of the Common Customs Tariff duties; whereas, as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession should be observed; whereas a Community tariff quota of 500 metric tons should be opened in respect of the abovementioned products; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand and for the new Member States on the other hand;

Whereas as regards in particular the Community as originally constituted:

(1) cf. GEN I 1
(2) cf. GEN I 85

- equal and continuous access to the quota should be ensured for all importers and quota duties should be applied consistently to all imports of the goods in question until the quota is used up;
- in the light of the principles elicited above, the Community nature of the quota may best be preserved by an arrangement allocating it among the Member States; whereas in order to reflect most accurately the actual development of the market in the said goods, such allocation should be proportionate to the requirements of the Member States, calculated both from statistics of each State's imports of the said products originating in the Republic of Cyprus over a representative reference period and from the economic outlook for the quota period concerned;
- however, in view of the fact that during the last three years no such products originating in Cyprus have been imported and no forecast can be made for 1973, an initial share percentage of 25 % allocated to each of the Member States concerned would ensure a fair distribution among them;
- in order to take into account trends in imports of the said goods in the Member States concerned, the quota amount should be divided into two parts, the first part being allocated among those Member States and the second forming a reserve intended to cover the later requirements of the Member States which have used up their initial share of the quota; in order to ensure a certain degree of security to importers in each Member State, the first part of the quota should be fixed, in this case, at approximately 75 %;
- the initial share of the quota of the Member States concerned may be used up at different rates; whereas, in order to take this into account and to avoid any break in continuity, a Member State which has almost used up its initial share of the quota should draw an additional share from the reserve; whereas this must be done by each

Member State as each of its additional shares of the quota is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be valid until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

- if, at a specified date in the quota period, a considerable quantity of the initial quota share is left over in a Member State, that Member State must transfer a significant proportion of it back into the reserve to prevent part of the quota allocated to the Community as originally constituted from remaining unused in one Member State when it could be used in others;
- since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and jointly represented by the Benelux Economic Union, any measure concerning the administration of shares granted to that Economic Union may be carried out by any one of its members;

Whereas, as regards in particular the new Member States:

- pursuant to the Protocol a gross amount of 400 metric tons is allocated to the new Member States; whereas the same general criteria for allocation as those used for the Member States of the Community as originally constituted should be applied; whereas, however, the United Kingdom has been the sole importer of such goods from Cyprus to the tune of 78 700 u.a. in 1970 and 211 700 u.a. in 1971; whereas in view of these factors and the need to ensure a fair allocation among those Member States of the 400 metric tons in question, the percentage shares of that quantity can be established as follows:
 - Denmark: 15
 - Ireland: 15
 - United Kingdom: 70;
- the quota duties are to be calculated by the new Member States in accordance with Articles 3, 4, 5, 6 and 7 of the Protocol;
- equal and continuous access to the quota should be ensured for all importers and quota duties

should be applied consistently to all imports of the said goods until the quota is used up.

HAS ADOPTED THIS REGULATION:

Article 1

A Community tariff quota of 500 metric tons is opened within the Community for the period 1 June to 31 December 1973 in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the provisions set out below.

Provisions applicable to the Community as originally constituted

Article 2

The Common Customs Tariff duty is partially suspended at the rate of 5.1 % in respect of 100 metric tons of the quota referred to in Article 1.

Article 3

1. A first part amounting to 72 metric tons of the amount specified in Article 2 is allocated among the Member States; the shares which, subject to Article 6, are valid until 31 December 1973 are as follows:

Benelux	18 metric tons
Germany	18 metric tons
France	18 metric tons
Italy	18 metric tons.

2. The second part, amounting to 28 metric tons, constitutes the reserve.

Article 4

1. If 90 % or more of the initial share of a Member State laid down in Article 3 (1), or 90 % of that share less the amount returned into the reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed without delay, by notifying the Commission, to draw a third share, equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, pursuant to the provisions of paragraph 2, to draw a fourth share equal to the third. This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

The additional shares drawn pursuant to Article 4 shall be valid until 31 December 1973.

Article 6

If, by 15 September 1973, a Member State has not used up its initial share, it shall, not later than 10 October 1973, return to the reserve the unused portion of this share in excess of 20 % of the initial amount. It may return a larger quantity if there are reasons to consider that such quantity might not be used.

The Member States shall, not later than 10 October 1973, notify the Commission of the total imports of the said goods effected up to and including 15 September 1973 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep an account of the quota-shares opened by the Member States in accordance with Articles 3 and 4 and shall inform each state of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 15 October 1973, notify the Member States of the amount still

in reserve after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for changes to be made without interruption against their accumulated shares of the Community quota.

Article 9

1. The Member States guarantee to importers of the said goods established in their territory free access to the share allocated to them.

2. The Member States shall charge imports of the said goods against their share accordingly as the goods are presented for customs clearance under cover of declarations that they have been made available for consumption.

3. The extent to which the Member States' shares have been used up shall be recorded on the basis of the imports charged in the conditions laid down in paragraph 2.

Article 10

Member States shall inform the Commission at regular intervals of imports of the said products originating in the Republic of Cyprus actually charged against their quota-shares.

Article 11

The Member States and the Commission shall cooperate closely in order to ensure that the provisions of this Regulation are observed.

Provisions applicable to the new Member States

Article 12

The new Member States shall apply duties applicable to goods within the limits of the quota which conform with the relevant provisions of the Agreement of the Protocol and of the Act of Accession.

Article 13

A total amount of 400 metric tons of the quota referred to in Article 1 is allocated among the new Member States as follows:

Denmark	60 metric tons
Ireland	60 metric tons
United Kingdom	280 metric tons.

Article 14

Articles 9, 10 and 11 shall apply to the new Member States.

Article 15

This Regulation shall enter into force on the third 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, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1252/73 OF THE COUNCIL

of 14 May 1973

on imports of citrus fruits originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the Proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Agreement⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus provides in Article 5 of Annex I thereto for tariff reductions on imports into the Community of certain citrus fruits originating in Cyprus; whereas, during the period in which the reference price applies, the reduction is subject to observance of a price fixed on the internal market of the Community; whereas detailed rules of application must be adopted to implement the system in question;

Whereas the system proposed should form part of the common organization of the market in fruit and vegetables; whereas, therefore, account should be taken of the provisions of Council Regulation (EEC) No 1035/72⁽²⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72⁽³⁾, and of the provisions adopted in application of that Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation prescribes the detailed rules for applying the system of preferences provided for in Article 5 of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus for the following products originating in Cyprus:

- (1) cf. GEN I 1
 (2) cf. AGRI/EEC XI 1965
 (3) cf. AGRI/EEC XI 2128

ex 08.02 A: Fresh oranges

ex 08.02 B: Mandarins and satsumas fresh; clementines, tangerines, and other similar citrus hybrids, fresh

ex 08.02 C: Fresh lemons.

Article 2

1. In order that the conditions referred to in Article 5 (2) of Annex I to the abovementioned Agreement be met, the prices on representative Community markets recorded at, or converted to, the import/wholesale stage taking into account conversion factors and deducting transport costs and import charges other than customs duties — the factors, costs and charges aforesaid being those used in calculating the entry price referred to in Regulation (EEC) No 1035/72 — must, for a given product, be those calculated in due course for Class I pursuant to the first indent, second subparagraph, of Article 24 (2) of Regulation (EEC) No 1035/72 and be equal to or higher than the price defined in Article 3.

2. The Commission shall calculate the amount to be deducted in respect of import charges other than customs duties, in so far as prices notified to the Commission by Member States include these charges, so as to avoid any difficulties arising from the effect of these charges on entry prices which may vary according to origin. Accordingly, an average mean corresponding to the arithmetical mean between the lowest and the highest charges shall be taken into account for the calculation.

The detailed rules for applying this paragraph shall be determined, as may be necessary, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72.

3. The representative Community markets within the meaning of paragraph 1 are those used for recording the prices on the basis of which the entry price referred to in Regulation (EEC) No 1035/72 is calculated.

Article 3

The price referred to in Article 2 (1) shall be equal to the reference price in force for that period plus the

Common Customs Tariff charge thereon and a fixed charge of 1.20 units of account per 100 kilogrammes.

Article 4

Where the prices referred to in Article 2 (1) in respect of one of the products listed in Article 1, after taking into account the conversion factors and deducting transport costs and import charges other than customs duties, remain lower on the lowest priced representative Community markets than the price laid down in Article 3 for three consecutive market days, the Common Customs Tariff duty in force at the date of importation shall apply to that product.

This arrangement shall continue to apply until these prices on the lowest priced representative Community markets are found to be for three consecutive market days equal to or higher than the price laid down in Article 3.

Article 5

The Commission, on the basis of prices recorded on representative Community markets and notified by

Member States, shall follow price trends regularly and record them in accordance with Article 4.

The measures required for this purpose shall be adopted in accordance with the procedure laid down in Regulation (EEC) No 1035/72 for applying compensatory charges to fruit and vegetables.

Article 6

Articles 23, 24, 25, 26, 27 and 28 of Regulation (EEC) No 1035/72 shall remain in force.

Article 7

This Regulation shall enter into force on the third days following its publication in the *Official Journal of the European Communities*.

It shall apply from the date of the entry into force of the abovementioned Agreement until such time as the Agreement shall cease to have effect.

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

Done at Brussels, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 133, 21.5.1973)

REGULATION (EEC) No 1253/73 OF THE COUNCIL

of 14 May 1973

on imports of the wine product exported under the label of 'Cyprus sherry', originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the exchange of letters referred to in Article 12 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus following the Accession of new Member States to the European Economic Community ⁽¹⁾ makes provision for special interim treatment of the wine product exported under the label of 'Cyprus sherry' and intended for direct human consumption, which involves the non-application of countervailing charges on imports of this wine into Ireland and the United Kingdom, up to a maximum annual quota of 200 000 hectolitres;

Whereas the primary aim of this arrangement is to avoid a sudden disruption of traditional exports of this wine product to Ireland and the United Kingdom following the enlargement of the Community; whereas in the medium term this arrangement is designed, on the one hand, to allow Cyprus to introduce legislation on wine production which will ensure that the wine product in question will be produced under conditions corresponding to those required by Community regulations for similar Community products and, on the other, to allow the Community to examine the classification of the wine product in question with a view to reaching a decision on the definitive import treatment to be accorded to it; whereas the Government of Cyprus has undertaken to introduce the legislation specified above not later than 1 September 1973;

Whereas, in these circumstances, imports of the wine product in question into Ireland and the United King-

dom should be exempt from the countervailing charge provided for in the first subparagraph of Article 9 (3) of Council Regulation (EEC) No 816/70 ⁽²⁾ of 28 April 1970, laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 2680/72 ⁽³⁾, for a period allowing the Community to establish whether or not the legislation enacted by Cyprus pursuant to its commitment is in conformity with Community legislation and, if it is, to extend the import treatment provided for in this Regulation, so that it can be applied, as appropriate, to the marketing of the 1974 harvest, which should take place in the first half of 1975;

Whereas the provisional rules laid down in the Protocol confine this measure to imports into Ireland and the United Kingdom; whereas exports to other Member States of the wine product thus imported must therefore be prohibited; whereas the amount of 200 000 hectolitres should be divided between the two Member States concerned on the basis of traditional imports; whereas allowance must be made for the period of application envisaged, ie 1 February to 31 December 1973; whereas therefore an amount of 185 000 hectolitres would be appropriate, this amount to include imports already effected on the basis of Commission Regulation (EEC) No 456/73 ³ of 31 January 1973 on interim measures for the importation into the Community of wine exported as 'Cyprus sherry' originating in and coming from Cyprus and Commission Regulation (EEC) No 1176/73 of 4 May 1973 extending the interim measures for the importation into the Community of wine exported as 'Cyprus sherry' originating in and coming from Cyprus, provided in Regulation (EEC) No 456/73 ³;

Whereas the exceptional exemption from the countervailing charge for the wine in question must not have the effect of facilitating imports of that wine product into Ireland and the United Kingdom at the expense of similar wine products originating in the Com-

(1) cf. GEN I 85

(2) cf. AGRI/EEC XVI A 51

(3) cf. AGRI/EEC XVI A 407

munity as originally constituted; whereas some of these Community wine products could be ousted from the markets of these Member States by 'Cyprus sherry'; whereas, to avoid causing an imbalance in the conditions of competition on the markets of these Member States between wine products exported under the label of 'Cyprus sherry' and similar wine products produced in the Community as originally constituted, provision should be made for the payment of a subsidy on exports of the latter wine products to these Member States, this subsidy being based on the difference, on the markets of these States, between the prices of these wine products and the price of 'Cyprus sherry';

Whereas these subsidies will be necessary for as long as the exceptional measures for 'Cyprus sherry' apply;

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 February to 31 December 1973, the countervailing charge provided for in the first subparagraph of Article 9 (3) of Regulation (EEC) No 816/70 shall not be levied on imports into Ireland and the United Kingdom of the wine product exported under the label of 'Cyprus sherry' originating in and coming from Cyprus up to a maximum amount of 185 000 hectolitres. This amount shall include quantities already imported free of countervailing charge pursuant to Regulation (EEC) No 456/73 and Regulation (EEC) No 1176/73.

Article 2

1. The amount of 185 000 hectolitres fixed in Article 1 shall be divided into two quotas, the one of 1 400 hectolitres for Ireland and the other of 183 600 hectolitres for the United Kingdom.

2. The extent to which the quotas of these Member States have been used up shall be assessed on the basis of imports of the product in question passed through customs under cover of declarations that it has been released for consumption.

3. The Member States concerned shall inform the Commission at regular intervals of imports from Cyprus actually set off against their quotas.

Article 3

Wine products imported into the United Kingdom and into Ireland free of countervailing charge, pursuant

to Article 1, may not be exported to other Member States.

Article 4

1. Subsidies shall be granted in respect of exports effected from 1 February 1973 to Ireland and the United Kingdom of wine products produced in the Community as originally constituted which are similar to the wine product exported under the label of 'Cyprus sherry'.

2. The subsidies referred to in paragraph 1 shall be calculated on the basis of the difference, on the markets of the Member States referred to in paragraph 1, between the prices of these Community wine products and the price of the wine product exported under the label of 'Cyprus sherry'.

Article 5

Detailed rules for the application of this Regulation, in particular those concerning the amount of the subsidy and the Community wine products eligible for aid, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 on the progressive establishment of a common organization of the market in wine ⁽¹⁾.

Article 6

The treatment provided for in this Regulation shall apply until 31 December 1973. However, if, before 1 September 1973, the Republic of Cyprus enacts legislation on wine production which is in conformity with Community rules applicable to products similar to the product specified in Article 1, the Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, shall take all necessary steps to ensure that this treatment is extended in accordance with the terms of the exchange letters annexed to the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus following the Accession of new Member States to the European Economic Community.

Article 7

This Regulation shall enter into force on the third 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, 14 May 1973.

For the Council

The President

R. VAN ELSLANDE

(OJ No L 359, 28.12.1973)

REGULATION (EEC) No 3575/73 OF THE COUNCIL

of 27 December 1973

on the opening of a tariff quota for new potatoes falling within subheading No 07.01
A II of the Common Customs Tariff for 1974 originating in Cyprus

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 Protocol laying down certain provisions relating to the Agreement⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community, provides that during the period from 1 January 1974 to 30 June 1977, the Republic of Cyprus shall be entitled to annual tariff quotas, free of customs duties, in respect of imports into the United Kingdom of new potatoes falling within subheading No 07.01 A II of the Common Customs Tariff originating in Cyprus; whereas the annual tariff quota must take into account the traditional United Kingdom imports from Cyprus; whereas taking this element into account, it is advisable to fix the tariff quota for the year 1974 at 110 000 long tons;

Whereas equal and continuous access to the quota should be ensured for all importers and quota duties

should be applied consistently to all imports of the product in question until the quota is used up,

HAS ADOPTED THIS REGULATION:

Article 1

A duty free tariff quota of 110 000 long tons shall be opened in the United Kingdom for the period 1 January to 31 December 1974 in respect of new potatoes falling within subheading No 07.01 A II of the Common Customs Tariff, originating in Cyprus.

Article 2

1. The United Kingdom shall ensure that importers of the product in question established in its territory have free access to the tariff quota.
2. The extent to which the tariff quota is used up shall be based on the quantities of the imported product in question entered for home use.

Article 3

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 27 December 1973.

For the Council

The President

Ove GULDBERG

(1) cf. GEN I 85

(OJ No L 359, 28.12.1973)

REGULATION (EEC) No 3576/73 OF THE COUNCIL

of 28 December 1973

on the extension and modification of the arrangements made by Regulation (EEC) No 1253/73 on imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Regulation (EEC) No 1253/73 introduced arrangements for imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and made provisions for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom;

Whereas these arrangements are applicable until 31 December 1973; but whereas under Article 6 of Regulation (EEC) No 1253/73, if, before 1 September 1973, the Republic of Cyprus enacts legislation on wine production which is in conformity with Community rules applicable to products similar to those specified in Article 1, the Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, may take all necessary steps to ensure that the arrangements are extended in accordance with the terms of the exchange of letters annexed to the Protocol (7) laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus following the Accession of new Member States to the European Economic Community;

Whereas on 31 August 1973 the Republic of Cyprus adopted new rules governing wine production and on 16 October 1973 sent texts for perusal by the Commission;

Whereas, however, consideration of these texts is not yet far enough advanced for a decision finally to be taken on whether the legislation enacted by Cyprus is in conformity with Community rules;

Whereas the legislation enacted should therefore be examined with the authorities of Cyprus with a view to making any necessary changes thereto; whereas the Cypriot authorities have declared their willingness to collaborate with the Commission in order to seek the best ways of applying the exchange of letters referred to above;

Whereas in the meantime any interruption in the arrangements applicable to imports of the relevant products into Ireland and the United Kingdom should be avoided,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 January to 31 December 1974, the countervailing charge provided for in the first subparagraph of Article 9 (3) of Council Regulation (EEC) No 816/70 (2) of 28 April 1970 laying down additional provisions for the common organization of the market in wine as last amended by Regulation (EEC) No 2591/73 shall not be levied on imports into Ireland and the United Kingdom of the wine product exported under the label of 'Cyprus Sherry' originating in and coming from Cyprus up to a maximum amount of 200 000 hectolitres.

Article 2

1. The amount of 200 000 hectolitres fixed in Article 1 shall be divided into two shares, the one of 2 000 hectolitres for Ireland and the other of 198 000 hectolitres for the United Kingdom.
2. The Member States named in paragraph 1 shall ensure that importers of the relevant product established in their territory have free access to the shares attributed to them.
3. The extent to which the Member States named in paragraph 1 have used up their shares shall be

(1) cf. GEN I 92

(2) AGRI/EEC XVI A 51

determined on the basis of imports of the product in question entered for home use.

4. The Member States named in paragraph 1 shall inform the Commission at regular intervals of imports from Cyprus actually set off against their shares.

Article 3

Wine products imported into Ireland and the United Kingdom free of countervailing charge, pursuant to Article 1, may not be exported to other Member States.

Article 4

1. Subsidies shall be granted in respect of exports effected from 1 February 1973 to 31 December 1974 to Ireland and the United Kingdom of wine products produced in the Community as originally constituted which are similar to the wine product exported under the label of 'Cyprus Sherry'.

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

Done at Brussels, 28 December 1973.

2. The subsidies referred to in paragraph 1 shall be calculated on the basis of the difference, on the markets of the Member States referred to in paragraph 1, between the prices of these Community wine products and the price of the wine product exported under the label of 'Cyprus Sherry'.

Article 5

Detailed rules for the application of this Regulation, in particular those concerning the amount of the subsidy and the Community wine products eligible for aid, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 ⁽¹⁾ on the progressive establishment of a common organization of the market in wine.

Article 6

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

For the Council
The President
Ove GULDBERG

(1) cf. AGRI/EEC XVI 2

(OJ No L 360, 29.12.1973)

REGULATION (EEC) No 3534/73 OF THE COMMISSION

of 27 December 1973

introducing subsidies for vinicultural products similar to the vinicultural product exported as 'Cyprus sherry' produced in the Community as originally constituted and shipped to Ireland and the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1253/73 of 14 May 1973 on the importation of the vinicultural product exported as 'Cyprus sherry' originating in and coming from Cyprus and the introduction of subsidies for similar vinicultural products produced in the Community as originally constituted and shipped to Ireland and the United Kingdom, and in particular Article 5 thereof;

Whereas Article 4 (1) of Regulation (EEC) No 1253/73 provides for subsidies on Community vinicultural products similar to the vinicultural product exported as 'Cyprus sherry' shipped to Ireland and the United Kingdom; whereas the characteristics of this product can be regarded as comparable with those of liqueur wines, other than quality wines *psr*, produced in the Community;

Whereas the criteria laid down in Article 4 (2) of Regulation (EEC) No 1253/73, whereby the subsidy on Community products is calculated on the basis of the difference between the price of these Community products and the price of vinicultural products exported as 'Cyprus sherry' on the British and Irish markets, leads to the subsidy being fixed at 24 units of account per hectolitre;

Whereas, since the subsidy is limited to shipments to Ireland and the United Kingdom, a ban must be placed on the re-shipment to other Member States or the exportation to third countries of vinicultural products which have benefited from the subsidy unless an amount equal to the subsidy paid is refunded;

Whereas a condition for payment of the subsidy is that the consignor provides proof that the product has been released for home consumption; whereas this proof could be provided by the stamp of the customs authorities of the two countries concerned;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The vinicultural products eligible for the subsidy provided for by Article 4 of Regulation (EEC) No 1253/73 shall be liqueur wines produced in the Community as originally constituted, with the exception of quality liqueur wines produced in specified regions.

Article 2

The subsidy provided for by Article 4 of Regulation (EEC) No 1253/72 is hereby fixed at 24 units of account per hectolitre.

Article 3

1. The subsidy shall be granted to consignors in the Member States of the Community as originally constituted, in the manner specified in Article 4.
2. The subsidy shall be granted for products in respect of which customs shipment formalities were completed between 1 February 1973 and 31 December 1973.
3. The day on which customs shipment formalities are completed shall be the day on which the declarant notified the customs authorities of his intention to ship a product of the kind specified in Article 1 to Ireland or the United Kingdom.

Article 4

To obtain payment of the subsidy, the consignor must present to the competent authorities of the Member States in which the consignment originates, within six months of this Regulation coming into force, an application for subsidy accompanied by:

- a copy of the accompanying document provided by Regulation (EEC) No 1769/72 or, if this is not available, a copy of the appropriate documents specified by the Member States concerned, and
- proof from the British or Irish customs authorities that the vinicultural products in question have been released for home consumption in the consignee Member State.

Article 5

Vinicultural products which have benefited from the subsidy provided for in Article 4 of Regulation (EEC) No 1253/73 shall not be re-shipped to other Member States or exported to third countries unless an amount equal to the subsidy paid is refunded.

Ireland and the United Kingdom shall transfer to the EAGGF sums refunded in accordance with the first paragraph.

These two Member States shall adopt the measures necessary for the application of the provisions of this Article and shall notify them to the Commission.

Article 6

This Regulation shall enter into force on the third 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, 27 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

(OJ No L 48, 20.2.1974)

REGULATION (EEC) No 367/74 OF THE COUNCIL

of 4 February 1974

opening, allocating and providing for the administration of a Community tariff quota for certain textile fibres falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus

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 Agreement ⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus, hereinafter called 'the Agreement', and the Protocol ⁽²⁾ laying down certain provisions concerning that Agreement as a result of the Accession of new Member States to the European Economic Community, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 100 metric tons of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas, pursuant to the joint declaration in Article 2 of the Protocol the tariff quota should be allocated among the Member States as follows: 70 metric tons for the Community as originally constituted and 30 metric tons for the new Member States; whereas Annex 1 to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession should be observed; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand and for the new Member States on the other hand;

Whereas, as regards the Community as originally constituted:

- it is necessary to ensure to all importers equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for this quota to all imports of the products concerned until the quota has been used up;
- in the light of the principles elicited above, the Community nature of the quota may be best preserved by an arrangement allocating it among the Member States; whereas in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both statistics of each State's imports of the said products of the said products originating in Cyprus over a representative reference period and the economic outlook for the quota period concerned;
- however, as during the past three years no such products originating in Cyprus have been imported and as no forecast can be made for 1974, an initial share percentage of 25% allocated to each of the Member States concerned would ensure a fair distribution among them;
- in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of those Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the quota

(1) cf. GEN I 1
(2) cf. GEN I 85

- should be determined at a level which, under present circumstances, may be approximately 75 % ;
- the initial share of the Member States may be used up more or less quickly; whereas, in order to take this fact into account and to avoid any break in continuity, it is important that any Member State having almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares of the quota must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;
 - if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve in order to avoid a part or one or other of the Community quotas remaining unused in one Member State when it could be used in others;
 - since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and jointly represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members;

Whereas as regards the new Member States:

- pursuant to the Protocol, a gross amount of 30 metric tons is allocated to the new Member States; whereas, for the purposes of the allocation of this amount among them, both the past and the prospective future situations are the same as those which faced the original Member States; whereas, therefore, the quota should be allocated equally among the new Member States;
- the quota duties are to be calculated by the new Member States in accordance with Articles 3, 4, 5, 6 and 7 of the Protocol;

- it is necessary to ensure to all importers equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for this quota to all imports of the products concerned until the quota has been used up,

HAS ADOPTED THIS REGULATION:

Article 1

Until 31 December 1974 a tariff quota of 100 metric tons shall be opened within the Community in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the following provisions.

SECTION I

**Provisions applicable to the Community
as originally constituted**

Article 2

The Common Customs Tariff duties shall be partially suspended at the rates indicated below in respect of 70 metric tons of the quota referred to in Article 1:

CCT heading No	Description	Rate of duty %
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning:	
	A. Synthetic textile fibres	2.5
	B. Regenerated textile fibres	3.0

Article 3

1. A first tranche of 52 metric tons of the amount specified in Article 2 shall be allocated among the Member States; the shares which, subject to Article 6, are valid until 31 December 1974, shall be as follows:

Benelux	13 metric tons
Germany	13 metric tons
France	13 metric tons
Italy	13 metric tons

2. The second tranche, of 18 metric tons shall constitute the reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3 (1), or 90% of that share less the amount returned into the reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn up by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1974.

Article 6

If, by 15 September 1974, a Member State has not used up its initial share, it shall not later than 10 October 1974 return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1974, notify to the Commission of the total imports of the said goods effected up to and including 15

September 1974, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 15 October 1974, notify the Member States of the amount in reserve after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for charges to be made, without interruption, against their accumulated shares of the Community quota.

SECTION II

Provisions applicable to the new Member States

Article 9

Within the limits of the tariff quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 10

Within the quota, 30 metric tons shall be allocated to the new Member States as follows:

Denmark	10 metric tons
Ireland	10 metric tons
United Kingdom	10 metric tons

SECTION III

General provisions

Article 11

1. Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.
2. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.
3. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 2.

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

Done at Brussels, 4 February 1974.

Article 12

Member States shall inform the Commission at regular intervals of imports of the said products actually charged against their shares.

Article 13

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 14

The tariff quota laid down in this Regulation shall be opened for 1974.

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

For the Council

The President

W. SCHEEL

REGULATION (EEC) No 368/74 OF THE COUNCIL

of 4 February 1974

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus

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 Agreement ⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus, hereinafter called 'the Agreement', and the Protocol ⁽²⁾ laying down certain provisions concerning that Agreement as a result of the Accession of new Member States to the European Economic Community, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 500 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas pursuant to the joint declaration on Article 2 of the Protocol the tariff quota should be allocated among the Member States as follows: 100 metric tons for the Community as originally constituted and 400 metric tons for the new Member States; whereas Article 1 of Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas, as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession should be observed; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand and for the new Member States on the other hand;

Whereas as regards in particular the Community as originally constituted;

(1) cf. GEN I 1
(2) cf. GEN I 85

— it is necessary to ensure to all importers equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for the quota to all imports of the products concerned until the quota has been used up;

— in the light of the principles elicited above, the Community nature of the quota may be best preserved by an arrangement allocating it among the Member States; whereas in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both statistics of each State's imports of the said products originating in Cyprus over a representative reference period and the economic outlook for the quota period concerned;

— however, as during the past three years no such products originating in Cyprus have been imported and as no forecast can be made for 1974, an initial share percentage of 25% allocated to each of the Member States concerned would ensure a fair distribution among them;

— in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of those Member States which have used up their initial share; in order to ensure a certain degree of security to importers in each Member State, the first tranche of the quota should be determined at a level which, under present circumstances, may be approximately 75%;

— the initial share of the Member States may be used up more or less quickly; whereas in order to take this fact into account and to avoid any break in continuity, it is important that a Member State having almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

— if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of one or other of the Community quotas remaining unused in one Member State when it could be used in others;

— since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and jointly represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members;

Whereas, as regards the new Member States:

— pursuant to the Protocol a gross amount of 400 metric tons is allocated to the new Member States; whereas the same general criteria for allocation as those used for the original Member States should be applied; whereas, however, the United Kingdom has been the sole importer of such goods from Cyprus; whereas in view of these factors and the need to ensure a fair allocation among the Member States, the percentage shares of that quantity may be established as follows:

Denmark	27
Ireland	3
United Kingdom	70

— the quota duties shall be calculated by the new Member States in accordance with Articles 3, 4, 5, 6 and 7 of the Protocol;

— it is necessary to ensure to all importers equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for this quota to all imports of the products concerned, until the quota has been used up,

HAS ADOPTED THIS REGULATION:

Article 1

Until 31 December 1974 a tariff quota of 500 metric tons shall be opened within the Community in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the provisions set out below.

SECTION I

Provisions applicable to the Community as originally constituted

Article 2

The Common Customs Tariff duty shall be partially suspended at the rate of 5.1% in respect of 100 metric tons of the quota referred to in Article 1.

Article 3

1. A first tranche, amounting to 72 metric tons of the amount specified in Article 2, shall be allocated among the Member States; the shares which, subject to Article 6, are valid until 31 December 1974, shall be as follows:

Benelux	18 metric tons
Germany	18 metric tons
France	18 metric tons
Italy	18 metric tons

2. The second tranche of 28 metric tons shall constitute the reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3 (1), or 90% of that share less the amount returned into the reserve where

the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1974.

Article 6

If, by 15 September 1974, a Member State has not used up its initial share, it shall, not later than 10 October 1974, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1974, notify the Commission of the total imports of the said goods effected up to and including 15 September 1974 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 3 and 4 and shall inform each state of the

extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 15 October 1974, notify the Member States of the amount in the reserve after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for changes to be made without interruption against their accumulated shares of the Community quota.

SECTION II

Provisions applicable to the new Member States

Article 9

Within the limits of the tariff quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 10

Within the quota, 400 metric tons shall be allocated to the new Member States as follows:

Denmark	110 metric tons
Ireland	10 metric tons
United Kingdom	280 metric tons

SECTION III

General provisions

Article 11

1. The Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

2. The Member States shall charge imports of the said goods against their share as and when: he goods are entered for home use.

3. The extent to which a Member State used up its share shall be determined on the basis of the imports charged in accordance with paragraph 2.

Article 12

Member States shall inform the Commission at regular intervals of imports of the said products actually charged against their shares.

Article 13

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 14

The tariff quota laid down in this Regulation shall be opened for 1974.

This Regulation shall enter into force on the third 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 February 1974.

For the Council

The President

W. SCHEEL

(OJ No L 49, 21.2.1974)

REGULATION (EEC) No 421/74 OF THE COMMISSION
of 19 February 1974
establishing the standard average values for the valuation of imported citrus
fruits

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Commission Regulation (EEC) No
1570/70 (1) of 3 August 1970 establishing a system of
standard average values for citrus fruits, as last
amended by the Act annexed to the Treaty on
the Accession of new Member States to the European
Economic Community and the European Atomic
Energy Community, signed at Brussels on 22 January
1972, and in particular Article 2 thereof;

Whereas it follows from the application of the notes
and criteria laid down by Regulation (EEC) No
1570/70 to the elements communicated to the

Commission in accordance with Article 4 (1) of that
Regulation that the standard average values should be
fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 shall be as shown
in the table in the Annex.

Article 2

This Regulation shall enter into force on 22 February
1974.

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

Done at Brussels, 19 February 1974.

For the Commission

F. O. GUNDELACH

Member of the Commission

(1) cf. GOODS/EEC I 455

ANNEX

<i>(u.a./100 kg gross)</i>		
Code	Description of goods	Amount of standard average values
1.	Lemons :	
1.1	— Spain	27.04
1.2	— Tunisia, Morocco, Algeria	16.01
1.3	— Countries in southern Africa	25.32
1.4	— Other African countries and countries on the Mediterranean	24.95
1.5	— USA	21.12
1.6	— Other countries	—
2.	Sweet oranges :	
2.1	— Countries on the Mediterranean :	
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	13.24
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	12.78
2.1.3	— Other	8.64
2.2	— Countries in southern Africa	—
2.3	— USA	—
2.4	— Brazil	—
2.5	— Other countries	15.10
3.	Grapefruit and pomelos :	
3.1	— Tunisia, Morocco, Algeria	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	15.13
3.3	— Countries in southern Africa	—
3.4	— USA	27.88
3.5	— Other American countries	—
3.6	— Other countries	—
4.	Clementines	25.87
5.	Mandarines including Wilkings	22.63
6.	Monreales and Satsumas	18.98
7.	Tangerines	22.32

(OJ No L 119, 1.5.1974)

REGULATION (EEC) No 1060/74 OF THE COMMISSION
of 30 April 1974
establishing the standard average values for the valuation of imported citrus
fruits

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community ;

Having regard to Commission Regulation (EEC) No
1570/70 (1) of 3 August 1970 establishing a system of
standard average values for citrus fruits, as last
amended by the Act annexed to the Treaty on
the Accession of new Member States to the European
Economic Community and the European Atomic
Energy Community, signed at Brussels on 22 January
1972, and in particular Article 2 thereof ;

Whereas it follows from the application of the notes
and criteria laid down by Regulation (EEC) No

1570/70 to the elements communicated to the
Commission in accordance with Article 4 (1) of that
Regulation that the standard average values should be
fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 shall be as shown
in the table in the Annex.

Article 2

This Regulation shall enter into force on 3 May 1974.

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

Done at Brussels, 30 April 1974.

For the Commission

F O. GUNDELACH

Member of the Commission

(1) cf. GOODS/EEC I 455

ANNEX

<i>(u.s./100 kg gross)</i>		
Code	Description of goods	Amount of standard average values
1.	Lemons :	
1.1	— Spain	22-31
1.2	— Tunisia, Morocco, Algeria	—
1.3	— Countries in southern Africa	27-35
1.4	— Other African countries and countries on the Mediterranean	22-74
1.5	— USA	25-89
1.6	— Other countries	—
2.	Sweet oranges :	
2.1	— Countries on the Mediterranean :	
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	14-16
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	12-37
2.1.3	— Other	9-18
2.2	— Countries in southern Africa	—
2.3	— USA	—
2.4	— Brazil	—
2.5	— Other countries	17-71
3.	Grapefruit and pomelos :	
3.1	— Tunisia, Morocco, Algeria	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	15-69
3.3	— Countries in southern Africa	—
3.4	— USA	24-18
3.5	— Other American countries	13-48
3.6	— Other countries	—
4.	Clementines	—
5.	Mandarines including Wilkings	32-97
6.	Monreales and Satsumas	—
7.	Tangerines	—

(OJ N° L 126, 8.5.1974)

REGULATION (EEC) No 1143/74 OF THE COMMISSION

of 7 May 1974

laying down implementing provisions and fixing the amount of subsidies for wine products similar to the wine product exported under the label of 'Cyprus Sherry' produced in the Community as originally constituted and consigned to Ireland or to the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3576/73 of 28 December 1973 on the extension and modification of the arrangements made by Regulation (EEC) No 1253/73 on the importation of the wine product exported under the label of 'Cyprus Sherry' originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom, and in particular Article 5 thereof;

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 2592/73, and in particular Article 29 (3) thereof;

Whereas Article 4 (1) of Regulation (EEC) No 3576/73 provides for the granting of subsidies in respect of consignments to Ireland or to the United Kingdom of Community wine products which are similar to the wine product exported under the label of 'Cyprus Sherry'; whereas the characteristics of that product are comparable with those of liqueur wines other than quality wines *psr* produced in the Community;

Whereas Article 4 (2) of Regulation (EEC) No 3576/73 provides that the subsidy granted in respect of the relevant Community wine products is to be calculated on the basis of the difference on the British and Irish markets between the prices of those products and the prices of the wine product exported under the label of 'Cyprus Sherry', and whereas this calculation gives a subsidy of 24 units of account per hectolitre;

Whereas it is necessary, in order to restore the balance between the various sources of supply on the British and Irish markets, to subsidize persons who consign the relevant Community products to those markets;

Whereas it is desirable that in order to obtain the subsidy the consignor should be required to furnish

the necessary proof; whereas to this end he should be required when he submits an application for a subsidy to submit also a copy of the accompanying document provided for in Commission Regulation (EEC) No 1769/72 of 26 July 1972 drawing up accompanying documents and determining the obligations of wine producers and traders other than retailers, as last amended by Regulation (EEC) No 374/74, whereas, however, under Article 13 (2) of that Regulation Member States may provide that in the case of certain products and in certain circumstances such document is not required; whereas it is therefore necessary, if the objectives of this Regulation are to be attained, to prohibit the application of that provision in Member States from which the products in question are initially consigned;

Whereas it is also desirable that the consignor should be required to furnish proof that the products concerned have been entered for home use in the United Kingdom or Ireland; whereas proof for this purpose may be furnished by production of the control copy provided for in Commission Regulation (EEC) No 2315/69 of 19 November 1969 on the use of Community transit documents for the purpose of applying Community measures for verifying the use and/or destination of goods, as last amended by Regulation (EEC) No 690/73 whereas whatever further information is necessary for control purposes should be given in that document;

Whereas since subsidies are to be granted only in respect of consignments to Ireland or to the United Kingdom, it is necessary to provide that where a wine product qualifying for a subsidy is re-consigned to another Member State of the Community or is exported to a third country a sum equal to the amount of the subsidy is to be charged; whereas the EAGGF must recover all such sums collected by Ireland and the United Kingdom;

Whereas, in order to enable the Commission and the Member States concerned to keep track of the situation, the Member States should be informed of the quantities in respect of which subsidies have been applied for and of the quantities in respect of which subsidies have been granted;

- (1) cf. AGRI/EEC XVI A 51
 (2) cf. AGRI/EEC XVI 306
 (3) cf. GOODS/EEC I 403

Whereas the Management Committee for Wine has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The wine products qualifying for the subsidy provided for in Article 4 of Regulation (EEC) No 3576/73 shall be liqueur wines prepared in the Community as originally constituted from grape must or wine produced within the Community, with the exception of quality wines produced in specified regions.

Article 2

The subsidy provided for in Article 4 of Regulation (EEC) No 3576/73 is hereby fixed at 24 units of account per hectolitre.

Article 3

1. The subsidy shall be granted, in accordance with the procedure specified in Article 4, to consignors in the Member States of the Community as originally constituted.

2. The subsidy shall be granted for products in respect of which customs formalities on consignment are completed between 1 January 1974 and 31 December 1974.

3. The day on which customs formalities on consignment are completed shall be the day on which the customs authorities accept the document by which the declarant states his intention to consign a product of the kind specified in Article 1 to Ireland or to the United Kingdom. At the time of such acceptance the products concerned shall be placed under customs control and shall so remain until they leave the territory of the Member State from which they are initially consigned.

The day on which customs formalities on consignment are completed shall be the operative date for determining quantity, nature and characteristics of the product consigned.

Article 4

1. To obtain payment of the subsidy, the consignor must, within six months following the completion of the customs formalities on consignment, present to the competent authorities of the Member State from which the products were initially consigned an application for subsidy accompanied by :

- a copy of the accompanying document provided for in Regulation (EEC) No 1769/72, and
- proof from the British or Irish customs authorities that the wine products in question have been

entered for home use in the Member State of destination.

For the purposes of this paragraph no Member State from which such products are initially consigned may avail itself of the power provided for in Article 13 (2) of Regulation (EEC) No 1769/72.

2. The proof required under the preceding paragraph shall be furnished by production of the control copy referred to in Article 1 of Regulation (EEC) No 2315/69.

Special endorsement shall be made in the following sections on the control copy :

- (a) sections 101 and 103 ;
- (b) section 104, deleting as necessary and inserting one of the following :

'Intended for entry for home use'
'Destiné à être mis à la consommation'
'Für den freien Verkehr bestimmt'
'Destinato ad essere immesso in consumo'
'Bestemd om in het vrije verkeer te worden gebracht'.

The competent customs office in the Member State of destination shall complete the section marked 'Control of use and/or destination'.

Article 5

1. If a wine product coming within Article 1 in respect of which the customs formalities on importation into Ireland or the United Kingdom are completed as from 1 January 1974 is consigned from either of these Member States to another Member State or exported to a third country, an amount equal to the subsidy applicable on the day of completion of the customs formalities on such reconsignment or exportation shall be charged.

The said amount shall be paid by the consignor or exporter not later than at the time of completion of customs formalities.

However no such amount shall be charged if the consignor or exporter furnishes proof that no subsidy has been granted in respect of the product in question.

2. If the arrangements provided for in Regulation (EEC) No 1253/73 are not extended beyond 31 December 1974, the subsidy to be taken into account for the purpose of determining the amount provided for in paragraph 1 shall be the subsidy applicable on 31 December 1974.

3. Ireland and the United Kingdom shall account to the Guarantee Section of the EAGFF for all sums collected in pursuance of paragraph 1.

4. Each of the two aforesaid Member States shall adopt whatever measures are necessary to implement this Article and shall inform the Commission thereof, and of the quantities in respect of which the amount provided for in paragraph 1 has been charged.

Article 6

Every Member State from which the relevant wine products are initially consigned shall, not later than the fifteenth of each month, inform the Commission and the Member States of destination of the quantities of such products in respect of which subsidies have been granted during the preceding month and of the quantities in respect of which applications for subsidy have been received during that month.

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

Done at Brussels, 7 May 1974.

Article 7

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

It shall apply with effect from 1 January 1974.

However,

- the dispositions of Article 4 (2) shall only apply in respect of products for which customs formalities on consignment are completed as from the thirtieth day following the entry into force of this Regulation.
- the dispositions of Article 5 (1) shall only apply in respect of products for which customs formalities on reconsignment or exportation are completed as from the third day following the entry into force of this Regulation

For the Commission

The President

François-Xavier ORTOLI

(OJ N° L 145, 30.5.1974)

REGULATION (EEC) No 1328/74 OF THE COUNCIL

of 29 May 1974

on the application of recommendation No 1/73 of the Association Council laying down the methods of administrative cooperation in the customs field for the purpose of implementing the Agreement creating an association between the European Economic Community and the Republic of Cyprus

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 an Agreement creating an association between the European Economic Community and the Republic of Cyprus⁽¹⁾ was signed on 19 December 1972, and entered into force on 1 June 1973;

Whereas pursuant to Article 17(2) of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation which is an integral part of the Agreement, the Association Council adopted on 26 November 1973 recommendation No 1/73 laying down the methods of administrative cooperation in the customs field for the purpose of implementing the said Agreement, the English version thereof having been amended by Decision No 1/74;

Whereas it is necessary to implement the provisions of this recommendation in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

The provisions of recommendation No 1/73 of the Association Council of 26 November 1973 laying down the methods of administrative cooperation in the customs field for the purpose of implementing the Agreement creating an association between the European Economic Community and the Republic of Cyprus shall apply in the Community.

The text of the recommendation is annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1974.

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

Done at Brussels, 29 May 1974.

For the Council

The President

J. ERTL

(1) cf. GEN I 1

(OJ N° L 156, 13.6.1974)

REGULATION (EEC) No 1464/74 OF THE COMMISSION (*)

of 11 June 1974

establishing the standard average values for the valuation of imported citrus fruits

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Commission Regulation (EEC) No 1570/70 (1) of 3 August 1970 establishing a system of standard average values for citrus fruits, as last amended by the Act annexed to the Treaty on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 2 thereof ;

Whereas it follows from the application of the notes and criteria laid down by Regulation (EEC) No 1570/70 to the elements communicated to the

Commission in accordance with Article 4 (1) of that Regulation that the standard average values should be fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The standard average values provided for in Article 2 (1) of Regulation (EEC) No 1570/70 shall be as shown in the table in the Annex.

Article 2

This Regulation shall enter into force on 14 June 1974.

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

Done at Brussels, 11 June 1974.

For the Commission

F. O. GUNDELACH

Member of the Commission

(1) of. GOODS/EEC I 455

(*) A similar text containing other statistics appears regularly in the Official Journal. It is suggested that the latest Official Journal be consulted.

ANNEX

<i>(w.e./100 kg gross)</i>		
Code	Description of goods	Amount of standard average values
1.	Lemons :	
1.1	— Spain	21.16
1.2	— Tunisia, Morocco, Algeria	15.70
1.3	— Countries in southern Africa	23.27
1.4	— Other African countries and countries on the Mediterranean	21.02
1.5	— USA	23.63
1.6	— Other countries	—
2.	Sweet oranges :	
2.1	— Countries on the Mediterranean :	
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	15.40
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	10.96
2.1.3	— Other	—
2.2	— Countries in southern Africa	— ⁽¹⁾
2.3	— USA	16.23
2.4	— Brazil	—
2.5	— Other countries	17.61
3.	Grapefruit and pomelos :	
3.1	— Tunisia, Morocco, Algeria	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	16.86
3.3	— Countries in southern Africa	24.28
3.4	— USA	21.60
3.5	— Other American countries	17.73
3.6	— Other countries	14.23
4.	Clementines	—
5.	Mandarines including Wilkings	—
6.	Monreales and Satsumas	—
7.	Tangerines	—

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 2680/73 of 1 October 1973, (O) No L 275, 2. 10. 1973).

(OJ N° L 230, 21.8.1974)

REGULATION (EEC) No 2178/74 OF THE COMMISSION

of 20 August 1974

amending Regulation (EEC) No 1143/74 as regards the documents to be produced in order to obtain the subsidies for Community wine products similar to the wine product exported under the label of 'Cyprus Sherry'

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Regulation (EEC) No 3576/73 of 28 December 1973 on the extension and modification of the arrangements made by Regulation (EEC) No 1253/73 on the importation of wine products exported under the label of 'Cyprus sherry' originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom, and in particular Article 5 thereof;

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 1532/74, and in particular Article 29 (3) thereof;

Whereas Article 4 of Commission Regulation (EEC) No 1143/74 of 7 May 1974 laying down implementing provisions and fixing the amount of subsidies for wine products similar to the wine product exported under the label of 'Cyprus Sherry' produced in the Community as originally constituted and consigned to Ireland or to the United Kingdom prescribes a time limit of six months following the completion of the customs formalities on consignment for the presentation of the application for subsidy; whereas this time limit is not sufficient for shipments consigned before the date of entry into force of that Regulation;

Whereas Article 4 (1) of the said Regulation laid down certain conditions that must be fulfilled before the subsidy can be obtained; whereas one of the conditions is the presentation of a copy of the accompanying document provided for in Commission Regulation (EEC) No 1769/72, of 26 July 1972 drawing up accompanying documents and determining the obligations of wine producers and traders other than retailers, as last amended by Regulation (EEC) No 1199/74, whereas for the purposes of applying this provision Regulation (EEC) No 1143/74 prohibited recourse to Article 13 (2) of Regulation (EEC) No 1769/72;

Whereas, however, Regulation (EEC) No 1143/74 is applicable with retrospective effect from 1 January 1974 and whereas between that date and the date of its entry into force consignors have as a rule made use of the facility provided for in Article 13 (2) of Regulation (EEC) No 1769/72; whereas it is therefore expedient to provide that in such cases the accompanying document may be replaced by any other appropriate document to be determined by the Member States concerned;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (1) of Regulation (EEC) No 1143/74 is replaced by the following:

'1. To obtain payment of the subsidy, the consignor must, within six months following completion of the customs formalities on consignment, or in the case of wine consigned before the date of entry into force of this Regulation, within six months following its entry into force, present to the competent authority of the Member State from which the products were initially consigned an application for subsidy accompanied by:

— a copy of the accompanying document provided for in Regulation (EEC) No 1769/72, which copy may in the case of wine consigned before 1 June 1974 and in respect of which pursuant to Article 13 (2) of Regulation (EEC) No 1769/72 no accompanying document is required be replaced by any other appropriate document to be determined by the Member States concerned, and

— proof from the British or Irish customs authorities that the wine products in question have been entered for home use in the Member State of destination.

(1) cf. AGRI/EEC XVI A 51

(2) cf. AGRI/EEC XVI 306

For the purposes of this paragraph, but subject as provided in the first indent, no Member State from which the products are initially consigned may avail itself of the power provided for in Article 13 (2) of Regulation (EEC) No 1769/72.

Article 2

This Regulation shall enter into force on the third 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, 20 August 1974.

For the Commission

The President

François-Xavier ORTOLI

REGULATION (EEC) No 3158/75 OF THE COUNCIL

of 24 November 1975

opening, allocating and providing for the administration of a Community tariff quota for certain textile fibres, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas, as regards the Community as originally constituted:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof;

— equal and uninterrupted access to the quota should be ensured for all importers and quota duties applied continuously to all imports of the said products until the quota has been used up;

Having regard to the proposal from the Commission;

— in the light of the above principles, the Community nature of the quota may best be preserved by an arrangement allocating it among these Member States; whereas in order to provide the most accurate reflection of actual market trends for the said products, such allocation should be proportionate to the needs of these Member States, calculated both from the statistics for each Member State's imports from Cyprus over a representative reference period and from economic prospects for the quota period in question;

Whereas the Agreement ⁽¹⁾ establishing an association between the European Economic Community and the Republic of Cyprus, hereinafter called 'the Agreement', and the Protocol ⁽²⁾ laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 100 metric tons of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas, pursuant to the Joint Declaration in Article 2 of the Protocol, the tariff quota should be allocated among the Member States as follows: 70 metric tons for the Community as originally constituted and 30 metric tons for the new Member States; whereas Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession ⁽³⁾ should be observed; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

— however, as during the past three years no such products originating in Cyprus have been imported and as no forecast can be made for 1976, a significative and balanced participation by each of these States on this quota would ensure fair distribution among them;

— in order to take account of import trends for the products in question in the Member States concerned, the quota amount should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas in order to ensure a certain degree of security to importers in each Member State, the first instalment of the quota should be fixed in this case at approximately 75%;

(1) cf. GEN I 1

(2) cf. GEN I 85

(3) OJ No L 73, 27. 3. 1972, p. 14.

— the initial quota shares may be used up at different times; whereas, therefore, to avoid

disruption of supplies, any Member State which has almost used up its initial quota share, shall draw an additional quota share from the reserve; whereas this shall be done by each Member State whenever one of its additional quota shares has been almost used up, and as many times as the reserve allows; whereas the initial and additional quota shares shall be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

- if, at a given date in the quota period, a considerable quantity of the initial quota share is left over in one of the Member States concerned, it is essential that that State should return a significant proportion to the reserve to prevent a part of the quota allocated to the Community as originally constituted from remaining unused in one Member State when it could be used in others;
- since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members;

Whereas, as regards the new Member States:

- pursuant to the Protocol, a gross amount of 30 metric tons is allocated to the new Member States; whereas, for the purposes of the allocation of this amount among them, both the past and the prospective future situations are the same as those which faced the original Member States; whereas, therefore, the quota should be allocated equally among the new Member States in the same way;
- the quota duties shall be calculated by the new Member States in accordance with Articles 3, 4, 5, 6 and 7 of the Protocol;
- equal and uninterrupted access to the quota should be ensured for all importers and quota duties applied continuously to all imports of the products in question until the quota has been used up,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1976 a tariff quota of 100 metric tons shall be opened within the Community in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the following provisions.

SECTION I

Provisions applicable to the Community as originally constituted

Article 2

The Common Customs Tariff duties shall be partially suspended at the rate indicated below for 70 metric tons of the quota referred to in Article 1:

CCT heading No	Description	Rate of duty (%)
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning:	
	A. Synthetic textile fibres	2.5
	B. Regenerated textile fibres	3.0

Article 3

1. A first instalment, amounting to 52 metric tons of the amount specified in Article 2, shall be allocated among the Member States; the shares, which subject to Article 6 are valid until 31 December 1976, shall be as follows:

Germany	14 metric tons,
Benelux	10 metric tons,
France	15 metric tons,
Italy	13 metric tons.

2. The second instalment of 18 metric tons shall constitute the reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3 (1), or 90% of that share less the amount returned into the reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn up by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1976.

Article 6

The Member States shall return to the reserve, not later than 1 October 1976, the unused portion of their initial share which, on 15 September 1976, is in excess of 20% of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1976, notify to the Commission of the total imports of the said goods effected up to and including 15 September 1976, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 5 October 1976, notify the Member States of the amount in reserve after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

SECTION II

Provisions applicable to the new Member States*Article 9*

Within the limits of the tariff quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 10

Within the quota referred to in Article 1, 30 metric tons shall be allocated to the new Member States as follows:

Denmark	10 metric tons,
Ireland	8 metric tons,
United Kingdom	12 metric tons.

SECTION III

General provisions*Article 11*

1. Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

2. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 2.

Article 12

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 13

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 14

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 24 November 1975.

For the Council

The President

B. VISENTINI

REGULATION (EEC) No 3159/75 OF THE COUNCIL

of 24 November 1975

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus (1976)

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 Agreement⁽¹⁾ establishing an association between the European Economic Community and the Republic of Cyprus, hereinafter called 'the Agreement', and the Protocol⁽²⁾ laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 500 metric tons of men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas pursuant to the Joint Declaration on Article 2 of the Protocol the tariff quota should be allocated among the Member States as follows: 100 metric tons for the Community as originally constituted and 400 metric tons for the new Member States; whereas Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas, as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession⁽³⁾ should be observed; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted

access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas during the past three years no such products originating in Cyprus have been imported into the Community as originally constituted and whereas a minimal amount has been imported into only one of the new Member States; whereas no forecast can be made for 1976; whereas to ensure fair distribution of the two quota amounts between the Member States concerned each Member State should make a significant contribution to the relevant quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	28
Germany	19
France	28
Italy	25
Denmark	45
Ireland	5
United Kingdom	50

Whereas, in order to take account of import trends for the products in question in the Member States concerned, the quota amount should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas in order

(1) cf. GEN I 1

(2) cf. GEN I 85

(3) OJ No L 73, 27. 3. 1972, p. 14.

to ensure a certain degree of security to importers in each Member State, the first instalment of the quota should be fixed in this case at approximately 75 and 50% respectively;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserves allow; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community tariff quotas remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1976 a tariff quota of 500 metric tons shall be opened within the Community in respect of men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the provisions set out below.

Article 2

1. The Common Customs Tariff duty shall be partially suspended at the rate of 5.1% in respect of 100 metric tons of the quota referred to in Article 1.

2. Within the limits of 400 metric tons the tariff quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 3

1. A first instalment, amounting to 72 metric tons of the amount specified in Article 2 (1), shall be allocated among the Member States of the Community as originally constituted; the shares, which subject to Article 6 are valid until 31 December 1976, shall be as follows:

Germany	20 metric tons,
Benelux	14 metric tons,
France	20 metric tons,
Italy	18 metric tons.

The second instalment of 28 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 200 metric tons of the amount mentioned in Article 2 (2), shall be distributed between the new Member States; the shares, which subject to Article 6 are valid until 31 December 1976, shall be as follows:

Denmark	90 metric tons,
Ireland	5 metric tons,
United Kingdom	105 metric tons.

The second instalment of 200 metric tons shall constitute the relevant reserve.

Article 4

1. If 90% or more of the initial share of a Member State, as laid down in Article 3, or 90% of that share less the amount returned into the relevant reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the relevant reserve is sufficient.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the relevant reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3 a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1976.

Article 6

The Member States shall return to the reserve, not later than 1 October 1976, the unused portion of their initial share which, on 15 September 1976, is in excess of 20% of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1976, notify the Commission of the total imports of the said goods effected up to and including 15 September 1976, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the relevant reserve.

Article 7

The Commission shall keep an account of the shares opened by Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserves have been used up as soon as it receives the notifications.

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

Done at Brussels, 24 November 1975.

The Commission shall, not later than 5 October 1976, notify the Member States of the amounts in the reserves after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up one or the other reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for changes to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 9

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 11

This Regulation shall enter into force on 1 January 1976.

For the Council

The President

B. VISENTINI

REGULATION (EEC) No 3160/75 OF THE COUNCIL

of 24 November 1975

opening a Community tariff quota for new potatoes, falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament,

Whereas the Protocol⁽¹⁾ laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community, provides that during the period 1 January 1974 to 30 June 1977 the Republic of Cyprus shall be entitled to annual tariff quotas, free of customs duties, in respect of imports into the United Kingdom of new potatoes, falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus; whereas the annual tariff quota must take into account the traditional United Kingdom imports from Cyprus; whereas taking this element into account it is advisable to fix the tariff quota for the year 1976 at 110 000 long tons;

Whereas equal and continuous access to the quota should be ensured for all importers and quota duties should be applied consistently to all imports of the product in question until the quota is used up,

HAS ADOPTED THIS REGULATION:

Article 1

A duty free tariff quota of 110 000 long tons shall be opened in the United Kingdom for the period 1 January to 31 December 1976 in respect of new potatoes, falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus.

Article 2

1. The United Kingdom shall ensure that importers of the product in question established in its territory have free access to the tariff quota.
2. The extent to which the tariff quota is used up shall be based on the quantities of the imported product in question entered for home use.

Article 3

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 24 November 1975.

For the Council
The President
B. VISENTINI

(1) cf. GEN I 85

**REGULATION (EEC) No 3417/75 OF THE COUNCIL
of 30 December 1975**

extending the period of validity of and amending Regulation (EEC) No 3576/73 on imports of the wine product exported under the label of 'Cyprus sherry', originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament,

Whereas Regulation (EEC) No 1253/73, as amended by Regulation (EEC) No 3576/73, the term of validity of which was extended by Regulation (EEC) No 3298/74, introduced arrangements for imports of the wine product exported under the label of 'Cyprus sherry', originating in and coming from Cyprus, and provided for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom; whereas the arrangements in question are to apply only until 31 December 1975;

Whereas, by the exchange of letters referred to in Article 12 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus following the accession of new Member States to the European Economic Community (1), the Community agreed to extend the arrangements in question to the marketing of wines of the 1974 harvest;

Whereas on 31 August 1973 the Republic of Cyprus adopted new rules governing wine production; whereas those rules, following the amendments made to them on 21 December 1973, correspond to those of

the Community and have been applicable since 1 January 1975;

Whereas Regulation (EEC) No 3298/74 extended the arrangements provided for by Regulation (EEC) No 3576/73 to apply to the marketing of the 1974 harvest;

Whereas, contrary to expectations, this harvest has not been completely marketed during 1975; whereas, to allow the marketing of the remainder of this harvest, the arrangements should apply until 30 June 1976,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3576/73 is hereby amended as follows:

1. In Article 1 '31 December 1975' shall be replaced by '30 June 1976';
2. In Article 1 '200 000 hectolitres' shall be replaced by '100 000 hectolitres';
3. In Article 2 (1) '200 000', '2 000' and '198 000 hectolitres' shall be replaced by '100 000', '1 000' and '99 000 hectolitres' respectively;
4. In Article 4 '31 December 1975' shall be replaced by '30 June 1976'.

Article 2

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 30 December 1975.

For the Council
The President
M. TOROS

(1) cf. GEN I 91

COMMISSION REGULATION (EEC) No 378/76

of 20 February 1976

amending for the third time Regulation (EEC) No 1143/74 as regards the amount of subsidies for wine products similar to the wine product exported under the label of 'Cyprus Sherry' produced in the Community as originally constituted and consigned to Ireland or to the United Kingdom during the period 1 January to 30 June 1976

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3576/73 of 28 December 1973 on the extension and modification of the arrangements made by Regulation (EEC) No 1253/73 on the importation of the wine product exported under the label of 'Cyprus Sherry' originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom, as last amended by Regulation (EEC) No 3417/75, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (1), as last amended by Regulation (EEC) No 1932/75 (2), and in particular Article 29 (3) thereof,

Whereas the arrangements provided under Regulation (EEC) No 3576/73 were extended by Regulation (EEC) No 3417/75 until 30 June 1976; whereas certain amendments should therefore be made to Commission Regulation (EEC) No 1143/74 of 7 May 1974 laying down implementing provisions and fixing the amount of subsidies for wine products similar to the wine product exported under the label of 'Cyprus Sherry' produced in the Community as originally constituted and consigned to Ireland or to the United Kingdom, as amended by Regulation (EEC) No 566/75;

Whereas Article 4 (2) of Regulation (EEC) No 3576/73 provides that the subsidy granted in respect of the relevant Community wine products is to be calculated on the basis of the difference on the British and Irish markets between the prices of those products and the prices of the wine products exported under the label of 'Cyprus Sherry'; whereas this calculation gives (for the period 1 January to 30 June 1976) a subsidy of 10 units of account per hectolitre for products of an

actual alcoholic strength exceeding 15° but not exceeding 18°, and a subsidy of 15 units of account per hectolitre for the products of an actual alcoholic strength exceeding 18° but not exceeding 22°;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1143/74 is amended to read as follows:

'The subsidy provided for in Article 4 of Regulation (EEC) No 3576/73 is hereby fixed as regards products in respect of which customs formalities on consignment have been completed during the period:

- (a) 1 January to 31 December 1974, at 24 units of account per hectolitre;
- (b) 1 January to 31 December 1975, at:
 - 38 units of account per hectolitre for the products of an actual alcoholic strength exceeding 15° but not exceeding 18°,
 - 5 units of account per hectolitre for the products of an actual alcoholic strength exceeding 18° but not exceeding 22°;
- (c) 1 January to 30 June 1976, at:
 - 10 units of account per hectolitre for the products of an actual alcoholic strength exceeding 15° but not exceeding 18°;
 - 15 units of account per hectolitre for the products of an actual alcoholic strength exceeding 18° but not exceeding 22°.

Article 2

Article 5 (2) of Regulation (EEC) No 1143/74 is amended to read as follows:

(1) OJ No L 99, 5. 5. 1970, p. 1.

(2) OJ No L 198, 29. 7. 1975, p. 19.

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2. If the arrangements provided for in Regulation (EEC) No 3576/73 are not extended beyond 30 June 1976, the subsidy to be taken into account for the purpose of determining the amount provided for in paragraph 1 shall be that applicable on 30 June 1976.

Article 3

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

It shall apply with effect from 1 January 1976.

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

Done at Brussels, 20 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COUNCIL REGULATION (EEC) No 471/76

of 24 February 1976

suspending application of the condition on prices governing the importation into the Community of fresh lemons, originating in Cyprus, Spain, Israel, Morocco, the Arab Republic of Egypt, Tunisia and Turkey in accordance with Agreements between the European Economic Community and each of these countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- the Agreement establishing an association between the European Economic Community and the Republic of Cyprus (1),
- the Agreement between the European Economic Community and Spain (2),
- the Agreement between the European Economic Community and the State of Israel (3),
- the Agreement establishing an association between the European Economic Community and the Kingdom of Morocco (4),
- the Agreement between the European Economic Community and the Arab Republic of Egypt (5),
- the Agreement establishing an association between the European Economic Community and the Republic of Tunisia (6),
- the Additional Protocol (7) annexed to the Agreement establishing an association between the European Economic Community and Turkey,

provide *inter alia* for a tariff reduction on imports into the Community of lemons originating in these countries on condition that a fixed price is observed on the internal Community market;

Whereas the application of the said condition should be suspended with regard to imports of fresh lemons originating in Cyprus, Spain, Israel, Morocco, the Arab Republic of Egypt, Tunisia and Turkey;

Whereas Council Regulations:

- (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruit originating in Cyprus (8),
- (EEC) No 2047/70 of 13 October 1970 on imports of citrus fruit originating in Spain (9),
- (EEC) No 1627/75 of 26 June 1975 on imports of fresh lemons originating in Israel (9),
- (EEC) No 1467/69 of 23 July 1969 on imports of citrus fruit originating in Morocco (9),
- (EEC) No 2411/73 of 24 July 1973 on imports of citrus fruit originating in the Arab Republic of Egypt (10),
- (EEC) No 1472/69 of 23 July 1969 on imports of citrus fruit originating in Tunisia (9) and
- (EEC) No 1233/71 of 7 June 1971 on imports of citrus fruit originating in Turkey

(1) cf. GEN I 1

(2) OJ No L 182, 16. 8. 1970, p. 4.

(3) OJ No L 136, 28. 5. 1975, p. 3.

(4) cf. GEN I 1

(5) OJ No L 251, 7. 9. 1973, p. 2.

(6) cf. GEN I 1

(7) cf. GEN I 73

(8) OJ No L 228, 15. 10. 1970, p. 2.

(9) OJ No L 165, 28. 6. 1975, p. 9.

(10) OJ No L 251, 7. 9. 1973, p. 101.

have laid down the implementing rules for the condition referred to above; whereas, therefore, the application of these Regulations as far as the said implementing rules are concerned should also be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

The application of the following provisions shall be suspended as regards imports of fresh lemons originating in the countries in question:

- Article 5 (2) and (3) of Annex I to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus;
- Article 7 (2) and (3) of Annex I to the Agreement between the European Economic Community and Spain;
- Article 8 (3) and (4) of Protocol 1 annexed to the Agreement between the European Economic Community and the State of Israel;
- Article 4 (2) and (3) of Annex I to the Agreement establishing an association between the European Economic Community and the Kingdom of Morocco;

- Article 6 (2) and (3) of Annex I to the Agreement between the European Economic Community and the Arab Republic of Egypt;
- Article 4 (2) and (3) of Annex I to the Agreement establishing an association between the European Economic Community and Republic of Tunisia;
- Article 4 (3) and (4) of Annex 6 to the Additional Protocol annexed to the Agreement establishing an association between the European Economic Community and Turkey.

Article 2

The application of Regulations (EEC) No 1252/73, (EEC) No 2047/70, (EEC) No 1627/75, (EEC) No 1467/69, (EEC) No 2411/73, (EEC) No 1472/69 and (EEC) No 1233/71, shall be suspended as regards imports of fresh lemons originating in the countries concerned.

Article 3

This Regulation shall enter into force on 1 April 1976.

It shall be applicable until 31 May 1976.

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

Done at Brussels, 24 February 1976.

For the Council
The President
M. MART

COUNCIL REGULATION (EEC) No 1554/76

of 29 June 1976

suspending application of the condition on prices governing the importation into the Community of fresh lemons originating in the Mediterranean countries with which the Community concludes agreements

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 has concluded agreements with several Mediterranean countries providing, *inter alia*, for a reduced tariff on imports into the Community of fresh lemons originating in those countries, provided that a stated price is observed on the internal Community market;

Whereas the adoption of Council Regulation (EEC) No 2481/75 of 29 September 1975 amending Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit⁽¹⁾ has enabled the abovementioned condition to be suspended during the period for which Regulation (EEC) No 2511/69⁽²⁾ is applicable;

Whereas Council Regulation (EEC) No 793/76 of 6 April 1976 amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables and Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit⁽³⁾, *inter alia*, maintains in force until 31 May 1977 the special measures in respect of Community lemons provided for in Article 6 of Regulation (EEC) No 2511/69;

Whereas, in these circumstances, it is necessary to extend beyond 31 May 1976 the provisions of Council Regulation (EEC) No 471/76 of 24 February 1976 suspending application of the condition on prices governing the importation into the Community of fresh lemons, originating in Cyprus, Spain, Israel, Morocco, the Arab Republic of Egypt, Tunisia and Turkey in accordance with Agreements between the European Economic Community and each of these countries;

Whereas the Community signed Cooperation Agreements with Tunisia on 25 April 1976 and with

Morocco on 27 April 1976; whereas these Agreements contain the same provisions governing imports of lemons as the Association Agreements concluded with those countries⁽⁴⁾, whereas the trade arrangements applicable by the Community under those Association Agreements were extended in respect of Tunisia by Regulation (EEC) No 2107/75⁽⁵⁾, as amended by Regulation (EEC) No 3415/75⁽⁶⁾, and in respect of Morocco by Regulation (EEC) No 2108/75⁽⁷⁾, as amended by Regulation (EEC) No 3416/75⁽⁸⁾; whereas the Community signed, on the same day as the Cooperation Agreement with each of those countries, Interim Agreements⁽⁹⁾ designed to bring forward the application of certain provisions of the Cooperation Agreements relating to trade;

Whereas on 26 April 1976 the Community signed a Cooperation Agreement and an Interim Agreement⁽⁹⁾ with Algeria containing, with regard to lemons, similar provisions to those contained in the agreements between the European Economic Community and Tunisia and between the European Economic Community and Morocco; whereas comparable provisions are also to be included in the agreements under negotiation with the Arab Republic of Egypt, Syria, Jordan and the Lebanon;

Whereas, therefore, application of the condition on prices governing the importation into the Community of fresh lemons originating in those Mediterranean countries with which the Community concludes agreements should be suspended during the period of application of Article 6 of Regulation (EEC) No 2511/69,

HAS ADOPTED THIS REGULATION:

Article 1

The following is hereby added to Article 1 of Regulation (EEC) No 471/76:

— Article 15 (3) and (4) of the Cooperation Agreement and Article 8 (3) and (4) of the Interim Agreement between the European Economic Community and the Republic of Tunisia,

⁽¹⁾ OJ No L 254, 1. 10. 1975, p. 1.

⁽²⁾ OJ No L 318, 18. 12. 1969, p. 1.

⁽³⁾ OJ No L 93, 8. 4. 1976, p. 1.

⁽⁴⁾ OJ No L 198, 8. 8. 1969, p. 1 and

OJ No L 197, 8. 8. 1969, p. 1.

⁽⁵⁾ OJ No L 215, 13. 8. 1975, p. 1.

⁽⁶⁾ OJ No L 337, 31. 12. 1975, p. 3.

⁽⁷⁾ OJ No L 215, 13. 8. 1975, p. 2.

⁽⁸⁾ OJ No L 337, 31. 12. 1975, p. 4.

⁽⁹⁾ OJ No L 141, 28. 5. 1976, p. 195 and p. 98.

- Article 15 (3) and (4) of the Cooperation Agreement and Article 8 (3) and (4) of the Interim Agreement between the European Economic Community and the Kingdom of Morocco,
- Article 15 (3) and (4) of the Cooperation Agreement and Article 8 (3) and (4) of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria.'

Article 2

The second paragraph of Article 3 of Regulation (EEC) No 471/76 is hereby amended to read as follows :

'It shall be applicable until 31 May 1977.'

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

Done at Luxembourg, 29 June 1976.

Article 3

The Council, acting by a qualified majority on a proposal from the Commission, may extend the application of Article 1 of Regulation (EEC) No 471/76 to similar provisions in the agreements under negotiation with the Arab Republic of Egypt, Syria, Jordan and the Lebanon.

Article 4

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

It shall apply from 1 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1606/76

of 29 June 1976

extending and amending Regulation (EEC) No 3576/73 on imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom

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 Regulation (EEC) No 1253/73, as amended by Regulation (EEC) No 3576/73, which was last extended and amended by Regulation (EEC) No 3417/75, introduced arrangements for imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and made provisions for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom; whereas the arrangements concerned are valid only until 30 June 1976;

Whereas, in the exchange of letters provided for in Article 12 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community (4), the Community undertook to extend the arrangements concerned to the marketing of wines of the 1974 harvest;

Whereas the Republic of Cyprus adopted new rules governing wine production on 31 August 1973; whereas these rules, following the amendments made to them on 21 December 1973, correspond to those of the Community and have been applicable since 1 January 1975;

Whereas Regulation (EEC) No 3417/75 extended the arrangements provided for in Regulation (EEC) No 3576/73, so that they could apply to the marketing of the 1974 harvest;

Whereas, contrary to estimates, it was impossible to market this harvest completely in 1975; whereas, moreover, relatively large stocks have remained from the preceding years; whereas, to enable these to be cleared, the aforementioned arrangements should apply until 30 June 1977,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3576/73 is hereby amended as follows:

- (1) in Article 1, the date of 30 June 1977 shall be substituted for 30 June 1976;
- (2) in Article 1, the amount of 200 000 hectolitres shall be substituted for 100 000 hectolitres;
- (3) in Article 2 (1), the amounts of 200 000, 2 000 and 198 000 hectolitres shall be substituted for 100 000, 1 000 and 99 000 hectolitres respectively;
- (4) in Article 4, the date of 30 June 1977 shall be substituted for 30 June 1976.

Article 2

This Regulation shall enter into force on 1 July 1976.

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

Done at Luxembourg, 29 June 1976.

For the Council
The President
G. THORN

COUNCIL REGULATION (EEC) No 3050/76

of 9 December 1976

opening, allocating and providing for the administration of a Community tariff quota for certain textile fibres falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus (1977)

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 Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, hereinafter called 'the Agreement', and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 100 metric tons of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas, however, the first stage of the Agreement ends on 30 June 1977; whereas the Community intends to maintain its trading relations with that country; whereas the provisions governing the second half of 1977 should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the tariff quota should be opened for the whole of 1977;

Whereas, pursuant to the joint declaration on Article 2 of the Protocol, the tariff quota should be allocated among the Member States as follows: 70 metric tons for the Community as originally constituted and 30 metric tons for the new Member

States; whereas Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas as regards the duties to be applied to the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession must be respected; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlooks for the quota period concerned;

Whereas, however, during the past three years no such products originating in Cyprus have been imported either into the Community as originally constituted or into any of the new Member States; whereas no forecast can be made for 1977; whereas to ensure fair distribution of the two quota amounts between the Member States concerned each Member State should make a significant contribution to the relevant quota amount; whereas such contributions

(1) GEN I 1
(2) GEN I 85

may approximately correspond to the following percentages:

Benelux	19
Germany	27
France	29
Italy	25
Denmark	33
Ireland	27
United Kingdom	40

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of these amounts should be divided into two instalments, the first instalments being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalments of the Community quota should be determined at a level which, under present circumstances, may be approximately 75 and 70% of the quota amount respectively;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the relevant reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserves allow; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the tariff quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the

administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1977, a tariff quota of 100 metric tons shall be opened within the Community in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the provisions set out below.

Article 2

1. The Common Customs Tariff duties shall be partially suspended at the rates indicated below in respect of 70 metric tons of the quota referred to in Article 1.

CCT heading No	Description	Rate of duty (%)
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning:	
	A. Synthetic textile fibres	2.5
	B. Regenerated textile fibres	3.0

2. Within the limits of 30 metric tons of the quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 3

1. A first instalment, amounting to 52 metric tons of the amount specified in Article 2 (1), shall be allocated among the Member States of the Community as originally constituted; the shares, which subject to Article 6 are valid until 31 December 1977, shall be as follows:

Germany	14 metric tons,
Benelux	10 metric tons,
France	15 metric tons,
Italy	13 metric tons.

The second instalment of 18 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 21 metric tons of the amount specified in Article 2 (2), shall be allocated among the new Member States; the shares, which subject to Article 6 are valid until 31 December 1977, shall be as follows:

Denmark	7 metric tons,
Ireland	6 metric tons,
United Kingdom	8 metric tons.

The second instalment of nine metric tons shall constitute the relevant reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3, or 90% of that share less the amount returned into the relevant reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the relevant reserve is sufficient.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the relevant reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall

inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1977.

Article 6

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial shares which, on 15 September 1977, are in excess of 20% of the initial amounts. They may return greater portions if there are grounds for believing that such portions may not be used in full.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the said goods effected up to and including 15 September 1977 and charged against the Community quota and, where appropriate, the proportions of their initial shares that are being returned to the relevant reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserves have been used up as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify the Member States of the amounts in the reserves after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up one or the other reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 9

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 11

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

COUNCIL REGULATION (EEC) No 3051/76

of 9 December 1976

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus (1977)

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 Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, hereinafter called 'the Agreement', and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾, hereinafter called 'the Protocol', provide for the opening of an annual Community tariff quota of 500 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas, however, the first stage of the Agreement ends on 30 June 1977; whereas the Community intends to maintain its trading relations with that country; whereas the provisions governing the second half of 1977 should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the tariff quota should be opened for the whole of 1977;

Whereas, pursuant to the joint declaration on Article 2 of the Protocol, the tariff quota should be allocated among the Member States as follows: 100 metric tons for the Community as originally constituted and 400 metric tons for the new Member

States; whereas Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas, as regards the duties to be applied to the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession must be respected; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlooks for the quota period concerned;

Whereas, however, during the past three years no such products originating in Cyprus have been imported into the Community as originally constituted; whereas a minimal amount has been imported into only one of the new Member States; whereas no forecast can be made for 1977; whereas to ensure fair distribution of the two quota amounts between the Member States concerned each Member State should make a significant contribution to the relevant quota amount; whereas such contributions may

(1) GEN I 1

(2) GEN I 85

approximately correspond to the following percentages:

Benelux	19
Germany	28
France	28
Italy	25
Denmark	45
Ireland	3
United Kingdom	52

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of these amounts should be divided into two instalments, the first instalments being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalments of the Community quota should be determined at a level which, under present circumstances, may be approximately 72 and 50% of the quota amount respectively;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the relevant reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserves allow; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used, and inform Member States thereof;

Whereas if, at a specified date in the quota period a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the tariff quota's remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to

that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1977, a tariff quota of 500 metric tons shall be opened within the Community in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the provisions set out below.

Article 2

1. The Common Customs Tariff duty shall be partially suspended at the rate of 5.1% in respect of 100 metric tons of the quota referred to in Article 1.
2. Within the limits of 400 metric tons of the quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 3

1. A first instalment, amounting to 72 metric tons of the amount specified in Article 2 (1), shall be allocated among the Member States of the Community as originally constituted; the shares, which subject to Article 6 are valid until 31 December 1977, shall be as follows:

Germany	20 metric tons,
Benelux	14 metric tons,
France	20 metric tons,
Italy	18 metric tons.

The second instalment of 28 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 200 metric tons of the amount specified in Article 2 (2), shall be allocated among the new Member States; the shares, which subject to Article 6 are valid until 31 December 1977, shall be as follows:

Denmark	90 metric tons,
Ireland	5 metric tons,
United Kingdom	105 metric tons.

The second instalment of 200 metric tons shall constitute the relevant reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3, or 90% of that share less the amount returned into the relevant reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the relevant reserve is sufficient.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the relevant reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1977.

Article 6

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20% of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the said goods effected up to and including 15 September 1977 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the relevant reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserves have been used up as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify the Member States of the amounts in the reserves after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up one or the other reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 9

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 11

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

COUNCIL REGULATION (EEC) No 3052/76

of 9 December 1976

opening a tariff quota for new potatoes falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament

Whereas the Protocol laying down certain provisions relating to the Agreement (7) establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community provides that, during the period 1 January 1974 to 30 June 1977, the Republic of Cyprus shall be entitled to annual tariff quotas, free of customs duties, in respect of imports into the United Kingdom of new potatoes falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus; whereas the tariff quota must take into account the traditional United Kingdom imports from Cyprus; whereas taking this element into account it is advisable to fix the tariff quota for the period 1 January to 30 June 1977 at 110 000 long tons;

Whereas equal and continuous access to the quota should be ensured for all importers and quota duties

should be applied consistently to all imports of the product in question until the quota is used up,

HAS ADOPTED THIS REGULATION:

Article 1

A duty-free tariff quota of 110 000 long tons shall be opened in the United Kingdom for the period 1 January to 30 June 1977 in respect of new potatoes falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus.

Article 2

1. The United Kingdom shall ensure that importers of the product in question established in its territory have free access to the tariff quota.
2. The extent to which the tariff quota is used up shall be based on the quantities of the imported product in question entered for home use.

Article 3

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council
The President
P. J. J. MERTENS

COMMISSION REGULATION (EEC) No 369/77

of 23 February 1977

introducing a countervailing charge on lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least 0.5 unit of account below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least 0.5 unit of account below the reference price;

Whereas Commission Regulation (EEC) No 1227/76 of 25 May 1976 fixing for the 1976/77 marketing year reference prices for lemons⁽³⁾, fixed for the products of quality Class I, the reference price at 19.71 units of account per 100 kilograms net for the month of February 1977;

Whereas the entry price for a given exporting country is equal to the lowest on the average of the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges referred to in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas it is necessary to record the prices to be taken into consideration on the representative markets

(1) OJ No L 118, 20. 5. 1972, p. 1.

(2) OJ No L 93, 8. 4. 1976, p. 6.

(3) OJ No L 137, 26. 5. 1976, p. 23.

referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as amended by Regulation (EEC) No 385/75⁽⁵⁾;

Whereas for Cyprus lemons, the entry prices calculated in this way have for six consecutive market days been alternatively above and below the reference price; whereas three of these entry prices are more than 0.5 unit of account below the reference price; whereas a countervailing charge should therefore be introduced for lemons originating in Cyprus;

Whereas in accordance with the provisions of Article 26 (2) of Regulation (EEC) No 1035/72 that charge is applied in principle for six days;

Whereas if the system is to operate normally it should be calculated on the entry price on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 % a rate of exchange based on their effective parity,
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 3.05 units of account per 100 kilograms net is applied to lemons (subheading ex 08.02 C of the Common Customs Tariff) originating in Cyprus.

Article 2

This Regulation shall enter into force on 25 February 1977. Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 2 March 1977.

(4) OJ No L 220, 10. 8. 1974, p. 20.

(5) OJ No L 44, 18. 2. 1975, p. 8.

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

Done at Brussels, 23 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 433/77

of 1 March 1977

introducing a countervailing charge on lemons originating in Cyprus and Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances;

Whereas Commission Regulation (EEC) No 1227/76 of 25 May 1976 fixing for the 1976/77 marketing year the reference prices for lemons⁽³⁾, fixed the reference price for Class I products at 19.71 units of account per 100 kilograms net for the month of February 1977;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties, and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative markets is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas it is necessary to record the prices to be taken into consideration on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as amended by Regulation (EEC) No 385/75⁽⁵⁾;

Whereas for Cyprian and Greek lemons the entry prices calculated in this way have remained at least

0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge has therefore to be introduced for these lemons;

Whereas the entry prices available at present for these two exporting countries allow the application of one charge, equal to the difference between the reference price and the arithmetic mean of the average entry prices established for each exporting country; whereas Commission Regulation (EEC) No 422/77 of 28 February 1977 introducing a countervailing charge on lemons originating in Greece⁽⁶⁾ should therefore be repealed;

Whereas if the system is to operate normally, it should be calculated for the entry price on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of 1.79 units of account per 100 kilograms net is applied to lemons, falling within subheading ex 08.02 C of the Common Customs Tariff, originating in Cyprus and Greece.
2. Regulation (EEC) No 422/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 3 March 1977.

⁽⁶⁾ OJ No L 56, 1. 3. 1977, p. 49.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 137, 26. 5. 1976, p. 23.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

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

Done at Brussels, 1 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION REGULATION (EEC) No 480/77
of 9 March 1977
amending Regulation (EEC) No 433/77 introducing a countervailing charge on
lemons originating in Cyprus and Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 795/76⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Regulation (EEC) No 433/77⁽³⁾ introduced a
countervailing charge on lemons originating in
Cyprus and Greece,

Whereas Regulation (EEC) No 1035/72 laid down the
conditions under which a charge is introduced,
amended or abolished; whereas, if these conditions
are taken into consideration, the countervailing charge

on Greek lemons must be abolished and the counter-
vailing charge on Cyprian lemons must be amended,

HAS ADOPTED THIS REGULATION :

Article 1

Article 1 of Regulation (EEC) No 433/77 is replaced
by the following :

'A countervailing charge of 3.90 units of account
per 100 kilograms net is applied to lemons
(subheading ex 08.02 C of the Common Customs
Tariff) originating in Cyprus.'

Article 2

This Regulation shall enter into force on 10 March
1977.

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

Done at Brussels, 9 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 57, 2. 3. 1977, p. 5.

12. 3. 77

Official Journal of the European Communities

No L 66/29

COMMISSION REGULATION (EEC) No 506/77

of 11 March 1977

abolishing the countervailing charge on lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 433/77 of 1 March 1977⁽³⁾, as amended by Regulation (EEC) No 480/77⁽⁴⁾, introduced a countervailing charge on lemons originating in Cyprus;

Whereas the present trend of prices for Cyprian products on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁵⁾, as amended by

Regulation (EEC) No 385/75⁽⁶⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation indicates that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 433/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 12 March 1977.

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

Done at Brussels, 11 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 57, 2. 3. 1977, p. 5.

⁽⁴⁾ OJ No L 64, 10. 3. 1977, p. 13.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 44, 18. 2. 1975, p. 8.

COMMISSION REGULATION (EEC) No 824/77

of 22 April 1977

introducing a countervailing charge on cucumbers originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0.50 unit of account below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 256/77 of 4 February 1977 fixing for the months of February to April 1977 the reference price for cucumbers⁽³⁾, fixed the reference price for products of Class I at 49.53 units of account per 100 kilograms net for the month of April 1977;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties, and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as amended by Regulation

(EEC) No 385/75⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficients fixed in the first indent of Article 1 (2) of Regulation (EEC) No 256/77 for cucumbers originating in Cyprus;

Whereas, for Cyprian cucumbers the entry price calculated in this way has remained at least 0.50 unit of account below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers;

Whereas if the system is to operate normally the entry price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in previous subparagraph,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 12.60 units of account per 100 kilograms net is applied to cucumbers (subheading ex 07.01 P of the Common Customs Tariff) originating in Cyprus.

Article 2

This Regulation shall enter into force on 26 April 1977.

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

Done at Brussels, 22 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 34, 5. 2. 1977, p. 52.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

COMMISSION REGULATION (EEC) No 941/77**of 2 May 1977****abolishing the countervailing charge on cucumbers originating in Cyprus**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 795/76 ⁽²⁾, and in particular Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 824/77 of 22 April 1977 introduced a countervailing charge on cucumbers originating in Cyprus;

Whereas, for this product originating in Cyprus, there were no prices for six consecutive working days;

Whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 824/77 is hereby repealed.

Article 2

This Regulation shall enter into force on 3 May 1977.

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

Done at Brussels, 2 May 1977.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

29. 6. 77

Official Journal of the European Communities

No L 158/3

COUNCIL REGULATION (EEC) No 1388/77

of 21 June 1977

amending Regulation (EEC) No 471/76 in respect of the period of suspension of the application of the condition on prices governing the importation into the Community of fresh lemons originating in certain Mediterranean countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 2 of Council Regulation (EEC) No 868/77 of 26 April 1977 fixing certain prices and other amounts applicable in the fruit and vegetables sector for the 1977/78 marketing year (1), provides for the maintenance for the 1977/78 marketing year of the financial compensation measures for lemons which led to the adoption of Council Regulation (EEC) No 471/76 of 24 February 1976 suspending application of the condition on prices governing the importation into the Community of fresh lemons originating in Cyprus, Spain, Israel, Morocco, the Arab

Republic of Egypt, Tunisia and Turkey in accordance with Agreements between the European Economic Community and each of these countries (2), as amended by Regulation (EEC) No 1554/76 (3); whereas, therefore, it is necessary to extend for the 1977/78 marketing year the suspension in question,

HAS ADOPTED THIS REGULATION:

Article 1

The second paragraph of Article 3 of Regulation (EEC) No 471/76 is amended to read as follows:

'It shall apply until 31 May 1978.'

Article 2

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

It shall apply with effect from 1 June 1977.

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

Done at Luxembourg, 21 June 1977.

For the Council

The President

D. OWEN

(1) OJ No L 106, 29. 4. 1977, p. 5

(2) OJ No L 58, 5. 3. 1976, p. 5.

(3) OJ No L 172, 1. 7. 1976, p. 3.

COUNCIL REGULATION (EEC) No 1389/77

of 21 June 1977

amending Regulation (EEC) No 471/76 suspending application of the condition on prices governing the importation into the Community of fresh lemons originating in various Mediterranean countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1554/76 of 29 June 1976 suspending application of the condition on prices governing the importation into the Community of fresh lemons originating in the Mediterranean countries with which the Community concludes Agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission, Whereas on 18 January 1977 the Community signed with both Egypt⁽²⁾ and Jordan⁽³⁾ a Cooperation Agreement and an Interim Agreement for the advance implementation of certain provisions of the Cooperation Agreement relating to trade in goods; whereas on 3 May 1977 it signed a Cooperation Agreement and an Interim Agreement with Lebanon⁽⁴⁾;

Whereas these Agreements contain, with regard to lemons, similar provisions to those suspended by Council Regulation (EEC) No 471/76 of 24 February 1976 suspending application of the condition on prices governing the importation into the Community of fresh lemons originating in Cyprus, Spain, Israel, Morocco, the Arab Republic of Egypt, Tunisia and Turkey in accordance with Agreements between the European Economic Community and each of these countries⁽⁵⁾, as last amended by Regulation (EEC) No 1388/77; whereas it is therefore necessary to extend the scope of application of Regulation (EEC) No 471/76,

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

Done at Luxembourg, 21 June 1977.

HAS ADOPTED THIS REGULATION:

Article 1

1. The fifth indent of Article 1 of Regulation (EEC) No 471/76 is amended to read as follows:

— Article 17 (2) and (3) of the Cooperation Agreement and Article 10 (2) and (3) of the Interim Agreement between the European Economic Community and the Arab Republic of Egypt;

2. The following shall be added to Article 1 of Regulation (EEC) No 471/76:

— Article 17 (2) and (3) of the Cooperation Agreement and Article 10 (2) and (3) of the Interim Agreement between the European Economic Community and the Hashemite Kingdom of Jordan;

— Article 16 (2) and (3) of the Cooperation Agreement and Article 9 (2) and (3) of the Interim Agreement between the European Economic Community and the Lebanese Republic.

Article 2

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

It shall apply with effect from the date of entry into force of the Interim Agreements.

For the Council

The President

D. OWEN

⁽¹⁾ O.J. No L 172, 1. 7. 1976, p. 3.

⁽²⁾ O.J. No L 126, 23. 5. 1977, p. 1.

⁽³⁾ O.J. No L 126, 23. 5. 1977, p. 166.

⁽⁴⁾ O.J. No L 133, 27. 5. 1977, p. 1.

⁽⁵⁾ O.J. No L 58, 5. 3. 1976, p. 5.

COUNCIL REGULATION (EEC) No 1641/77

of 18 July 1977

extending the term of validity of the Arrangements applicable to trade with the Republic of Cyprus beyond the date of expiry of the first stage of the Association Agreement

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the provisions governing the first stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, including the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community ⁽²⁾, expire on 30 June 1977;

Whereas an Additional Protocol to the Association Agreement has been negotiated;

Whereas, pending the entry into force of that Protocol, the term of validity of the Arrangements which the Community applies to trade with Cyprus under the Association with that country should be extended,

HAS ADOPTED THIS REGULATION :

Article 1

The trade arrangements provided for in the Agreement establishing an Association between the Euro-

pean Economic Community and the Republic of Cyprus, including the Protocol laying down certain provisions relating to that Agreement consequent on the Accession of new Member States to the Community except for Article 4, Article 10 (1) and Articles 13 and 15 of the said Protocol, shall remain applicable in the Community beyond 30 June 1977 until the entry into force of the Additional Protocol, but not later than 31 December 1977.

Article 2

For the products covered by Article 59 (1) (b) of the Act of Accession ⁽³⁾, Article 4 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community shall remain applicable until 31 December 1977.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply as from 1 July 1977.

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

Done at Brussels, 18 July 1977.

For the Council

The President

A. HUMBLET

⁽¹⁾ GEN I 1
⁽²⁾ GEN I 85

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 14.

COUNCIL REGULATION (EEC) No 2365/77

of 28 October 1977

suspending application of the condition to which the importation into the Community of certain types of citrus fruit originating in Spain or in Cyprus is subject by virtue of the Agreements between the Community and those countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 7 (2) and (3) of Annex I to the Agreement between the European Economic Community and Spain (1) and Article 5 (2) and (3) of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus (2) lay down, in respect of imports into the Community of certain types of fresh citrus fruit falling within subheadings 08.02 A I or ex B of the Common Customs Tariff and originating in the two aforementioned countries, arrangements involving a tariff reduction subject, during the period of application of reference prices, to the observance of a specified price on the Community internal market;

Whereas Council Regulation (EEC) No 2047/70 of 13 October 1970 on imports of citrus fruit originating in Spain (3) and Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruit originating in Cyprus laid down detailed rules for applying these provisions;

Whereas application of the condition for the tariff reduction should be suspended in respect of imports of certain types of fresh citrus fruit falling within subheadings 08.02 A I or ex B and originating in Spain or Cyprus;

Whereas application of Regulations (EEC) No 2047/70 and (EEC) No 1252/73 should therefore also be suspended,

(1) OJ No L 182, 16. 8. 1970, p. 4.

(2) GEN I 1

(3) OJ No L 228, 15. 10. 1970, p. 2.

HAS ADOPTED THIS REGULATION:

Article 1

For the following products:

CCT heading No	Description of goods
08.02	Citrus fruit, fresh or dried : A. Oranges : 1. Sweet oranges, fresh ex B. Fresh mandarins (including tangerines and satsumas); fresh clementines, wilkings and other similar citrus hybrids

originating in Spain or Cyprus, application of the following provisions is hereby suspended:

- Article 7 (2) and (3) of Annex I to the Agreement between the European Economic Community and Spain,
- Article 5 (2) and (3) of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus.

Article 2

Application of Regulations (EEC) No 2047/70 and (EEC) No 1252/73 is hereby suspended in respect of the products specified in Article 1 originating in Spain or Cyprus.

Article 3

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

It shall be applicable for the second half of 1977.

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

Done at Luxembourg, 28 October 1977.

For the Council

The President

G. SPITAELS

COUNCIL REGULATION (EEC) No 2561/77

of 21 November 1977

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus sherry', and introducing subsidies for similar wine products produced in the Community (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the exchange of letters referred to in Article 12 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community⁽¹⁾ makes provision for special interim arrangements for the wine product exported under the label of 'Cyprus sherry' and intended for direct human consumption, which involve the non-application of countervailing charges on imports of this wine into Ireland and the United Kingdom, within the limits of an annual quota of 200 000 hectolitres;

Whereas, to that end, Regulation (EEC) No 1253/73, as amended by Regulation (EEC) No 3576/73, as last extended and amended by Regulation (EEC) No 1606/76, introduced arrangements for imports of the wine product exported under the label of 'Cyprus sherry', originating in and coming from Cyprus, and provided for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom; whereas the arrangements in question expired on 30 June 1977;

⁽¹⁾ GEN I 91

Whereas, as from 1 July 1977, imports of the product in question into the United Kingdom and Ireland, the traditional markets for the wine marketed under the label of 'Cyprus sherry', should, under the Act of Accession, be subject to the Common Customs Tariff duties;

Whereas, to allow for the disposal of existing stocks, Community arrangements should be introduced for the second half of 1977, in the form of a Community tariff quota exempt from customs duties and the countervailing charge;

Whereas these arrangements should not disturb the market in Community wines similar to liqueur wines originating in Cyprus and covered by this Regulation; whereas, to avoid distortion of the conditions of competition between the said products and similar Community wines, provision should be made, in respect of the latter, for the granting of aids, based on the difference, on the market of the Member States of destination, between the prices of Community liqueur wines and the prices of the liqueur wines in question originating in Cyprus;

Whereas a Community tariff quota should be opened under the conditions set out above and within the limits of 100 000 hectolitres for the period 1 July to 31 December 1977;

Whereas entry under the above Community tariff quota must be conditional on the presentation of the A.CY.1 movement certificate and on the wines being described as 'Cyprus sherry' in the V.I.1 document provided for in Regulation (EEC) No 2115/76⁽²⁾;

⁽²⁾ OJ No L 237, 28. 8. 1976, p. 1.

Whereas it is in particular necessary to ensure equal and uninterrupted access to the abovementioned quota for all Community importers and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota would be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual development of the market in the products concerned, such allocation should be in proportion to the requirements of the Member States, assessed by reference to both the statistics relating to imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available; whereas, in these circumstances, the quota volume should be allocated in initial shares, taking into account demand for these wines on the markets of the various Member States and the requirements indicated by certain Member States;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States which have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 99 % of the quota volume;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this into account and to avoid disruption, any Member State which has used up almost all of its initial share should draw a supplementary share from the reserve; whereas this should be done by each Member State each time one of its supplementary shares is almost used up, and so on as many times as the reserve allows; whereas the initial and supplementary shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a

position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a Member State has a considerable quantity of the initial share left over, it is essential that it should return a significant proportion thereof to the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1977, the Common Customs Tariff duties in respect of the following products originating in Cyprus shall be totally suspended within the limits of an overall Community tariff quota of 100 000 hectolitres.

CCT heading No	Description of goods
ex 22.05 C II a) ex 22.05 C II b) ex 22.05 C III a) 2 ex 22.05 C III b) 3 ex 22.05 C IV a) 2 ex 22.05 C IV b) 3	} Liqueur wines marketed under the label of 'Cyprus sherry'

2. The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation annexed to the Agreement between the European Economic Community and Cyprus shall be applicable.

3. The entry of these wines under the tariff quota referred to in paragraph 1 shall be conditional on their being described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines to be marketed under the label of "Cyprus sherry"'.

4. Within the limits of the above tariff quota, the products referred to in paragraph 1 shall be exempt from the countervailing charges provided for in Regulation (EEC) No 816/70 ⁽¹⁾, as last amended by Regulation (EEC) No 2211/77 ⁽²⁾.

Article 2

1. The quota laid down in Article 1 shall be divided into two instalments.

2. A first instalment, amounting to 99 000 hectolitres, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid up to 31 December 1977, shall be as follows:

	<i>(in hectolitres)</i>
Benelux	100
Denmark	100
Germany	100
France	100
Ireland	900
Italy	100
United Kingdom	97 600

3. The second instalment, amounting to 1 000 hectolitres, shall constitute the reserve.

Article 3

1. If 90 % or more of the initial share of a Member, as specified in Article 2 (2), or of that share less the portion returned to the reserve, where Article 5 has been applied, has been used, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number in so far as the amount in the reserve allows.

2. If, after the initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserves are used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw smaller shares than those

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 256, 7. 10. 1977, p. 1.

fixed in the said paragraphs, if there is reason to believe that those fixed might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 15 December 1977, the unused portion of their initial share which, on 1 December 1977, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion might not be used in full.

Each Member State shall, not later than 15 December 1977, notify the Commission of the total imports of the products concerned effected under the Community quota up to and including 1 December 1977 and, where appropriate, the proportion of the initial share returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States pursuant to Articles 2 and 3 and, as soon as it has been notified, shall inform each State of the extent to which the reserve has been used.

The Commission shall notify Member States not later than 20 December 1977 of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that the drawing which uses up the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 7

1. Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their aggregate shares in the Community quota.

2. Each Member State shall ensure that importers of the products concerned established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its shares shall be determined on the basis of the imports of the products in question entered for home use.

Article 8

1. Subsidies shall be granted for liqueur wines of Community origin similar to the liqueur wines described in the V.I.1 document provided for in Regulation (EEC) No. 2115/76 as 'liqueur wines to be marketed under the label of "Cyprus sherry"' which are dispatched by 31 December 1977 from the producer Member States to the other Member States of the Community which have actually imported and marketed under this Regulation products referred to in Article 1.

2. The subsidies referred to in paragraph 1 shall be calculated on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of the liqueur wine marketed under the label of 'Cyprus sherry'.

Article 9

Detailed rules in respect, particularly, of the amount of the subsidy and of the Community liqueur wine

products eligible for aid, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 on the progressive establishment of a common organization of the market in wine (1).

Article 10

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 11

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 12

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

It shall apply until 31 December 1977.

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

Done at Brussels, 21 November 1977.

For the Council

The President

H. SIMONET

(1) OJ No 30, 20. 4. 1962, p. 989/62.

COMMISSION REGULATION (EEC) No 2791/77

of 15 December 1977

laying down detailed rules for the granting of subsidies for certain liqueur wines produced in the Community and similar to the liqueur wine marketed as 'Cyprus sherry'

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2561/77 of 21 November 1977 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus Sherry', and introducing subsidies for similar wine products produced in the Community (1977) ⁽¹⁾ and in particular Article 9 thereof,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine ⁽²⁾, as last amended by Regulation (EEC) No 2211/77 ⁽³⁾, and in particular Article 29 (3) thereof,

Whereas Article 8 (1) of Regulation (EEC) No 2561/77 provides for the granting of subsidies in respect of Community liqueur wines similar to the liqueur wines described on the V.I.I document as liqueur wines intended for marketing as 'Cyprus sherry', consigned on or before 31 December 1977 by producer Member States to other Member States of the Community which have actually imported such products and marketed them pursuant to the said Regulation (EEC) No 2561/77; whereas, according to the information available to the Commission, such products are marketed as Cyprus sherry in two Member States, Ireland and the United Kingdom; whereas subsidies must therefore be granted for consignments of similar Community liqueur wines to those two Member States;

Whereas Article 8 (2) of Regulation (EEC) No 2561/77 provides that the amount of the subsidy granted to Community products must be determined on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of liqueur wines marketed as 'Cyprus sherry';

Whereas in order to obtain the subsidy the consignor should be required to furnish the necessary proof;

whereas to this end he should be required, when he submits an application for a subsidy, to submit also a copy of the accompanying document provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers ⁽⁴⁾, as amended by Regulation (EEC) No 2617/77 ⁽⁵⁾; whereas, however, under Article 13 (2) of that Regulation the Member States may provide that in the case of certain products and in certain circumstances such document is not required; whereas it is therefore necessary, if the objectives of the present Regulation are to be attained, to prohibit the application of that provision in Member States from which the products in question are consigned;

Whereas the consignor should also be required to furnish proof that the products concerned have been released to the United Kingdom or Irish markets; whereas such proof may take the form of the control copy provided for in Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure ⁽⁶⁾; whereas whatever further information is necessary for control purposes should be given in that document;

Whereas, since the subsidy is at present to be granted only in respect of consignments to Ireland and the United Kingdom, it is necessary to provide that, where a wine product qualifying for a subsidy is re-consigned to another Member State of the Community or is exported to a non-member country, a sum equal to the amount of the subsidy is to be recovered; whereas the sums so recovered by Ireland and the United Kingdom should be used to finance intervention measures designed to stabilize the agricultural markets;

Whereas, in order that the Commission and the Member States concerned keep track of the situation, they should be informed of the quantities in respect of which subsidies have been applied for and the quantities in respect of which subsidies have been granted;

(1) OJ No L 99, 5. 5. 1970, p. 1.

(2) OJ No L 256, 7. 10. 1977, p. 1.

(3) OJ No L 113, 1. 5. 1975, p. 1.

(4) OJ No L 304, 29. 11. 1977, p. 33.

(5) OJ No L 38, 9. 2. 1977, p. 20.

Whereas the Management Committee for Wine has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The liqueur wines qualifying for the subsidy provided for in Article 8 of Regulation (EEC) No 2561/77 shall be those Community liqueur wines, with the exception of quality liqueur wines produced in specified regions, consigned to Ireland and the United Kingdom.

Article 2

For products as referred to in Article 1 in respect of which customs formalities on consignment were completed between 1 July and 31 December 1977, the amount of the subsidy provided for in Article 8 of Regulation (EEC) No 2561/77 shall be :

- 10 units of account per hectolitre for products with an actual alcoholic strength of at least 15° and not more than 18°,
- 15 units of account per hectolitre for products with an actual alcoholic strength of at least 18° and not more than 22°.

Article 3

1. The subsidy shall be granted to the consignors concerned in accordance with the procedure laid down in Article 4.

2. The day on which the customs formalities on consignment are completed shall be the day on which the customs authorities accept the document by which the declarant states his intention to consign to Ireland or the United Kingdom a product of the kind specified in Article 1. At the time of such acceptance the products concerned shall be placed under customs control and shall so remain until they leave the territory of the Member State from which they are consigned.

The day on which the customs formalities on consignment are completed shall be the operative date for determining the quantity, nature and characteristics of the product consigned.

Article 4

1. To obtain payment of the subsidy, the consignor must, within three months of the completion of customs formalities on consignment or, in the case of wine consigned before this Regulation enters into force, within three months of its entry into force, present to the competent authorities of the Member State from which the product was consigned an application for a subsidy accompanied by :

- a copy of the accompanying document provided for in Regulation (EEC) No 1153/75, it being possible to replace such copy by any other appropriate document specified by the Member States concerned where the wine was consigned before the entry into force of this Regulation and the accompanying document was not required pursuant to Article 13 (2) of Regulation (EEC) No 1153/75, and
- proof from the United Kingdom or Irish customs authorities that the wine products in question have been released to the market in the Member State of destination.

For the purposes of this provision and without prejudice to the provision in the first indent above for the replacement of the accompanying document, the Member State from which the products in question are consigned may not avail itself of the option provided for in Article 13 (2) of Regulation (EEC) No 1153/75.

2. The proof referred to in the preceding paragraph shall be furnished by production of the control copy referred to in Article 10 of Regulation (EEC) No 223/77. Entries shall be made in the following sections of the control copy :

- (a) Sections 101 and 103 ;
- (b) Section 104, deleting as necessary and inserting one of the following :
 - Intended for entry for home use,
 - Bestemt til overgang til forbrug,
 - Für den freien Verkehr bestimmt,
 - Destiné à être mis à la consommation,
 - Destinato ad essere immesso in consumo,
 - Bestemd om in het vrije verkeer te worden gebracht.

The competent customs office in the Member State of destination shall complete the section marked 'Control of use and/or destination.'

Article 5

1. Where customs import formalities are completed in Ireland or the United Kingdom on or after 1 July 1977 in respect of a wine product as referred to in Article 1 and this product is then reconsigned from either of these two Member States to another Member State or exported to a non-member country, an amount shall be charged which is equal to the subsidy applicable on the day of completion of the customs formalities on consignment or export.

The said amount shall be paid by the consignor or exporter not later than the time of completion of the customs formalities.

However no such amount shall be charged if the consignor or exporter furnishes proof that no subsidy has been granted in respect of the product in question.

2. Ireland and the United Kingdom shall enter all sums collected in pursuance of paragraph 1 to the credit of the Guarantee Section of the EAGGF.

3. Ireland and the United Kingdom shall adopt whatever measures are necessary to implement this Article and shall inform the Commission thereof and of the quantities in respect of which the amount provided for in paragraph 1 has been charged.

Article 6

The Member State from which the wine products are consigned shall, not later than the 15th day of each month, provide the Commission and the Member States of destination with particulars in respect of the

preceding month concerning the quantities of products in respect of which subsidies have been granted and the quantities in respect of which applications for subsidies have been received.

Article 7

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

However :

- the provisions of Article 4 (2) shall apply only in respect of products for which customs formalities on consignment are completed on or after the 7th day following the entry into force of this Regulation,
- the provisions of Article 5 (1) shall apply only in respect of products for which customs formalities on reconsignment or export are completed following the entry into force of this Regulation.

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

Done at Brussels, 15 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

19. 12. 77

Official Journal of the European Communities

No L 324/1

COUNCIL REGULATION (EEC) No 2703/77

of 28 November 1977

opening, allocating and providing for the administration of Community tariff quotas for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas, in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50% of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the

basis of the total value for 1968 of cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5% of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris on 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied

throughout 1978; whereas having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1975; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear adequate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 150% of each of the preferential amounts open in 1977;

Whereas in practice the latest complete statistics available are those relating to the year 1975; whereas, however, since 1974, the statistics in question and particularly those relating to the value of the Community's external trade have been expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff; whereas, therefore, it is necessary to define a conversion rate between these two units; whereas in 1975 one EUR unit was equivalent in practice to one European unit of account; whereas the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances, and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in units of account of the Common Customs Tariff; whereas the unit of account should remain the only unit to be used within the preference system, along with its conversion rates into national currencies based on gold parities;

Whereas, taking into account the interests of the ACP States, for plywood, blockboard, laminboard, battenboard and similar laminated products, falling within heading No 44.15, the quota amount should be limited to 282 610 m³; whereas in the same way as regards footwear falling within headings Nos 64.01 and 64.02, the situation of the Community sector concerned leaves no alternative but to repeat for 1978 the quota amounts laid down for the preference year 1977;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annexes A and B which originate in the countries and territories listed in Annex C, that the Community should open for 1978 duty-free Community tariff quotas within the limits of the amounts, in cubic metres or units of account, shown against each of these products;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

Whereas charges against each of these tariff quotas must, in respect of the products originating in any of the abovementioned countries or territories, come within a specified percentage of the amount of the quota; whereas the benefit of such tariff quotas should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary in particular to ensure equal and continuous access for all Community importers to the abovementioned quotas and the uninterrupted application of the rate laid down for those quotas to all imports of the products concerned into all Member States until those quotas are used up; whereas, having regard to the principles set out above, the Community nature of the quotas can be respected by allocating the quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quotas may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas the application of the generally accepted principles in respect of the allocation of the Community tariff quotas which have been opened hitherto entails under these circumstances, and in view of the variety of the products concerned and the fact that the benefiting countries and territories are specified, calculations which are all the more problematic in that the statistical data required sometimes prove to be incomplete or not sufficiently accurate or representative; whereas the time required for these calculations cannot be reconciled with the continuity necessary for the application of the tariff preferences concerned; whereas, under these conditions, it would be advisable still at this stage to adopt a fixed scale for allocating the Community tariff quotas concerned among the Member States; whereas, using as a basis general economic criteria relating to external trade, the gross national product and population, the percentages for the initial shares of the Member States in the quota amounts are as follows for the quota year under consideration:

Germany	27.5%,
Benelux	10.5%,
France	19.0%,
Italy	15.0%,
Denmark	5.0%,
Ireland	1.0%,
United Kingdom	22.0%;

Whereas, however, taking into account the more precise information already available concerning trade in

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

plywood, blockboard, laminboard, battenboard and similar laminated products, falling within heading No 44.15 of the Common Custom Tariff, these percentages should be replaced by 4.78, 2.76, 0.35, 1.05, 4.58, 1.98 and 84.5% respectively;

Whereas in connection with the Member States' participation in the Community tariff quota for the abovementioned products falling within heading No 44.15, it should be borne in mind that United Kingdom imports in recent years from developing countries, in particular from Malaysia and Singapore, have been increasing substantially; whereas the introduction of customs duties on these imports might alter traditional trade flows to the detriment of the developing countries which hitherto benefited from duty-free entry; whereas this situation is a special reason for a portion of the said Member State's share being accessible without limitation to the countries covered by the generalized preference scheme;

Whereas, without affecting the Community nature of the tariff quota for the products listed in Annex A, it appears possible to provide temporarily for a utilization scheme based on a single allocation among the Member States; whereas, moreover, the allocation set out by this Regulation in no way prejudices the possibility of adopting the general method of allocation of Community tariff quotas comprising the setting up of a reserve share; whereas at the present juncture it appears feasible that such allocation could be made according to the specific percentages set out above;

Whereas the percentage for the shares of the Member States in the Community tariff quota referred to above, in view of the duration and amount thereof, does not appear in this instance to compromise equal access for Community importers to the Community tariff quota in question; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

Whereas, to take account of future import trends for the products listed in Annex B in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at a relatively high level which in the event could be about 70 or 80% of the quota volumes;

Whereas Member States may exhaust their initial shares for the products listed in Annex B at different rates; whereas to avoid disruption of supplies on this account it should be provided that each Member State which has almost used up one of its initial shares, should proceed to draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as each of these reserves allows; whereas each of these initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 or 50% of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the tariff quotas are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one of the initial shares of one or other Member State, it is essential that that Member State pays a large amount of it back into the corresponding reserve in order to avoid a part of the Community quota remaining unused in one Member State when it could in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, the Common Customs Tariff duties on the products listed in Annexes A and B shall be totally suspended within the framework of Community tariff quotas of amounts which shall be expressed in cubic metres or units of account and which shall be indicated against each product in column 3 of those Annexes.
2. These tariff quotas shall be enjoyed solely by products originating in the countries and territories listed in Annex C. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas. For the purposes of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given in column 4 of Annexes A and B against each category of products.

4. Any amendment to Annex C, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the amounts of the quotas and to the maximum amounts appearing in columns 3 and 4 of Annexes A and B.

Article 2

For the products listed in Annex A the Community tariff quotas referred to in Article 1 shall be allocated in shares which shall be for each Member State the amounts given in column 5 of Annex A against the products in question.

Article 3

1. A first tranche of each of the Community tariff quotas listed in Annex B, expressed in units of account in column 5 of Annex B, shall be allocated among the Member States; the shares which, subject to Article 6, shall be valid until 31 December 1978, shall for each Member State be as indicated in column 6 of Annex B against each of the products listed therein.

2. The second tranche of each of the tariff quotas shall constitute the reserve specified in each case in column 7 of Annex B.

Article 4

1. If a Member State has used 90% or more of one of its initial shares as fixed in Annex B, or of that share minus any portion returned to the reserve pursuant to Article 6, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share, rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting one of its initial shares, has used 90% or more of the second share drawn by it, that Member State shall draw a third share, under the conditions laid down in paragraph 1, to the extent that the reserve so permits, equal to 5% of its initial share.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it,

that Member State shall draw a fourth share under the same conditions equal to the third.

This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full, Member States applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing. However, for products falling within subheadings 41.02 ex B, 42.02 B and 42.03 A, B II, B III and C, this percentage is raised to 50.

Article 5

Additional shares drawn pursuant to Article 4 shall be valid until 31 December 1978.

Article 6

The Member States shall return to the reserve, not later than 1 October 1978, the unused portion of their initial share which, on 15 September 1978, is in excess of 20% of their initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of the product concerned effected up to and including 15 September 1978 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 3 and 4 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1978, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 6.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 4 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 8

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 9

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article

1 (3) is observed. When the charges, at Community level, of products originating in each of the countries and territories listed in Annex C, against any one of the Community tariff quotas reach the maximum amount laid down in column 4 of Annexes A and B, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be re-introduced in respect of the country or territory in question. This notification shall be published in the *Official Journal of the European Communities*.

Article 10

Member States shall inform the Commission on request or at least monthly of imports of the products in question charged against their shares.

Article 11

Member States and the Commission shall cooperate closely to ensure that the provisions of the above Articles are observed.

Article 12

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX A

Products referred to in Article 2 subject to a zero-duty Community tariff quota under the generalized tariff preferences granted to developing countries and territories

Order No	CCT heading No (1)	Description (2)	Quota amount (in u.a.) (a) (3)	Maximum amount per country of territory (4)		Share of quota amounts allocated to Member States (in u.a.) (a) (5)	
				%	u.a. (a)		
1	44.15	Plywood, block-board, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry	282 610 m ³	30	84 783 m ³ (1)	Germany	13 515 m ³
						Benelux	7 800 m ³
						France	1 000 m ³
						Italy	2 970 m ³
						Denmark	12 930 m ³
						Ireland	5 595 m ³
						United Kingdom	238 800 m ³ (1)
2	64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	2 422 350	20	484 470	Germany	654 034
						Benelux	242 235
						France	448 135
						Italy	339 129
						Denmark	121 117
						Ireland	12 112
						United Kingdom	605 588
3	64.02 (*)	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material: A. Footwear with uppers of leather	19 796 700	15	2 969 505	Germany	5 345 110
						Benelux	1 979 670
						France	3 662 390
						Italy	2 771 535
						Denmark	989 835
						Ireland	98 985
						United Kingdom	4 949 175
4	64.02	Footwear with outer soles of leather or composition leather, footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material: B. Other	10 991 400	15	1 648 710	Germany	2 967 680
						Benelux	1 099 140
						France	2 033 410
						Italy	1 538 795
						Denmark	549 570
						Ireland	54 955
						United Kingdom	2 747 850

(a) Unless otherwise indicated.

(1) The provisions of Article 1 (3) do not apply up to a proportion limited to 141 305 m³ of the share allocated to the United Kingdom.

(*) Products falling within subheading 64.02 A, originating in the countries and territories listed in Section II of Annex C, are excluded from the benefit of this tariff quota.

ANNEX B

List of products referred to in Article 3 subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries and territories

Order No	CCT heading No (1)	Description (2)	Quota amount (in u.a.) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in u.a.) (5)	Initial share of quota amounts allocated to Member States (in u.a.) (6)	Amount of reserve (in u.a.) (7)
				%	u.a.			
1	29.23 (a)	Single or complex oxygen-function amino-compounds: D. Amino-acids: III. Glutamic acid and its salts	209 000	50	104 500	167 200	Germany 45 980 Benelux 17 555 France 31 770 Italy 25 080 Denmark 8 360 Ireland 1 670 United Kingdom 36 785	41 800
2	41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06 or 41.08: ex B. Other, excluding leather not further prepared than tanned	19 864 580	30	5 959 375	13 905 205	Germany 3 823 930 Benelux 1 460 050 France 2 641 990 Italy 2 085 780 Denmark 695 260 Ireland 139 050 United Kingdom 3 059 145	5 959 375

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Quota amount (in u.a.) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in u.a.) (5)	Initial share of quota amounts allocated to Member States (in u.a.) (6)		Amount of reserve (in u.a.) (7)
				%	u.a.				
3	42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: A. Of artificial plastic sheeting	6 032 000	30	1 809 600	4 825 600	Germany 1 327 040 Benelux 506 690 France 916 865 Italy 723 840 Denmark 241 280 Ireland 48 255 United Kingdom 1 061 630	1 206 400	
4	42.02	Travel goods (for example, trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: B. Of other materials	13 022 600	30	3 906 780	9 115 820	Germany 2 506 850 Benelux 957 160 France 1 732 005 Italy 1 367 375 Denmark 455 790 Ireland 91 160 United Kingdom 2 005 480	3 906 780	
5	42.03	Articles of apparel and clothing accessories, of leather or of composition leather: A. Articles of apparel B. Gloves, including mittens and mitts: II. Special for sports III. Other C. Other clothing accessories	14 050 470	30	4 215 140	9 835 330	Germany 2 704 715 Benelux 1 032 710 France 1 868 710 Italy 1 475 300 Denmark 491 770 Ireland 98 350 United Kingdom 2 163 775	4 215 140	

Order No	OCT heading No (1)	Description (2)	Quota amount (in u.a.) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in u.a.) (5)	Initial share of quota amounts allocated to Member States (in u.a.) (6)		Amount of reserve (in u.a.) (7)
				%	u.a.				
6	85.15	<p>Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:</p> <p>A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras:</p> <p>III. Receivers, whether or not combined with a sound recorder or reproducer</p> <p>C. Parts of the goods of subheadings A and B above:</p> <p>III. Other</p>	22 230 000	15	3 334 500	17 784 000	Germany 4 890 600 Benelux 1 867 320 France 3 378 960 Italy 2 667 600 Denmark 889 200 Ireland 177 840 United Kingdom 3 912 480	4 446 000	
7	85.21	<p>Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semiconductor devices; light-emitting diodes; electronic micro-circuits:</p> <p>D. Diodes, transistors and similar semiconductor devices; light-emitting diodes; electronic micro-circuits</p> <p>E. Parts</p>	7 278 000	20	1 455 600	5 822 400	Germany 1 601 160 Benelux 611 350 France 1 106 255 Italy 873 360 Denmark 291 120 Ireland 58 225 United Kingdom 1 280 930	1 455 600	

Order No	OCT heading No (1)	Description (2)	Quota amount (in u.a.) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in u.a.) (5)	Initial share of quota amounts allocated to Member States (in u.a.) (6)	Amount of reserve (in u.a.) (7)
				%	u.a.			
8	94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof: B. Other	22 230 600	20	4 446 120	17 784 480	Germany 4 890 730 Benelux 1 867 370 France 3 379 050 Italy 2 667 670 Denmark 889 220 Ireland 177 850 United Kingdom 3 912 590	4 446 120
9	94.03	Other furniture and parts thereof	16 682 400	20	3 336 480	13 345 920	Germany 3 670 130 Benelux 1 401 320 France 2 535 720 Italy 2 001 890 Denmark 667 300 Ireland 133 460 United Kingdom 2 936 100	3 336 480

- 67.02 Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
- 67.03 Human hair, dressed, thinned, bleached or otherwise worked; wool, other animal hair and other textile materials prepared for use in making wigs and the like

CHAPTER 68 ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS ⁽¹⁾ ⁽²⁾ ⁽³⁾ ^(*) (a)

CHAPTER 69

- 69.01 Heat-insulating bricks, blocks, tiles and other heat-insulating goods of siliceous fossil meals or of similar siliceous earths (for example, kieselguhr, tripolite or diatomite)
- 69.03 Other refractory goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than goods falling within heading No 69.01
- 69.04 Building bricks (including flooring blocks, support or filler tiles and the like)
- 69.05 Roofing tiles; chimney-pots, cowls, chimney-liners, cornices and other constructional goods, including architectural ornaments
- 69.06 Piping, conduits and guttering (including angles, bends and similar fittings)
- 69.07 Unglazed setts, flags and paving, hearth and wall tiles ⁽⁴⁾
- 69.09 Laboratory, chemical or industrial wares; troughs, tubs and similar receptacles of a kind used in agriculture; pots, jars and similar articles of a kind commonly used for the conveyance or packing of goods
- 69.10 Sinks, washbasins, bidets, water closet pans, urinals, baths and like sanitary fixtures
- 69.11 Tableware and other articles of a kind commonly used for domestic or toilet purposes ⁽⁵⁾ ^(*)
- 69.12 Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery ^(*) (b)
- 69.13 Statuettes and other ornaments, and articles of personal adornment; articles of furniture
- 69.14 Other articles

CHAPTER 70

- 70.01 B Glass in the mass (excluding optical glass)
- 70.03 Glass in balls, rods and tubes, unworked (not being optical glass)
- 70.04 Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles

(a) The asterisk covers only heading No 68.01.

(b) The asterisk covers only subheading 69.12 C.

(1) For products falling within heading No 68.12, the Community ceiling referred to in Article 1 (3) is set at 1 254 000 u.a.

(2) For products falling within subheading 68.13 B I, the maximum Community amount referred to in Article 1 (4) is reduced to 40%.

(3) For products falling within subheadings 68.13 B II and III, the maximum Community amount referred to in Article 1 (4) is reduced to 40%.

(4) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 342 000 u.a. and 20% respectively.

(5) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 549 200 u.a. and 30% respectively.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

COUNCIL REGULATION (EEC) No 2704/77

of 28 November 1977

opening and providing for the administration of preferential Community tariff ceilings for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ,

Having regard to the opinion of the Economic and Social Committee ,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50% of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5% of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of the Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied throughout 1978; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1975; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear adequate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 150% of each of the preferential amounts open in 1977, which represents a 225% maximal improvement compared with the 1976 preference year;

Whereas in practice the latest complete statistics available are those relating to the year 1975; whereas, however, since 1974, the statistics in question and particularly those relating to the value of the Community's

external trade have been expressed in a statistical unit (EUR) which is no longer defined in the same way as the unit of account (u.a) prescribed for the Common Customs Tariff; whereas, therefore, it is necessary to define a conversion rate between these two units; whereas in 1975 one EUR unit was equivalent in practice to one European unit of account and the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances, and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in units of account of the Common Customs Tariff; whereas the unit of account should remain the only unit to be used within the preference system, along with its rates for conversion into national currencies based on gold parities;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries and territories listed in Annex B, that the Community should allow, for each category of these products and throughout 1978, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾; whereas charges against each of these ceilings must, as a general rule, come within a maximum Community amount of 50% in respect of the products originating in any of the abovementioned countries; whereas, however, in order to ensure that all the countries and territories in question are able to benefit from this preferential system, the Community maximum amount should, for certain products, be reduced to 20, 30 or 40%;

Whereas preferential Community tariff quotas were previously in general granted for the products listed in Annex A; whereas experience in recent years has shown that this improvement in the Community preferences scheme can only be achieved if an effort is made to ensure a more balanced distribution of the advantages granted to all the beneficiary countries and territories; whereas for this reason and in order to afford each of

them equal opportunity to benefit from the preferential ceilings, it seems adequate to limit to 15% the maximum amount for each of the beneficiary countries and territories which have either reached the maximum amount for a given product during two consecutive years since 1972 or which, according to the most up-to-date statistics available, supply the Community with at least 40% of its imports of the product in question from the beneficiary countries and territories as a whole; whereas, however, in order to avoid damaging the interests of the less favoured of these beneficiary countries and territories the 15% limit will not be applied in the case of those which have a very low *per capita* national product, or which for a given product have charged against the preferences an amount representing at least 10% of their deliveries to the Community of industrial manufactured products eligible for the Community preferences scheme; whereas, in addition, in order to ensure that the new maximum amounts are not less than those fixed hitherto, the abovementioned maximum amount of 15% shall in general only apply or shall only become applicable where, in absolute value, it is higher than the level since the 1974 preferences;

Whereas, furthermore, for some of the products affected by the fixing of the maximum amount at 15%, this improvement is conditional upon the introduction of measures calculated to encourage the principal suppliers benefiting from the system to ensure a balanced distribution of their deliveries throughout the Community instead of concentrating them in specific areas, or even in one single area of the Community; whereas to this end general provision should be made for the levying of the normal customs duties to be re-introduced in a Member State when preferential imports originating in a single beneficiary country or territory reach 50% of the maximum amount envisaged above; whereas this measure does not interfere with the immediate re-introduction of the levying of the normal customs duties at Community level when preferential imports reach the Community maximum amounts; whereas, as regards the Community ceilings, there is nothing to prevent provisions being made only for the possibility of the Community's re-introducing the levying of the normal customs duties when the said ceilings are reached at Community level;

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe every 10 days the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce the levying of customs duties either generally or individually when any of the ceilings or maximum amounts are reached;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Articles 2 and 4 (2) of this Regulation.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to the provisions of Articles 2 and 4 (2), and with the exception of certain products the value of the ceilings for which is given in Annex A, this suspension shall be granted, in respect of each category of products, within a Community ceiling which shall be expressed in units of account and which shall be equal to the amount obtained by adding together the values of cif imports in 1974 of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and in general 5% of the value of cif imports in 1975 from other countries and from countries and territories already enjoying such arrangements. However the ceiling resulting from the sum of this addition may in no case exceed 150% of the ceiling fixed for the 1977 preference year.

For the particular purpose of the abovementioned calculations, the statistics referring to the year 1975, expressed in EUR, are to be considered as being expressed in units of account of the Common Customs Tariff.

4. Subject to the provisions of Articles 2 and 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a Community maximum amount expressed as a percentage or in units of account against each of the products in column 3 of Annex A.

5. However, in the case of the products originating in the beneficiary countries or territories indicated by an asterisk in column 3 of Annex A, the amount charged against the preferences in a single Member State shall be limited to 50% of the maximum laid down in paragraph 4. The normal customs duties shall again be levied as soon as this level is reached, unless the Member State concerned previously notifies the Commission that it does not intend to avail itself of this limitation for all or some of the products concerned. The Commission shall inform the Member States of this fact without delay.

6. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail a corresponding adjustment to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings fixed or calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be re-introduced until the end of the period referred to in the first subparagraph of Article 1 (1).

2. As soon as the maximum amounts determined in accordance with Article 1 (4) for imports into the Community of products originating in each of the countries or territories referred to in Article 1 (2) are reached at Community level for one of these countries or territories, the Commission shall without delay inform the Member States of the date on which the normal tariff must be restored in respect of the countries or territories concerned. This information shall be published in the *Official Journal of the European Communities*.

However, when the amounts of products originating in one or other of the countries or territories indicated by two asterisks in column 3 of Annex A charged against the preferences reach the Community maximum amount in one Member State, that Member State shall without delay re-introduce the levying of the normal

customs duty. It shall notify the Commission, which shall inform the other Member States of this fact, at the same time fixing the earliest date on which the levying of the normal tariff must be re-introduced in these States also. This information shall be published in the *Official Journal of the European Communities*.

3. Without prejudice to the foregoing provisions, where the levying of the normal customs duty is re-introduced under the conditions described in Article 1 (5) the Member State concerned shall immediately notify the Commission, which shall without delay inform the other Member States.

Article 3

1. Imports of the products in question shall be charged against the Community ceilings and maximum amounts as and when the products are entered for home use, and provided that they are accompanied by a certificate of origin pursuant to the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is re-introduced.

3. The extent to which the ceilings and maximum amounts have been actually used up shall be determined at Community level and in the Member States on the basis of the imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall issue regulations to re-introduce the levying of the normal customs duties within the context of the ceilings established in respect of all the countries and territories referred to in Article 1 (2).

Article 5

Member States shall when requested inform the Commission of imports of the products in question charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Until the levying of the normal customs duties is re-introduced the information shall cover, in particular, and automatically, the returns relating to the amounts charged against the preferences during the previous 10 days, which must be forwarded within five full days of the end of each 10-day period.

Article 6

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX A

List of products originating in developing countries and territories, enjoying generalized tariff preferences, in respect of which duties under the Common Customs Tariff are totally suspended within the limit of Community ceilings and maximum amounts per beneficiary country or territory (a)

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
1	28.27	Lead oxides; red lead and orange lead	20% of a ceiling of 7 121 400 u.a., reduced to 15%, or 1 068 210 u.a. for Mexico (*) (**)
2	28.56	Carbides, whether or not chemically defined: C. Of calcium	50% of a ceiling of 773 000 u.a., reduced to 195 000 u.a. for Yugoslavia (**)
3	31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus III. Containing the two fertilizing substances: nitrogen and potassium: b) Other IV. Other B. Goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg	50% of a ceiling of 4 282 600 u.a., reduced to 15%, or 642 390 u.a. for Yugoslavia (*) (**)
4	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre: B. Other: I. Regenerated cellulose	50%, reduced to 418 000 u.a. for Yugoslavia (*) (**)
5	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre: B. Other: II. Cellulose nitrates	50% of a ceiling of 577 000 u.a., reduced to 92 000 u.a. for Yugoslavia (**)

(a) Manufactured and semi-finished industrial products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
6	48.01 (a)	Paper and paperboard (including cellulose wadding), in rolls or sheets: C. Kraft paper and kraft board: II. Other	50% of a ceiling of 37 055 000 u.a., reduced to 15%, or 5 558 250 u.a. for Yugoslavia (*) (**)
7	67.04 (a)	Wigs, false beards, eyebrows and eye lashes, switches and the like, of human or animal hair or of textiles; other articles of human hair (including hair nets)	30% of a ceiling of 35 346 000 u.a., reduced to 6 147 000 u.a. for South Korea (*) (**)
8	69.02 (a)	Refractory bricks, blocks, tiles and similar refractory constructional goods, other than goods falling within heading No 69.01	50% of a ceiling of 9 736 000 u.a., reduced to 1 693 000 u.a. for Yugoslavia (**)
9	69.08	Glazed setts, flags and paving, hearth and wall tiles	50% of a ceiling of 4 834 500 u.a., reduced to 20%, or 966 900 u.a. for South Korea (**)
10	70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	50% of a ceiling of 2 366 000 u.a., reduced to 411 000 u.a. for Yugoslavia (*) (**)
11	70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	30% of a ceiling of 5 486 000 u.a., reduced to 15%, or 822 900 u.a. for Yugoslavia (**)
12	71.16	Imitation jewellery	50% of a ceiling of 15 950 000 u.a., reduced to 2 392 500 u.a. for Hong Kong (*) (**)
13	73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits	50% of a ceiling of 13 039 000 u.a., reduced to 2 289 000 u.a. for Yugoslavia (*) (**)
14	74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire	50% of a ceiling of 6 294 000 u.a., reduced to 1 095 000 u.a. for Yugoslavia (**)
15	79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes: A. Plates, sheets, strip and foil	50% of a ceiling of 4 285 000 u.a., reduced to 743 000 u.a. for Yugoslavia (**)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
16	84.41 (a)	Sewing machines; furniture specially designed for sewing machines; sewing machine needles: A. Sewing machines; furniture specially designed for sewing machines: III. Parts, including furniture specially designed for sewing machines	50% of a ceiling of 1 366 000 u.a., reduced to 243 000 u.a. for Yugoslavia (**)
17	85.01	Electrical goods of the following descriptions: generators, motors converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: II. Other	40% of a ceiling of 18 842 000 u.a., reduced to 15%, or 2 826 300 u.a. for Yugoslavia (*) (**)
18	85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09: B. Other	50% of a ceiling of 5 952 000 u.a., reduced to 944 000 u.a. for Hong Kong (*) (**)
19	85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors	20% of a ceiling of 11 673 900 u.a., reduced to 15%, or 1 751 100 u.a. for Yugoslavia (*) (**)
20	87.14 (a)	Other vehicles (including trailers), not mechanically propelled, and parts thereof: B. Trailers and semi-trailers: II. Other	50% of a ceiling of 13 787 000 u.a., reduced to 15%, or 2 068 050 u.a. for Yugoslavia (*) (**)
21	90.05 (a)	Refracting telescopes (monocular and binocular), prismatic or not	30%, reduced to 15%, or 989 400 u.a. for South Korea (***) and Hong Kong (**)
22	92.11 (a)	Gramophones, dictating machines and other sound recorders or reproducers, including record players and tape decks, with or without sound heads; television image and sound recorders or reproducers: A. Sound recorders or reproducers	20% of a ceiling of 24 888 750 u.a., reduced to 15%, or 3 733 300 u.a. for Hong Kong (**)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
23	97.02 (a)	Dolls	20% of a ceiling of 21 408 400 u.a., reduced to 15%, or 3 211 260 u.a. for Hong Kong (*) (**)
24	97.03	Other toys; working models of a kind used for recreational purposes	20% of a ceiling of 57 038 000 u.a., reduced to 15%, or 8 555 700 u.a. for Hong Kong (*) (**)
25	97.05 (b)	Carnival articles; entertainment articles (for example, conjuring tricks and novelty jokes); Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor)	20%, reduced to 15%, or 1 271 550 u.a. for Hong Kong (**)
26	98.15	Vacuum flasks and other vacuum vessels, complete with cases; parts thereof, other than glass inners	50%, reduced to 199 000 u.a. for Hong Kong (**)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

(b) Products originating in Romania and which fall within this tariff heading (excluding Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor), of glass) are also eligible for Community preferential tariff arrangements.

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	416 Guatemala	662 Pakistan
208 Algeria	260 Guinea	440 Panama
330 Angola	257 Guinea Bissau	801 Papua New Guinea
528 Argentina	488 Guyana	520 Paraguay
453 Bahamas	452 Haiti	504 Peru
640 Bahrain	424 Honduras	708 Philippines
666 Bangladesh	664 India	644 Qatar
469 Barbados	700 Indonesia	324 Rwanda
284 Benin	616 Iran	819 Samoa
675 Bhutan	612 Iraq	311 Sao Tome and Principe
516 Bolivia	272 Ivory Coast	632 Saudi Arabia
391 Botswana	464 Jamaica	248 Senegal
508 Brazil	628 Jordan	355 Seychelles and Dependencies
676 Burma	696 Kampuchea, Democratic	264 Sierra Leone
328 Burundi	346 Kenya	706 Singapore
302 Cameroon	728 Korea, Republic of	342 Somalia
247 Cape Verde Islands	636 Kuwait	669 Sri Lanka
306 Central African Empire	684 Laos	224 Sudan
244 Chad	604 Lebanon	492 Surinam
512 Chile	395 Lesotho	393 Swaziland
480 Colombia	268 Liberia	608 Syria
375 Comoros	216 Libya	352 Tanzania
318 Congo, People's Republic of	370 Madagascar	680 Thailand
436 Costa Rica	386 Malawi	280 Togo
448 Cuba	701 Malaysia	817 Tonga
600 Cyprus	667 Maldives Islands	472 Trinidad and Tobago
338 Djibouti	232 Mali	212 Tunisia
456 Dominican Republic	228 Mauritania	350 Uganda
500 Ecuador	373 Mauritius	647 United Arab Emirates
220 Egypt	412 Mexico	236 Upper Volta
428 El Salvador	204 Morocco	524 Uruguay
310 Equatorial Guinea	366 Mozambique	484 Venezuela
334 Ethiopia	803 Nauru	690 Vietnam
815 Fiji	672 Nepal	652 Yemen
314 Gabon	432 Nicaragua	656 Yemen, Democratic
252 Gambia	240 Niger	048 Yugoslavia
276 Ghana	288 Nigeria	322 Zaire
473 Grenada	649 Oman	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1977', published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

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COUNCIL REGULATION (EEC) No 2705/77

of 28 November 1977

opening preferential tariffs for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50% of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5% of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of the Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied throughout 1978; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1975; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear adequate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 150% of each of the preferential amounts open in 1977, which represents a 225% improvement compared with 1976;

Whereas in practice the latest complete statistics available are those relating to the year 1975; whereas, however, since 1974, the statistics in question and particularly those relating to the value of the Community's

external trade have been expressed in a statistical unit (EUR) which is no longer defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff; whereas therefore it is necessary to define a conversion rate between these two units; whereas in 1975 one EUR unit was equivalent in practice to one European unit of account and the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in units of account of the Common Customs Tariff; whereas the unit of account should remain the only unit to be used within the preference system, along with its rates for conversion into national currencies based on gold parities;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries and territories listed in Annex B, that the Community should allow, for each category of these products and throughout 1978, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾; whereas charges against each of these ceilings must, as a general rule, come within a maximum Community amount of 50% in respect of the products originating in any of the abovementioned countries; whereas, however, in order in particular to safeguard access by all the abovementioned countries and territories to this preferential scheme, the maximum Community amount for certain products should be reduced to a lower percentage;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community ceiling or maximum amount;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce the levying of customs duties either generally or individually when any of the ceilings or maximum amounts are reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Articles 2 and 4 (2) of this Regulation.
2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.
3. Subject to the provisions of Articles 2 and 4 (2) and with the exception of certain products the value of the ceilings for which is given in Annex A, this suspension shall be granted, in respect of each category of products within a Community ceiling which shall be expressed in units of account and which shall be equal to the amount obtained by adding together the value of cif imports in 1974 of the products concerned, to the Community from the countries and territories enjoying arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5% of the value of cif imports in 1975 from other

countries and from countries and territories already enjoying such arrangements. However the ceiling resulting from the sum of this addition may in no case exceed 225% of the preferential ceilings open for 1976.

For the particular purpose of the abovementioned calculations, the statistics referring to the year 1975 expressed in EUR, are to be considered as being expressed in units of account of the Common Customs Tariff.

4. Subject to the provisions of Articles 2 and 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries listed in Annex B should not exceed a Community maximum amount equivalent to 50% of this ceiling with the exception of certain products for which the maximum amount shall be reduced to the percentage or value shown in Annex A.

5. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail corresponding adjustments to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings fixed or calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of customs duties on imports of the products in question from all the countries concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4), which are laid down for Community imports of products originating in each of the countries referred to in Article 1 (2), are reached for any one of these countries at Community level, the levying of customs duties on imports of the products in question from the country concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

3. However, paragraphs 1 and 2 shall not apply to the imports in question originating in the countries listed in Annex C.

Article 3

1. Imports of the products in question shall be charged against the Community ceilings and maximum amounts as and when the products are entered for home use, and provided that they are accompanied by a certificate of origin pursuant to the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is re-introduced.

3. The extent to which the ceilings and maximum amounts have been filled shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall re-introduce the levying of customs duties in respect of all the countries referred to in Article 1 (2) or in respect of any one of them by means of a Regulation in accordance with the conditions laid down in Article 2 (1) and (2).

Article 5

Member States shall inform the Commission, on request or at least monthly, of imports of the products in question actually charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX A

List of products originating in developing countries and territories, enjoying generalized tariff preferences, in respect of which duties under the Common Customs Tariff are totally suspended (a) (b)

CHAPTER 25

- 25.19 A Magnesium oxide other than calcined natural magnesium carbonate
- 25.22 Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
- 25.23 Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
- 25.31 A Fluorspar

CHAPTER 27

- 27.03 B Agglomerated peat
- 27.04 Coke and semi-coke of coal, of lignite or of peat; whether or not agglomerated; retort carbon:
 - A. Coke and semi-coke of coal:
 - I. For the manufacture of electrodes
 - C. Other
- 27.06 Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
- 27.07 Oils and other products of the distillation of high temperature coal tar; similar products as defined in Note 2 to this Chapter.
- 27.08 Pitch and pitch coke, obtained from coal tar or from other mineral tars
- 27.10 Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations ⁽¹⁾:
 - A. Light oils:
 - III. For other purposes
 - B. Medium oils:
 - III. For other purposes
 - C. Heavy oils:
 - I. Gas oil:
 - c) For other purposes
 - II. Fuel oil:
 - c) For other purposes

(a) Manufactured and semi-finished industrial products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

(b) Preferences are not to be granted in respect of the products, marked with an asterisk, originating in Romania.

⁽¹⁾ The Community ceiling as defined in Article 1 (3) is set at 703 500, 275 000 and 1 700 000 tonnes for products falling within subheadings 27.10 A III, B III, C I c), C II c) and C III c) and d) respectively; the maximum Community amount referred to in Article 1 (4) is reduced to 20 % for these products.

- 27.10 III. Lubricating oils; other oils:
(cont'd) c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27
d) For other purposes
- 27.11 Petroleum gases and other gaseous hydrocarbons
- 27.12 Petroleum jelly
- 27.13 Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
- 27.14 Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
- 27.16 Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)

CHAPTER 28

- ex 28.01 Halogens (fluorine, chlorine, bromine and iodine), excluding crude iodine
- 28.02 Sulphur, sublimed or precipitated; colloidal sulphur
- 28.03 Carbon (including carbon black)
- ex 28.04 Hydrogen, rare gases and other non-metals, but not including selenium and silicon
- 28.06 Hydrochloric acid and chlorosulphuric acid
- 28.08 Sulphuric acid; oleum
- 28.09 Nitric acid; sulphonitric acids
- 28.10 Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-) ⁽¹⁾
- 28.12 Boric oxide and boric acid
- 28.13 Other inorganic acids and oxygen compounds of non-metals (excluding water)
- 28.14 Halides, oxyhalides and other halogen compounds of non-metals
- 28.15 Sulphides of non-metals; phosphorus trisulphide
- 28.16 Ammonia, anhydrous or in aqueous solution (*) ⁽²⁾
- 28.17 Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
- 28.18 Hydroxide and peroxide of magnesium; oxides, hydroxides and peroxides, of strontium or barium
- 28.19 Zinc oxide and zinc peroxide ⁽³⁾
- 28.20 B Artificial corundum
- 28.21 Chromium oxides and hydroxides
- 28.22 Manganese oxides

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 958 500 u.a. and 30 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 7 914 000 u.a.

⁽³⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 536 000 u.a.

- 28.23 Iron oxides and hydroxides; earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3
- 28.24 Cobalt oxides and hydroxides; commercial cobalt oxides
- 28.25 Titanium oxides
- 28.28 Hydrazine and hydroxylamine and their inorganic salts; other inorganic bases and metallic oxides, hydroxides and peroxides
- 28.29 Fluorides; fluorosilicates, fluoroborates and other complex fluorine salts
- 28.30 Chlorides, oxychlorides and hydroxychlorides; bromides and oxybromides; iodides and oxyiodides
- 28.31 Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites
- 28.32 Chlorates and perchlorates; bromates and perbromates; iodates and periodates
- 28.35 Sulphides; polysulphides
- 28.36 Dithionites, including those stabilized with organic substances; sulphonylates
- 28.37 Sulphites and thiosulphates
- 28.38 Sulphates (including alums) and persulphates
- 28.39 Nitrites and nitrates
- 28.40 Phosphites, hypophosphites and phosphates
- 28.42 Carbonates and percarbonates; commercial ammonium carbonate containing ammonium carbamate
- 28.43 Cyanides and complex cyanides
- 28.44 Fulminates, cyanates and thiocyanates
- 28.45 Silicates; commercial sodium and potassium silicates
- 28.46 Borates and perborates
- 28.47 Salts of metallic acids (for example, chromates, permanganates, stannates)
- 28.48 Other salts and peroxy salts of inorganic acids, but not including azides
- 28.49 Colloidal precious metals; amalgams of precious metals; salts and other compounds, inorganic or organic, of precious metals including albuminates, proteinates, tannates and similar compounds, whether or not chemically defined
- 28.50 Fissile chemical elements and isotopes; other radio-active chemical elements and radio-active isotopes; compounds, inorganic or organic, of such elements or isotopes, whether or not chemically defined; alloys, dispersions and cermets, containing any of these elements, isotopes or compounds:

B. Other (a)

(a) Ex B: Artificial radio-active isotopes and their compounds (EURATOM).

- 28.51 Isotopes and their compounds, inorganic or organic, whether or not chemically defined, other than isotopes and compounds falling within heading No 28.50:
B. Other
- 28.52 Compounds, inorganic or organic, of thorium, of uranium depleted in U 235, of rare earth metals, of yttrium or of scandium, whether or not mixed together
- 28.54 Hydrogen peroxide (including solid hydrogen peroxide)
- 28.55 Phosphides, whether or not chemically defined
- 28.56 Carbides, whether or not chemically defined:
A. Of silicon
B. Of boron
D. Of aluminium; of chromium; of molybdenum; of tungsten; of vanadium; of tantalum; of titanium
E. Other
- 28.57 Hydrides, nitrides and azides, silicides and borides, whether or not chemically defined
- 28.58 Other inorganic compounds (including distilled and conductivity water and water of similar purity); liquid air (whether or not rare gases have been removed); compressed air; amalgams, other than amalgams of precious metals

CHAPTER 29

- 29.01 Hydrocarbons
- 29.02 Halogenated derivatives of hydrocarbons
- 29.03 Sulphonated, nitrated or nitrosated derivatives of hydrocarbons
- 29.04 Acyclic alcohols and their halogenated, sulphonated, nitrated and nitrosated derivatives:
A. Saturated monohydric alcohols
B. Unsaturated monohydric alcohols
C. Polyhydric alcohols:
I. Diols, triols and tetraols
IV. Other polyhydric alcohols
V. Halogenated, sulphonated, nitrated or nitrosated derivatives of polyhydric alcohols
- 29.05 Cyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.06 Phenols and phenol-alcohols (*) (a)
- 29.07 Halogenated, sulphonated, nitrated or nitrosated derivatives of phenols or phenol alcohols
- 29.08 Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides and ether peroxides and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.09 Epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three or four member ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives

(a) The asterisk covers only subheading 29.06 A I.

- 29.10 Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.11 Aldehydes, aldehyde-alcohols, aldehyde-ethers, aldehyde-phenols and other single or complex oxygen-function aldehydes; cyclic polymers of aldehydes; paraformaldehyde (*) (a)
- 29.12 Halogenated, sulphonated, nitrated or nitrosated derivatives of products falling within heading No 29.11
- 29.13 Ketones, ketone-alcohols, ketone-phenols, ketone-aldehydes, quinones, quinone-alcohols, quinone-phenols, quinone-aldehydes and other single or complex oxygen-function ketones and quinones, and their halogenated, sulphonated, nitrated or nitrosated derivatives(*) (b)
- 29.14 Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (c)
- 29.15 Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (d)
- 29.16 Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives ⁽¹⁾ ⁽²⁾
- 29.19 Phosphoric esters and their salts, including lactophosphates, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.21 Other esters of mineral acids (excluding halides) and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.22 Amine-function compounds
- ex 29.23 Single or complex oxygen-function amino-compounds, excluding glutamic acid and its salts
- 29.24 Quaternary ammonium salts and hydroxides; lecithins and other phosphoaminolipins
- 29.25 Carboxamide-function compounds; amide-function compounds of carbonic acid
- 29.26 Carboxyimide-function compounds (including ortho-benzoic sulphimide and its salts) and imine-function compounds (including hexamethylenetetramine and trimethylenetrinitramine)
- 29.27 Nitrile-function compounds (*) (e)
- 29.28 Diazo-, azo- and azoxy-compounds
- 29.29 Organic derivatives of hydrazine or of hydroxylamine
- 29.30 Compounds with other nitrogen-functions
- 29.31 Organo-sulphur compounds

(a) The asterisk covers only subheading 29.11 E ex I (4-hydroxy-3-methoxybenzo-3-hydro) (vanillin).

(b) The asterisk covers only subheading 29.13 A ex I (acetone).

(c) The asterisk covers only subheading 29.14 D I.

(d) The asterisk covers only subheading 29.15 C I.

(e) The asterisk covers only heading No ex 29.27 (acrylonitrile).

⁽¹⁾ For citric acid falling within subheading 29.16 A IV a), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 413 600 u.a. and 30% respectively.

⁽²⁾ For salicylic acid falling within subheading 29.16 B I a), the Community ceiling referred to in Article 1 (3) is set at 205 200 u.a.

- 29.33 Organo-mercury compounds
- 29.34 Other organo-inorganic compounds
- 29.35 Heterocyclic compounds; nucleic acids ⁽¹⁾
- 29.36 Sulphonamides
- 29.37 Sultones and sultams
- 29.38 Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent (*) (a)
- 29.39 Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones
- 29.41 Glycosides, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives
- 29.42 Vegetable alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives
- 29.43 Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
- 29.44 Antibiotics(*) (b)
- 29.45 Other organic compounds

CHAPTER 30

- 30.01 Organo-therapeutic glands or other organs, dried, whether or not powdered; organo-therapeutic extracts of glands or other organs or of their secretions; other animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included
- 30.02 Antisera; microbial vaccines, toxins, microbial cultures (including ferments but excluding yeasts) and similar products
- 30.03 Medicaments (including veterinary medicaments)
- 30.04 Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 of this Chapter
- 30.05 Other pharmaceutical goods

CHAPTER 31

- 31.02 Mineral or chemical fertilizers, nitrogenous:
 - B. Urea, containing more than 45% by weight of nitrogen on the dry anhydrous product ⁽²⁾ (*)
 - C. Other ⁽³⁾ (*)

(a) The asterisk covers only subheading 29.38 B ex II (vitamins B.12).

(b) The asterisk covers only subheading 29.44 A (penicillins) and ex C (tetracycline).

(1) For mixtures falling within subheading 29.35 ex Q, the Community ceiling referred to in Article 1 (3) is 486 000 u.a.

(2) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 274 050 u.a. and 20% respectively.

(3) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 108 000 u.a. and 20% respectively.

- 31.03 Mineral or chemical fertilizers, phosphatic (*)
- 31.04 B Mineral or chemical fertilizers, potassic, mentioned in Note 3 (B) to this Chapter
- 31.05 Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg:
- A. Other fertilizers:
- III. Containing the two fertilizing substances: nitrogen and potassium:
- a) Natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44%), of a total nitrogen content not exceeding 16.3% by weight

CHAPTER 32

- 32.01 Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives:
- B. Other
- 32.03 Synthetic organic tanning substances and inorganic tanning substances; tanning preparations, whether or not containing natural tanning materials; enzymatic preparations for pre-tanning (for example, of enzymatic, pancreatic or bacterial origin)
- 32.04 Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin
- 32.05 Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre; natural indigo
- 32.06 Colour lakes
- 32.07 Other colouring matter; inorganic products of a kind used as luminophores
- 32.08 Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
- 32.09 Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments in linseed oil, white spirit, spirits of turpentine, varnish or other paint or enamel media; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined in Note 4 to this chapter
- 32.10 Artists', students' and signboard painters' colours, modifying tints, amusement colours and the like, in tables, tubes, jars, bottles, pans or in similar forms or packings, including such colours in sets or outfits, with or without brushes, palettes or other accessories
- 32.11 Prepared driers
- 32.12 Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
- 32.13 Writing ink, printing ink and other inks

CHAPTER 33 ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETICS AND TOILET PREPARATIONS ⁽¹⁾

(¹) For products falling within subheading 33.01 A II a), the Community ceiling referred to in Article 1 (3) is set at 4 140 000 u.a.

CHAPTER 34 SOAP, ORGANIC SURFACE-ACTIVE AGENTS, WASHING PREPARATIONS, LUBRICATING PREPARATIONS, ARTIFICIAL WAXES, PREPARED WAXES, POLISHING AND SCOURING PREPARATIONS, CANDLES AND SIMILAR ARTICLES, MODELLING PASTES AND 'DENTAL WAXES'

CHAPTER 35

- 35.02 B Albuminates and other albumin derivatives
- 35.03 Gelatin (including gelatin in rectangles, whether or not coloured or surface-worked) and gelatin derivatives; glues derived from bones, hides, nerves, tendons or from similar products and fish glues; isinglass ⁽¹⁾
- 35.04 Peptones and other protein substances (excluding enzymes of heading No 35.07) and their derivatives; hide powder, whether or not chromed
- 35.06 Prepared glues not elsewhere specified or included; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg
- 35.07 Enzymes; prepared enzymes not elsewhere specified or included

CHAPTER 36 EXPLOSIVES; PYROTECHNIC PRODUCTS; MATCHES; PYROPHORIC ALLOYS; CERTAIN COMBUSTIBLE PREPARATIONS (*) (a)

CHAPTER 37 PHOTOGRAPHIC AND CINEMATOGRAPHIC GOODS

CHAPTER 38

- 38.01 Artificial graphite; colloidal graphite, other than suspensions in oil
- 38.03 Activated carbon; activated natural mineral products; animal black, including spent animal black
- 38.05 Tall oil
- 38.06 Concentrated sulphite lye
- 38.07 Spirits of turpentine (gum, wood and sulphate) and other terpenic solvents produced by the distillation or other treatment of coniferous woods; crude dipentene; sulphite turpentine; pine oil (excluding 'pine oils' not rich in terpineol)
- 38.08 Rosin and resin acids, and derivatives thereof other than ester gums included in heading No 39.05; rosin spirit and rosin oils
- 38.09 Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
- 38.11 Disinfectants, insecticides, fungicides, rat poisons, herbicides, anti-sprouting products, plant-growth regulators and similar products, put up in forms or packings for sale by retail or as preparations or articles (for example, sulphur-treated bands, wicks and candles, flypapers)
- 38.12 Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:
 - A. Prepared glazings and prepared dressings:
 - II. Other
 - B. Prepared mordants

(a) The asterisk covers only heading No 36.06.

(1) For gelatin and gelatin derivatives falling within subheading 35.03 ex B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 747 600 u.a. and 30% respectively.

- 38.13 Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes
- 38.14 Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils
- 38.15 Prepared rubber accelerators
- 38.16 Prepared culture media for development of micro-organisms
- 38.17 Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades
- 38.18 Composite solvents and thinners for varnishes and similar products
- ex 38.19 Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding sorbitol, other than that falling within subheading 29.04 C III

CHAPTER 39

- 39.01 Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters, and other unsaturated polyesters, silicones)
- 39.02 Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins) (*) (a)
- 39.03 Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre (*):
 - A. Adhesive strips of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber
 - B. Other:
 - III. Cellulose acetates
 - IV. Other cellulose esters
 - V. Cellulose ethers and other chemical derivatives of cellulose
 - VI. Vulcanized fibre
- 39.04 Hardened proteins (for example, hardened casein and hardened gelatin)
- 39.05 Natural resins modified by fusion (run gums); artificial resins obtained by esterification of natural resins or of resinic acids (ester gums); chemical derivatives of natural rubber (for example, chlorinated rubber, rubber hydrochloride, oxidized rubber, cyclized rubber)
- 39.06 Other high polymers, artificial resins and artificial plastic materials, including alginic acid, its salts and esters; linoxyn
- 39.07 Articles of materials of the kinds described in heading Nos 39.01 to 39.06

CHAPTER 40

- 40.02 Synthetic rubber latex; pre-vulcanized synthetic rubber latex; synthetic rubber; factice derived from oils

(a) The asterisk covers only subheadings 39.02 C I, C IV and C VII a).

- 40.03 Reclaimed rubber
- 40.05 Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch
- 40.06 Unvulcanized natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized natural or synthetic rubber (for example, coated or impregnated textile thread; rings and discs)
- 40.07 Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber
- 40.08 Plates, sheets, strip, rods and profile shapes, of unhardened vulcanized rubber
- 40.09 Piping and tubing, of unhardened vulcanized rubber
- 40.10 Transmission, conveyor or elevator belts or belting, of vulcanized rubber
- 40.11 Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds (*):
 — Inner tubes and tyre cases (new or used) of the kind used on bicycles, cycles with an auxiliary motor, motor-cycles or motor-scooters ⁽¹⁾
 — Other (including tyre cases with sewn-in inner tubes, for racing bicycles, and tyre flaps) ⁽²⁾
- 40.12 Hygienic and pharmaceutical articles (including teats), of unhardened vulcanized rubber, with or without fittings of hardened rubber
- 40.13 Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanized rubber
- 40.14 Other articles of unhardened vulcanized rubber
- 40.15 Hardened rubber (ebonite and vulcanite), in bulk, plates, sheets, strip, rods, profile shapes or tubes; scrap, waste and powder, of hardened rubber
- 40.16 Articles of hardened rubber (ebonite and vulcanite)

CHAPTER 41

- 41.03 Sheep and lambskin leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other ⁽³⁾
- 41.04 Goat and kidskin leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other ⁽⁴⁾
- 41.05 Other kinds of leather, except leather falling within heading No 41.06 or 41.08.
 B. Other:
 II. Other ⁽⁵⁾

⁽¹⁾ For these products, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 579 000 u.a. and 2.5% respectively.

⁽²⁾ For these products, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 11 901 000 u.a. and 2.5% respectively.

⁽³⁾ For products falling within this subheading, the Community ceiling referred to in Article 1 (3) is set at 2 813 800 u.a.

⁽⁴⁾ For products falling within this subheading, the Community ceiling referred to in Article 1 (3) is set at 4 544 800 u.a.

⁽⁵⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set respectively at 9 540 000 u.a. and 20%.

- 41.06 Chamois-dressed leather ⁽¹⁾
- 41.08 Patent leather and imitation patent leather; metallized leather
- 41.10 Composition leather with a basis of leather or leather fibre, in slabs, in sheets or in rolls

CHAPTER 42

- 42.01 Saddlery and harness, of any material (for example, saddles, harness, collars, traces, knee-pads and boots), for any kind of animal
- 42.03 Articles of apparel and clothing accessories, of leather or of composition leather:
 - B. Gloves, including mittens and mitts:
 - I. Protective, for all trades ⁽²⁾ (*)
- 42.04 Articles of leather or of composition leather of a kind used in machinery or mechanical appliances or for industrial purposes
- 42.05 Other articles of leather or of composition leather
- 42.06 Articles made from gut (other than silk-worm gut), from goldbeater's skin, from bladders or from tendons

CHAPTER 43

- 43.02 Furskins, tanned or dressed, including furskins assembled in plates, crosses and similar forms; pieces or cuttings, of furskin, tanned or dressed, including heads, paws, tails and the like (not being fabricated)
- 43.03 Articles of furskin (*) (a)
- 43.04 Artificial fur and articles made thereof

CHAPTER 44

- ex 44.02 Coconut charcoal
- 44.05 Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm
- 44.07 Railway or tramway sleepers of wood
- ex 44.09 Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; chipwood; drawn wood; wood shavings of a kind suitable for use in the manufacture of vinegar or for the clarification of liquids; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrella handles, tool handles or the like
- 44.11 Fibre building board of wood or other vegetable material, whether or not bonded with natural or artificial resins or with other organic binders ⁽³⁾ (*)
- 44.12 Wood wool and wood flour
- 44.13 Wood (including blocks, strips and friezes for parquet or wood block flooring, not assembled), planed, tongued, grooved, rebated, chamfered, V-jointed, centre V-jointed, beaded, centre-beaded or the like, but not further manufactured ⁽⁴⁾

(a) The asterisk covers only subheading 43.03 ex B (gloves).

⁽¹⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 418 000 u.a.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 17 369 000 u.a. and 15% respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 10 363 500 u.a. and 30% respectively.

⁽⁴⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 8 839 800 u.a.

- 44.14 Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm:
- A. Small boards for the manufacture of pencils
- B. Other ⁽¹⁾ (*)
- 44.16 Cellular wood panels, whether or not faced with base metal
- 44.17 'Improved' wood, in sheets, blocks or the like
- 44.18 Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like ⁽²⁾ (*)
- 44.19 Wooden beadings and mouldings, including moulded skirting and other moulded boards
- 44.20 Wooden picture frames, photograph frames, mirror frames and the like
- 44.21 Complete wooden packing cases, boxes, crates, drums and similar packings
- 44.22 Casks, barrels, vats, tubs, buckets and other coopers' products and parts thereof, of wood, including staves
- 44.23 Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels)
- 44.24 Household utensils of wood (*) (a) ⁽³⁾
- 44.25 Wooden tools, tool bodies, tool handles, broom and brush bodies and handles; boot and shoe lasts and trees, of wood ⁽⁴⁾
- 44.26 Spools, cops, bobbins, sewing thread reel and the like, of turned wood
- 44.27 Standard lamps, table lamps and other lighting fittings, of wood; articles of furniture, of wood, not falling within Chapter 94; caskets, cigarette boxes, trays, fruit bowls, ornaments and other fancy articles, of wood; cases for cutlery, for drawing instruments or for violins, and similar receptacles, of wood; articles of wood for personal use or adornment, of a kind normally carried in the pocket, in the handbag or on the person; parts of the foregoing articles, of wood
- 44.28 Other articles of wood

CHAPTER 45

- 45.02 Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)
- 45.03 Articles of natural cork ⁽⁵⁾
- 45.04 Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork ⁽⁶⁾

(a) The asterisk covers only heading No 44.24 (clothes-pegs).

⁽¹⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 27 506 000 u.a. and 40% respectively.

⁽²⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 5 937 000 u.a.

⁽³⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 3 220 000 u.a.

⁽⁴⁾ For products falling within subheading 44.25 ex B (broom and brush bodies and handles), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 164 000 u.a. and 30% respectively.

⁽⁵⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 2 094 000 u.a.

⁽⁶⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 1 651 000 u.a.

CHAPTER 46

- ex 46.02 Plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips, other than those of unspun vegetable materials; plaiting materials bound together in parallel strands or woven in sheet form, including matting, mats and screens; straw envelopes for bottles ⁽¹⁾
- 46.03 Basketwork, wickerwork and other articles of plaiting materials, made directly to shape; articles made up from goods falling within heading No 46.02; articles of loofah ⁽²⁾ (*)

CHAPTER 47

- 47.01 Pulp derived by mechanical or chemical means from any fibrous vegetable material
- 47.02 Waste paper and paperboard; scrap articles of paper or of paperboard, fit only for use in paper-making:
A. Waste paper and paperboard

CHAPTER 48

- 48.01 Paper and paperboard (including cellulose wadding), in rolls or sheets:
A. Newsprint
B. Cigarette paper
C. Kraft paper and kraft board:
I. For the manufacture of paper yarn of heading No 57.07 or of paper yarn reinforced with metal of heading No 59.04
D. Paper weighing not more than 15 g/m² for use in stencil making
E. Hand-made paper and paperboard
F. Other
- 48.03 Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
- 48.04 Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
- 48.05 Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets
- 48.07 Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets
- 48.08 Filter blocks, slabs and plates, of paper pulp
- 48.10 Cigarette paper, cut to size, whether or not in the form of booklets or tubes
- 48.11 Wallpaper and lincrusta; window transparencies of paper
- 48.12 Floor coverings prepared on a base of paper or of paperboard, whether or not cut to size, with or without a coating of linoleum compound

⁽¹⁾ For plaiting materials bound together in parallel strands or woven in sheet form, including matting, mats and screens, and straw envelopes for bottles, falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 511 000 u.a. and 30% respectively.

⁽²⁾ For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

- 48.13 Carbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes
- 48.14 Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery
- 48.15 Other paper and paperboard, cut size or shape
- 48.16 Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
- 48.18 Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting-pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard
- 48.19 Paper or paperboard labels, whether or not printed or gummed
- 48.20 Bobbins, spools, cops and similar supports of paper pulp, paper or paperboard (whether or not perforated or hardened)
- 48.21 Other articles of paper pulp, paper, paperboard or cellulose wadding

CHAPTER 49 PRINTED BOOKS, NEWSPAPERS, PICTURES AND OTHER PRODUCTS OF THE PRINTING INDUSTRY; MANUSCRIPTS, TYPESCRIPTS AND PLANS

CHAPTER 64

- 64.03 Footwear with outer soles of wood or cork (*)
- 64.04 Footwear with outer soles of other materials (*)
- 64.05 Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal (*)
- 64.06 Gaiters, spats, leggings, puttees, cricket pads, shin-guards and similar articles, and parts thereof (*)

CHAPTER 65 HEADGEAR AND PARTS THEREOF

CHAPTER 66

- 66.01 Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas) ⁽¹⁾ (*)
- 66.02 Walking-sticks (including climbing-sticks and seat-sticks), canes, whips, riding-crops and the like
- 66.03 Parts, fittings, trimmings and accessories of articles falling within heading No 66.01 or 66.02

CHAPTER 67

- 67.01 Skins and other parts of birds with their feathers or down, feathers, parts of feathers, down, and articles thereof (other than goods falling within heading No 05.07 and worked quills and scapes)

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 027 000 u a and 15% respectively.

- 67.02 Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
- 67.03 Human hair, dressed, thinned, bleached or otherwise worked; wool, other animal hair and other textile materials prepared for use in making wigs and the like

CHAPTER 68 ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS ⁽¹⁾ ⁽²⁾ ⁽³⁾ ^(*) (a)

CHAPTER 69

- 69.01 Heat-insulating bricks, blocks, tiles and other heat-insulating goods of siliceous fossil meals or of similar siliceous earths (for example, kieselguhr, tripolite or diatomite)
- 69.03 Other refractory goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than goods falling within heading No 69.01
- 69.04 Building bricks (including flooring blocks, support or filler tiles and the like)
- 69.05 Roofing tiles; chimney-pots, cowls, chimney-liners, cornices and other constructional goods, including architectural ornaments
- 69.06 Piping, conduits and guttering (including angles, bends and similar fittings)
- 69.07 Unglazed setts, flags and paving, hearth and wall tiles ⁽⁴⁾
- 69.09 Laboratory, chemical or industrial wares; troughs, tubs and similar receptacles of a kind used in agriculture; pots, jars and similar articles of a kind commonly used for the conveyance or packing of goods
- 69.10 Sinks, washbasins, bidets, water closet pans, urinals, baths and like sanitary fixtures
- 69.11 Tableware and other articles of a kind commonly used for domestic or toilet purposes ⁽⁵⁾ ^(*)
- 69.12 Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery ^(*) (b)
- 69.13 Statuettes and other ornaments, and articles of personal adornment; articles of furniture
- 69.14 Other articles

CHAPTER 70

- 70.01 B Glass in the mass (excluding optical glass)
- 70.03 Glass in balls, rods and tubes, unworked (not being optical glass)
- 70.04 Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles

(a) The asterisk covers only heading No 68.01.

(b) The asterisk covers only subheading 69.12 C.

⁽¹⁾ For products falling within heading No 68.12, the Community ceiling referred to in Article 1 (3) is set at 1 254 000 u.a.

⁽²⁾ For products falling within subheading 68.13 B I, the maximum Community amount referred to in Article 1 (4) is reduced to 40%.

⁽³⁾ For products falling within subheadings 68.13 B II and III, the maximum Community amount referred to in Article 1 (4) is reduced to 40%

⁽⁴⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 342 000 u.a. and 20% respectively.

⁽⁵⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 549 200 u.a. and 30% respectively.

- 70.06 Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked
- 70.07 Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; multiple-walled insulating glass; leaded lights and the like
- 70.08 Safety glass consisting of toughened or laminated glass, shaped or not
- 70.09 Glass mirrors (including rear-view mirrors), unframed, framed or backed
- 70.10 Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass (*) (a)
- 70.11 Glass envelopes (including bulbs and tubes) for electric lamps, electronic valves or the like
- 70.12 Glass inners for vacuum flasks or for other vacuum vessels (1)
- 70.14 Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass:
- A. Articles for electrical lighting fittings:
- I. Facetted glass, plates, balls, pear-shaped drops, flower-shaped pieces, pendants and similar articles for trimming chandeliers
- II. Other (for example, diffusers, ceiling lights, bowls, cups, lampshades, globes, tulip-shaped pieces) (2)
- B. Other (3)
- 70.15 Clock and watch glasses and similar glasses (including glass of a kind used for sunglasses but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like; glass spheres and segments of spheres, of a kind used for the manufacture of clock and watch glasses and the like
- 70.16 Bricks, tiles, slabs, paving blocks, squares and other articles of pressed or moulded glass, of a kind commonly used in buildings; multi-cellular glass in blocks, slabs, plates, panels and similar forms
- 70.17 Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated; glass ampoules
- 70.18 Optical glass and elements of optical glass, other than optically worked elements; blanks for corrective spectacle lenses
- 70.19 Glass beads, imitation pearls, imitation precious and semi-precious stones, fragments and chippings, and similar fancy or decorative glass smallwares, and articles of glassware made therefrom; glass cubes and small glass plates, whether or not on a backing, for mosaics and similar decorative purposes; artificial eyes of glass, including those for toys but excluding those for wear by humans; ornaments and other fancy articles of lamp-worked glass; grains (ballotini)
- 70.20 Glass fibre (including wool), yarns, fabrics, and articles made therefrom
- 70.21 Other articles of glass

CHAPTER 71

- 71.01 Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport)

(a) The asterisk covers only heading No ex 70.10 (carboys, bottles and jars, of unworked glass, of a capacity exceeding 0.25 litre but not exceeding 2.5 litres)

(1) For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 289 000 u.s. and 40% respectively.

(2) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 971 000 u.s. and 20% respectively.

(3) For products falling within this subheading, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

- 71.02 Precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)
- 71.03 Synthetic or reconstructed precious or semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)
- ex 71.05 Silver, including silver gilt and platinum-plated silver, semi-manufactured
- 71.06 Rolled silver, unworked or semi-manufactured
- ex 71.07 Gold, including platinum-plated gold, semi-manufactured
- 71.08 Rolled gold on base metal or silver, unworked or semi-manufactured
- ex 71.09 Platinum and other metals of the platinum group, semi-manufactured
- 71.10 Rolled platinum or other platinum group metals, on base metal or precious metal, unworked or semi-manufactured
- 71.12 Articles of jewellery and parts thereof, of precious metal or rolled precious metal
- 71.13 Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
- 71.14 Other articles of precious metal or rolled precious metal
- 71.15 Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)

CHAPTER 73

- 73.04 Shot and angular grit, of iron or steel, whether or not graded; wire pellets of iron or steel
- 73.05 A Iron or steel powders
- 73.07 Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:
 - A. Blooms and billets:
 - II. Forged
 - B. Slabs and sheet bars (including tinplate bars):
 - II. Forged
 - C. Pieces roughly shaped by forging
- 73.10 Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:
 - B. Not further worked than forged
 - C. Not further worked than cold-formed or cold-finished
 - D. Clad or surface-worked (for example, polished, coated):
 - I. Not further worked than clad:
 - b) Cold-formed or cold-finished
 - II. Other
- 73.11 Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:

- 73.11 (cont'd) A. Angles, shapes and sections:
- II. Not further worked than forged
 - III. Not further worked than cold-formed or cold-finished
 - IV. Clad or surface-worked (for example, polished, coated):
 - a) Not further worked than clad:
 - 2. Cold-formed or cold-finished
 - b) Other
- 73.12 Hoop and strip, of iron or steel, hot-rolled or cold-rolled:
- B. Not further worked than cold-rolled:
 - II. Other
 - C. Clad, coated or otherwise surface-treated:
 - I. Silvered, gilded or platinum-plated
 - II. Enamelled
 - III. Tinned:
 - b) Other
 - IV. Zinc-coated or lead-coated
 - V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):
 - a) Not further worked than clad:
 - 2. Cold-rolled
 - b) Other
 - D. Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)
- 73.13 Sheets and plates, of iron or steel, hot-rolled or cold-rolled:
- B. Other sheets and plates:
 - II. Not further worked than cold-rolled, of a thickness of:
 - a) 3 mm or more
 - IV. Clad, coated or otherwise surface-treated:
 - a) Silvered, gilded, platinum-plated or enamelled
 - V. Otherwise shaped or worked:
 - a) Cut into shapes other than rectangular shapes, but not further worked:
 - 1. Silvered, gilded, platinum-plated or enamelled
 - b) Other, excluding sheets and plates shaped by rolling
- 73.14 Iron or steel wire, whether or not coated, but not insulated
- 73.15 Alloy steel and high carbon steel in the form mentioned in heading Nos 73.06 to 73.14:
- A. High carbon steel:
 - I. Ingots, blooms, billets, slabs and sheet bars:
 - a) Forged
 - II. Pieces roughly shaped by forging
 - V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:
 - a) Not further worked than forged
 - c) Not further worked than cold-formed or cold-finished
 - d) Clad or surface-worked (for example, polished, coated):
 - 1. Not further worked than clad:
 - bb) Cold-formed or cold-finished
 - 2. Other
 - VI. Hoop and strip:
 - b) Not further worked than cold-rolled

- 73.15
(cont'd)
- c) Clad, coated or otherwise surface-treated:
 - 1. Not further worked than clad:
 - bb) Cold-rolled
 - 2. Other
 - d) Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)
- VII. Sheets and plates:
- b) Not further worked than cold-rolled, of a thickness of:
 - 1. 3 mm or more
 - d) Otherwise shaped or worked:
 - 2. Other, excluding sheets and plates shaped by rolling
- VIII. Wire, whether or not coated, but not insulated
- B. Alloy steel:
- I. Ingots, blooms, billets, slabs and sheet bars:
 - a) Forged
 - II. Pieces roughly shaped by forging
 - V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:
 - a) Not further worked than forged
 - c) Not further worked than cold-formed or cold-finished
 - d) Clad or surface-worked (for example, polished, coated):
 - 1. Not further worked than clad:
 - bb) Cold-formed or cold-finished
 - 2. Other
 - VI. Hoop and strip:
 - b) Not further worked than cold-rolled
 - c) Clad, coated or otherwise surface-treated:
 - 1. Not further worked than clad:
 - bb) Cold-rolled
 - 2. Other
 - d) Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)
 - VII. Sheets and plates:
 - b) Other sheets and plates:
 - 2. Not further worked than cold-rolled, of a thickness of:
 - aa) 3 mm or more
 - 4. Otherwise shaped or worked:
 - bb) Other, excluding sheets and plates shaped by rolling
 - VIII. Wire, whether or not coated, but not insulated
- 73.16 Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates, (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:
- A. Rails:
 - I. Current-conducting, with parts of non-ferrous metal
 - D. Fish-plates and sole plates:
 - II. Other
 - E. Other
- 73.17 Tubes and pipes, of cast iron (*)
- 73.19 High-pressure hydro-electric conduits of steel, whether or not reinforced
- 73.20 Tube and pipe fittings (for example, joints, elbows, unions and flanges), of iron or steel (*)

- 73.21 Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame-works, door and window frames, shutters, balustrades, pillars and columns), of iron or steel; plates, strip, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel
- 73.22 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 litres, whether or not lined or head-insulated, but not fitted with mechanical or thermal equipment
- 73.23 Casks, drums, cans, boxes and similar containers, or sheet or plate iron or steel, of a description commonly used for the conveyance or packing of goods
- 73.24 Containers, of iron or steel, for compressed or liquefied gas
- 73.25 Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables
- 73.26 Barbed iron or steel wire; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of kinds used for fencing, of iron or steel
- 73.27 Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire; expanded metal, of iron or steel
- 73.29 Chain and parts thereof, of iron or steel
- 73.30 Anchors and grapnels and parts thereof, of iron or steel
- 73.31 Nails, tacks, staples, hook-nails, corrugated nails, spiked cramps, studs, spikes and drawing pins, of iron or steel, whether or not with heads of other materials, but not including such articles with heads of copper
- 73.32 Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of iron or steel; rivets, cotters, cotter-pins, washers and spring washers, of iron or steel ⁽¹⁾
- 73.33 Needles for hand sewing (including embroidery), hand carpet needles and hand knitting needles, bodkins, crochet hooks, and the like, and embroidery stilettos, of iron or steel
- 73.34 Pins (excluding hatpins and other ornamental pins and drawing pins), hairpins and curling grips, of iron or steel
- 73.35 Springs and leaves for springs, of iron or steel
- 73.36 Stoves (including stoves with subsidiary boilers for central heatings), ranges, cookers, grates, fires and other space heaters, gas-rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel
- 73.37 Boilers (excluding boilers of heading No 84.01) and radiators, for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel

⁽¹⁾ For screws for wood falling within subheading 73.32 ex B, the Community ceiling referred to in Article 1 (3) is set at 2 993 000 u.a.

- 73.38 Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring and polishing pads, gloves and the like, of iron or steel
- 73.40 Other articles of iron or steel ⁽¹⁾ (*)

CHAPTER 74

- 74.02 Master alloys
- 74.04 Wrought plates, sheets and strip, of copper ⁽²⁾
- 74.05 Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm
- 74.06 Copper powders and flakes
- 74.07 Tubes and pipes and blanks therefor, of copper; hollow bars of copper ⁽³⁾
- 74.08 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper
- 74.10 Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables
- 74.11 Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire; expanded metal, of copper
- 74.15 Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper; bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper
- 74.16 Springs, of copper
- 74.17 Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper
- 74.18 Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper
- 74.19 Other articles of copper

CHAPTER 75

- 75.02 Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire
- 75.03 Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes
- 75.04 Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel
- 75.05 Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis
- 75.06 Other articles of nickel

(1) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 850 200 u.a. and 30% respectively.

(2) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 963 000 u.a. and 30% respectively.

(3) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 132 000 u.a. and 30% respectively.

CHAPTER 76

- 76.02 Wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire ⁽¹⁾ (*)
- 76.03 Wrought plates, sheets and strip, of aluminium ⁽²⁾ (*)
- 76.04 Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm
- 76.05 Aluminium powders and flakes
- 76.06 Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium
- 76.07 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium
- 76.08 Structures, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium
- 76.09 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment
- 76.10 Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods
- 76.11 Containers, of aluminium, for compressed or liquefied gas
- 76.12 Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables
- 76.15 Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium
- 76.16 Other articles of aluminium

CHAPTER 77

- 77.02 Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium; other articles of magnesium
- 77.04 Beryllium, unwrought or wrought, and articles of beryllium

CHAPTER 78

- 78.02 Wrought bars, rods, angles, shapes and sections, of lead; lead wire
- 78.03 Wrought plates, sheets and strip, of lead
- 78.04 Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m²; lead powders and flakes

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 516 000 u.a. and 20% respectively.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 8 304 000 u.a. and 20% respectively.

- 78.05 Tubes and pipes and blanks, therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead
- 78.06 Other articles of lead

CHAPTER 79

- 79.02 Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire
- 79.04 Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc
- 79.06 Other articles of zinc

CHAPTER 80

- 80.02 Wrought bars, rods, angles, shapes and sections, of tin; tin wire
- 80.03 Wrought plates, sheets and strip, of tin
- 80.04 Tin foil (whether or not embossed, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m²; tin powders and flakes
- 80.05 Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin
- 80.06 Other articles of tin

CHAPTER 81

- 81.01 Tungsten (wolfram), unwrought or wrought, and articles thereof:
 - B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil
 - C. Other
- 81.02 Molybdenum, unwrought or wrought, and articles thereof:
 - B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil
 - C. Other
- 81.03 Tantalum, unwrought or wrought, and articles thereof:
 - B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil
 - C. Other
- 81.04 Other base metals, unwrought or wrought, and articles thereof; cerments, unwrought or wrought, and articles thereof:
 - A. Bismuth:
 - II. Other
 - B. Cadmium:
 - II. Other
 - C. Cobalt:
 - II. Other
 - D. Chromium:
 - II. Other
 - E. Germanium:
 - II. Other

- 81.04 F. Hafnium (celtium):
(cont'd) II. Other
- G. Manganese:
II. Other
- H. Niobium (columbium):
II. Other
- IJ. Antimony:
II. Other
- K. Titanium:
II. Other
- L. Vanadium:
II. Other
- N. Thorium:
II. Other:
b) Other (EURATOM)
- O. Zirconium:
II. Other
- P. Rhenium:
II. Other
- Q. Gallium; indium; thallium:
II. Other
- R. Cermets:
II. Other

CHAPTER 82

- 82.01 Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
- 82.02 Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
- 82.03 Hand tools, the following: pliers (including cutting pliers), pincers, tweezers, tinmen's snips, bolt croppers and the like; perforating punches; pipe cutters; spanners and wrenches (but not including tap wrenches); files and rasps
- 82.04 Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated)
- 82.05 Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits
- 82.06 Knives and cutting blades, for machines or for mechanical appliances
- 82.07 Tool-tips and plates, sticks and the like for tool-tips, unmounted, of sintered metal carbides (for example, carbides of tungsten, molybdenum or vanadium)
- 82.08 Coffee-mills, mincers, juice-extractors and other mechanical appliances, of a weight not exceeding 10 kg and of a kind used for domestic purposes in the preparation, serving or conditioning of food or drink

- 82.09 Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor ⁽¹⁾
- 82.11 Razors and razor blades (including razor blade blanks, whether or not in strips)
- 82.12 Scissors (including tailors' shears), and blades therefor
- 82.13 Other articles of cutlery (for example, secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files)
- 82.14 Spoons, forks, fish-eaters, butter-knives, ladles and similar kitchen or tableware ⁽²⁾
- 82.15 Handles of base metal for articles falling within heading No 82.09, 82.13 or 82.14

CHAPTER 83

- 83.01 Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and part of such frames, of base metal; keys for any of the foregoing articles of base metal ⁽³⁾
- 83.02 Base metal fittings and mountings of a kind suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers); base metal hat-racks, hat-pegs, brackets and the like
- 83.03 Safes, strong-boxes, armoured or reinforced strong-rooms, strong-room linings and strong-room doors, and cash and deed boxes and the like, of base metal
- 83.04 Filing cabinets, racks, sorting boxes, paper trays, paper rests and similar office equipment, of base metal, other than office furniture falling within heading No 94.03
- 83.05 Fittings for loose-leaf binders, for files or for stationery books, of base metal; letter clips, paper clips, staples, indexing tags, and similar stationery goods, of base metal
- 83.06 Statuettes and other ornaments of a kind used indoors, of base metal; photograph, picture and similar frames, of base metal; mirrors of base metal
- 83.07 Lamps and lighting fittings, of base metal, and parts thereof, of base metal (excluding switches, electric lamp holders, electric lamps for vehicles, electric battery or magneto lamps, and other articles falling within Chapter 85 except heading No 85.22) ⁽⁴⁾
- 83.08 Flexible tubing and piping, of base metal
- 83.09 Clasps, frames with clasps for handbags and the like, buckles, buckle-clasps, hooks, eyes, eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods, handbags or other textile or leather goods; tubular rivets and bifurcated rivets, of base metal; beads and spangles, of base metal
- 83.11 Bells and gongs, non-electric, of base metal, and parts thereof of base metal

⁽¹⁾ For products falling within this heading, excluding blades therefor, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 473 000 u.a. and 15% respectively.

⁽²⁾ For products falling within subheading 82.14 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 437 000 u.a. and 15% respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 011 000 u.a. and 15% respectively.

⁽⁴⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 295 000 u.a. and 40% respectively.

- 83.13 Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal
- 83.14 Sign-plates, name-plates, numbers, letters and other signs, of base metal
- 83.15 Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbides, coated or cored with flux material, of a kind used for soldering, brazing, welding or deposition of metal or of metal carbides; wire and rods, of agglomerated base metal powder, used for metal spraying

CHAPTER 84

- 84.01 Steam and other vapour generating boilers (excluding central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers
- 84.02 Auxiliary plant for use with boilers falling within heading No 84.01 (for example, economizers, superheaters, soot removers, gas recoverers and the like); condensers for vapour engines and power units
- 84.03 Producer gas and water gas generators, with or without purifiers; acetylene gas generators (water process) and similar gas generators, with or without purifiers
- 84.05 Steam or other vapour power units, whether or not incorporating boilers
- 84.06 Internal combustion piston engines
- 84.07 Hydraulic engines and motors (including water wheels and water turbines)
- 84.08 Other engines and motors
- 84.09 Mechanically propelled road rollers
- 84.10 Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds (*) (a)
- 84.11 Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like
- 84.12 Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air
- 84.13 Furnace burners for liquid fuel (atomizers), for pulverized solid fuel or for gas; mechanical stokers, mechanical grates, mechanical ash dischargers and similar appliances
- 84.14 Industrial and laboratory furnaces and ovens, non-electric
- 84.15 Refrigerators and refrigerating equipment (electrical and other)
- 84.16 Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass-working machines) and cylinders therefor

(a) The asterisk covers only subheading 84 10 B II.

- 84.17 Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vapourizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical
- 84.18 Centrifuges filtering and purifying machinery and apparatus (other than filter funnels, milk strainers and the like), for liquids or gases
- 84.19 Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing, capsuling or labelling bottles, cans, boxes, bags or other containers; other packing or wrapping machinery; machinery for aerating beverages; dish washing machines
- 84.20 Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
- 84.21 Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers (charged or not); spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines
- 84.22 Lifting, handling, loading or unloading machinery, telfers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not being machinery falling within heading No 84.23
- 84.23 Excavating, levelling, tamping, boring and extracting machinery, stationary or mobile, for earth, minerals or ores (for example, mechanical shovels, coal-cutters, excavators, scrapers, levellers and bulldozers); pile-drivers; snow-ploughs, not self-propelled (including snow-plough attachments)
- 84.24 Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors); lawn and sports ground rollers
- 84.25 Harvesting and threshing machinery; straw and fodder presses; hay or grass mowers; winnowing and similar cleaning machines for seed, grain or leguminous vegetables and egg-grading and other grading machines for agricultural produce (other than those of a kind used in the bread grain milling industry falling within heading No 84.29)
- 84.26 Dairy machinery (including milking machines)
- 84.27 Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like
- 84.28 Other agricultural, horticultural, poultry-keeping and bee-keeping machinery; germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders
- 84.29 Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
- 84.30 Machinery, not falling within any other heading of this Chapter, of a kind used in the following food or drink industries: bakery, confectionery, chocolate manufacture, macaroni, ravioli or similar cereal food manufacture, the preparation of meat, fish, fruit or vegetables (including mincing or slicing machines), sugar manufacture or brewing
- 84.31 Machinery for making or finishing cellulosic pulp, paper or paperboard
- 84.32 Book-binding machinery, including book-sewing machines
- 84.33 Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard

- 84.34 Machinery, apparatus and accessories for type-founding or type-setting; machinery, other than the machine-tools of heading No 84.45, 84.46 or 84.47, for preparing or working printing blocks, plates, or cylinders; printing type, impressed flongs and matrices printing blocks, plates and cylinders; blocks, plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)
- 84.35 Other printing machinery; machines for use ancillary to printing
- 84.36 Machines for extruding man-made textiles; machines of a kind used for processing natural or man-made textile fibres; textile spinning and twisting machines; textile doubling, throwing and reeling (including weft-winding) machines
- 84.37 Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net; machines for preparing yarns for use on such machines, including warping and warp sizing machines
- 84.38 Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles)
- 84.39 Machinery for the manufacture or finishing of felt in the piece or in shapes, including felt-hat making machines and hat-making blocks
- 84.40 Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor covering for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor
- 84.41 Sewing machines; furniture specially designed for sewing machines; sewing machine needles:
- A. Sewing machines; furniture specially designed for sewing machines:
- I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor:
- a) Sewing machines having a value (not including frames, tables or furniture) or more than 65 u.a. each
- b) Other ⁽¹⁾
- II. Other sewing machines and other sewing machine heads
- B. Sewing machine needles
- 84.42 Machinery (other than sewing machines) for preparing, tanning or working hides, skins or leather (including boot and shoe machinery)
- 84.43 Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy and in metal foundries
- 84.44 Rolling mills and rolls therefor

⁽¹⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 963 000 u.a. and 25% respectively.

- 84.45 Machine-tools for working metal or metal carbides, not being machines falling within heading No 84.49 or 84.50
- 84.46 Machine-tools for working stone, ceramics, concrete, asbestos-cement and like mineral materials or for working glass in the cold, other than machines falling within heading No 84.49
- 84.47 Machine-tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
- 84.48 Accessories and parts suitable for use solely or principally with the machines falling within heading Nos 84.45 to 84.47, including work and tool holders, self-opening dieheads, dividing heads and other appliances for machine-tools; tool holders for any type of tool or machine-tool for working in the hand
- 84.49 Tools for working in the hand, pneumatic or with self-contained non-electric motor
- 84.50 Gas-operated welding, brazing, cutting and surface tempering appliances
- 84.51 Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines
- 84.52 Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device ⁽¹⁾
- 84.53 Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data on to data media in coded form and machines for processing such data, not elsewhere specified or included
- 84.54 Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines)
- 84.55 Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54
- 84.56 Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand
- 84.57 Glass-working machines (other than machines for working glass in the cold); machines for assembling electric filament and discharge lamps and electronic and similar tubes and valves
- 84.58 Automatic vending machines (for example, stamp, cigarette, chocolate and food machines), not being games of skill or chance
- 84.59 Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:
- A. For the manufacture of the products mentioned in subheading 28.51 A (EURATOM)
 - B. Nuclear reactors (EURATOM)
 - C. Specially designed for the recycling of irradiated nuclear fuels (for example, sintering of radioactive metal oxides, sheathing) (EURATOM)

⁽¹⁾ For machines with a print-out falling within subheading 84.52 A, the Community ceiling referred to in Article 1 (3) is set at 3 204 000 u.a.; for other machines falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 28 840 000 u.a. and 25% respectively.

- 84.59 D. Rope or cable-making machinery, including electric wire and cable-making machines
(cont'd)
- E. Other
- 84.60 Moulding boxes for metal foundry; moulds of a type used for metal (other than ingot moulds), for metal carbides, for glass, for mineral materials (for example, ceramic pastes, concrete or cement) or for rubber or artificial plastic materials
- 84.61 Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure-reducing valves and thermostatically controlled valves (*) (a)
- 84.62 Ball, roller or needle roller bearings (*)
- ex 84.63 Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gearboxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings, but not including forged or roughly shaped shafts, of a weight exceeding 150 tonnes, for generators or turbines
- 84.64 Gaskets and similar joints of metal sheeting combined with other material (for example, asbestos, felt and paperboard) or of laminated metal foil; sets or assortments of gaskets and similar joints, dissimilar in composition, for engines, pipes, tubes and the like, put up in pouches, envelopes or similar packings
- 84.65 Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features and not falling within any other heading in this Chapter

CHAPTER 85

- 85.01 Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus; inductors:
- A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:
- I. Synchronous motors of an output of not more than 18 watts ⁽¹⁾
- B. Transformers, static converters, rectifiers and rectifying apparatus; inductors
- C. Parts ⁽²⁾
- 85.02 Electro-magnets; permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets; electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders; electro-magnetic clutches and couplings; electro-magnetic brakes; electro-magnetic lifting heads
- 85.03 Primary cells and primary batteries ⁽³⁾ (*)
- 85.04 Electric accumulators ⁽⁴⁾
- 85.05 Tools for working in the hand, with self-contained electric motor

(a) The asterisk covers only subheading 84.61 ex B (taps, cocks, valves and similar appliances of pig iron or cast iron).

⁽¹⁾ For products falling within subheading 85.01 A I, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 344 000 u.a. and 20% respectively.

⁽²⁾ For products falling within subheading 85.01 C, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 8 068 750 u.a. and 2.5% respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 441 000 u.a. and 30% respectively.

⁽⁴⁾ For products falling within subheading 85.04 A (lead-acid accumulators), the maximum Community amount referred to in Article 1 (3) and (4) is reduced to 20%.

- 85.06 Electro-mechanical domestic appliances, with self-contained electric motor
- 85.07 Shavers and hair clippers, with self-contained electric motor
- 85.08 Electrical starting and ignition equipment for internal combustion engines (including ignition magnetos, magneto-dynamos, ignition coils, starter motors, sparking plugs and glow plugs); generators (dynamos and alternators) and cut-outs for use in conjunction with such engines
- 85.09 Electrical lighting and signalling equipment and electrical windscreen wipers, defrosters and demisters, for cycles or motor vehicles
- 85.10 Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09:
 - A. Miners' safety lamps
- 85.11 Industrial and laboratory electric furnaces, ovens and inductions and dielectric heating equipment; electric or laser-operated welding, brazing, soldering or cutting machines and apparatus
- 85.12 Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hairdressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
- 85.13 Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)
- 85.14 Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers
- 85.15 Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus ⁽¹⁾:
 - A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras:
 - I. Transmitters
 - II. Transmitter-receivers
 - IV. Television cameras
 - B. Other apparatus
 - C. Parts of the goods of subheadings A and B above:
 - I. Cabinets and cases
 - II. Parts of base metal, obtained by turning bars, angles, shapes, sections or wire, of solid section, the greatest diameter of which does not exceed 25 mm
- 85.16 Electric traffic control equipment for railways, roads or inland waterways and equipment used for similar purposes in port installations or upon airfields
- 85.17 Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16

⁽¹⁾ For products falling within subheadings 85.15 A I, II, IV; B; C I, II, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set respectively at 18 423 000 u.a. and 25%.

- 85.18 Electrical capacitors, fixed or variable ⁽¹⁾
- 85.19 Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels ⁽²⁾ ⁽³⁾
- 85.20 Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc-lamps ⁽⁴⁾
- 85.21 Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light-emitting diodes; electronic micro-circuits ⁽⁵⁾:
- A. Valves and tubes
- B. Photocells, including photo-transistors
- C. Mounted piezo-electric crystals
- 85.22 Electrical appliances and apparatus, having individual functions, not falling within any other heading of this Chapter
- 85.24 Carbon brushes, arc-lamp carbons, battery carbons, carbon electrodes and other carbon articles of a kind used for electrical purposes
- 85.25 Insulators of any material
- 85.26 Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
- 85.27 Electrical conduit tubing and joints therefor, of base metal lined with insulating material
- 85.28 Electrical parts of machinery and apparatus, not being goods falling within any of the preceding headings of this Chapter

CHAPTER 86 RAILWAY AND TRAMWAY LOCOMOTIVES, ROLLING-STOCK AND PARTS THEREOF; RAILWAY AND TRAMWAY TRACK FIXTURES AND FITTINGS; TRAFFIC SIGNALLING EQUIPMENT OF ALL KINDS (NOT ELECTRICALLY POWERED)

CHAPTER 87

- 87.01 Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys
- 87.02 Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those falling within heading No 87.09)

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 130 800 u.s. and 20% respectively.

⁽²⁾ For products falling within subheading 85.19 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 29 854 000 u.s. and 25% respectively.

⁽³⁾ For products falling within subheading 85.19 B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 673 750 u.s. and 40% respectively.

⁽⁴⁾ For products falling within subheading 85.20 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 835 000 u.s. and 25% respectively.

⁽⁵⁾ For products falling within subheadings 85.21 A, B and C, the Community ceiling referred to in Article 1 (3) is set at 10 667 000 u.s.

- 87.03 Special purpose motor lorries and vans (such as breakdown lorries, fire-engines, fire-escapes, road sweeper lorries, snow-ploughs, spraying lorries, crane lorries, searchlight lorries, mobile workshops and mobile radiological units), but not including the motor vehicles falling within heading No 87.02)
- 87.04 Chassis fitted with engines, for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.05 Bodies (including cabs) for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.06 Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.07 Works trucks, mechanically propelled, of the type used in factories, warehouses, dock areas or airports for short distance transport or handling of goods (for example, platform trucks, fork-lift trucks and straddle carriers); tractors of the type used on railway station platforms; parts of the foregoing vehicles
- 87.08 Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles
- 87.09 Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds
- 87.10 Cycles (including delivery tricycles), not motorized ⁽¹⁾ (*)
- 87.11 Invalid carriages, whether or not motorized or otherwise mechanically propelled
- 87.12 Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11 ⁽²⁾ (*) (a)
- 87.13 Baby carriages and parts thereof
- 87.14 Other vehicles (including trailers), not mechanically propelled, and parts thereof:
- A. Animal-drawn vehicles
 - B. Trailers and semi-trailers:
 - I. Specially designed for the transport of highly radio-active materials (*EURATOM*)
 - C. Other vehicles
 - D. Parts

CHAPTER 88 AIRCRAFT AND PARTS THEREOF; PARACHUTES; CATAPULTS AND SIMILAR AIRCRAFT LAUNCHING GEAR; GROUND FLYING TRAINERS

CHAPTER 89 SHIPS, BOATS AND FLOATING STRUCTURES

CHAPTER 90

- 90.01 Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material
- 90.02 Lenses, prisms, mirrors and other optical elements of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked

(a) The asterisk covers only subheading 87.12 B.

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 300 000 u.s. and 20% respectively.

⁽²⁾ For products falling within subheading 87.12 B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 901 000 u.s. and 30% respectively.

- 90.03 Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
- 90.04 Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
- 90.06 Astronomical instruments (for example, reflecting telescopes, transit instruments and equatorial telescopes), and mountings therefor, but not including instruments for radio-astronomy
- 90.07 Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20
- 90.08 Cinematographic cameras, projectors, sound recorders and sound reproducers but not including re-recorders or film editing apparatus; any combination of these articles
- 90.09 Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers ⁽¹⁾
- 90.10 Apparatus and equipment of a kind used in photographic or cinematographic laboratories, not falling within any other heading in this Chapter; photocopying apparatus (whether incorporating an optical system or of the contact type) and thermocopying apparatus; screens for projectors
- 90.11 Microscopes and diffraction apparatus, electron and proton
- 90.12 Compound optical microscopes, whether or not provided with means for photographing or projecting the image
- 90.13 Optical appliances and instruments (but not including lighting appliances other than searchlights or spotlights), not falling within any other heading of this Chapter; lasers, other than laser diodes
- 90.14 Surveying (including photogrammetrical surveying), hydrographic, navigational meteorological, hydrological and geophysical instruments; compasses; rangefinders
- 90.15 Balances of a sensitivity of 5 cg or better, with or without their weights
- 90.16 Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors
- 90.17 Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments) ⁽²⁾
- 90.18 Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; artificial respiration, ozone therapy, oxygen therapy, aerosol therapy or similar apparatus; breathing appliances (including gas masks and similar respirators)
- 90.19 Orthopaedic appliances, surgical belts, trusses and the like; splints and other fracture appliances; artificial limbs, eyes, teeth and other artificial parts of the body; hearing-aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 493 750 u.a. and 45% respectively.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 12 567 600 u.a. and 40% respectively.

- 90.20 Apparatus based on the use of X-rays or of the radiations from radioactive substances (including radiography and radiotherapy apparatus); X-ray generators; X-ray tubes; X-ray screens; X-ray high tension generators; X-ray control panels and desks; X-ray examination or treatment tables, chairs and the like
- 90.21 Instruments, apparatus or models, designed solely for demonstrational purposes (for example, in education or exhibition), unsuitable for other uses
- 90.22 Machines and appliances for testing mechanically the hardness, strength, compressibility, elasticity and the like properties of industrial materials (for example, metals, wood, textiles, paper or plastics)
- 90.23 Hydrometers and similar instruments; thermometers, pyrometers, barometers, hygrometers, psychrometers, recording or not; any combination of these instruments
- 90.24 Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats, level gauges, flow meters, heat meters, automatic oven-draught regulators), not being articles falling within heading No 90.14
- 90.25 Instruments and apparatus for physical or chemical analysis (such as polarimeters, refractometers, spectrometers, gas analysis apparatus), instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like (such as viscometers, porosimeters, expansion meters); instruments and apparatus for measuring or checking quantities of heat, light or sound (such as photometers (including exposure meters), calorimeters); microtomes
- 90.26 Gas, liquid and electricity supply or production meters; calibrating meters therefor
- 90.27 Revolution counters, production counters, taximeters, mileometers, pedometers, and the like, speed indicators (including magnetic speed indicators) and tachometers (other than articles falling within heading No 90.14); stroboscopes
- 90.28 Electrical measuring, checking, analysing or automatically controlling instruments and apparatus
- 90.29 Parts or accessories suitable for use solely or principally with one or more of the articles falling within heading No 90.23, 90.24, 90.26, 90.27 or 90.28

CHAPTER 91

- 91.01 Pocket-watches, wrist-watches, and other watches, including stop-watches
- 91.02 Clocks with watch movements (excluding clocks of heading No 91.03)
- 91.03 Instrument panel clocks and clocks of a similar type, for vehicles, aircraft or vessels
- 91.04 Other clocks
- 91.05 Time of day recording apparatus; apparatus with clock or watch movement (including secondary movement) or with synchronous motor, for measuring, recording or otherwise indicating intervals of time
- 91.06 Time switches with clock or watch movement (including secondary movement) or with synchronous motor
- 91.07 Watch movements (including stop-watch movements), assembled
- 91.08 Clock movements, assembled
- 91.09 Watch cases and parts of watch cases ⁽¹⁾

⁽¹⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 2 492 400 u.a. and respectively.

91.10 Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof

91.11 Other clock and watch parts

CHAPTER 92

92.01 Pianos (including automatic pianos, whether or not with keyboards); harpsichords and other keyboard stringed instruments; harps but not including aeolian harps

92.02 Other string musical instruments

92.03 Pipe and reed organs, including harmoniums and the like

92.04 Accordions, concertinas and similar musical instruments; mouth organs

92.05 Other wind musical instruments

92.06 Percussion musical instruments (for example, drums, xylophones, cymbals, castanets)

92.07 Electro-magnetic, electrostatic, electronic and similar musical instruments (for example, pianos, organs, accordions)

92.08 Musical instruments not falling within any other heading of this Chapter (for example, fairground organs, mechanical street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effects of all kinds; mouthblown sound-signalling instruments (for example, whistles and boatswains' pipes)

92.10 Parts and accessories of musical instruments, including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds

92.11 Gramophones, dictating machines and other sound recorders or reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders or reproducers:

B. Television image and sound recorders or reproducers

92.12 Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording ⁽¹⁾

92.13 Other parts and accessories of apparatus falling within heading No 92.11

CHAPTER 93 ARMS AND AMMUNITIONS; PARTS THEREOF (*) (a)

CHAPTER 94

94.01 Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof:

A. Specially designed for aircraft

94.02 Medical, dental, surgical or veterinary furniture (for example, operating tables, hospital beds with mechanical fittings); dentists' and similar chairs with mechanical elevating, rotating or reclining movements; parts of the foregoing articles

(a) The asterisk covers only subheading 93.07 B.

(1) For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

- 94.04 Mattress supports; articles of bedding or similar furnishing fitted with springs or stuffed or internally fitted with any material or of expanded, foam or sponge rubber or expanded, foam or sponge artificial plastic material, whether or not covered (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows)

CHAPTER 95 ARTICLES AND MANUFACTURES OF CARVING OR MOULDING MATERIAL

CHAPTER 96 BROOMS, BRUSHES, POWDER-PUFFS AND SIEVES (*) (a)

CHAPTER 97

- 97.01 Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles and pedal motorcars); dolls' prams and dolls' pushchairs
- 97.04 Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites ⁽¹⁾ (*) (b)
- 97.06 Appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04) ⁽²⁾
- 97.07 Fish-hooks, line fishing rods and tackle; fish landing nets and butterfly nets; decoy 'birds', lark mirrors and similar hunting or shooting requisites
- 97.08 Roundabouts, swings, shooting galleries and other fairground amusements; travelling circuses, travelling menageries and travelling theatres

CHAPTER 98

- 98.01 Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs; blanks and parts of such articles
- 98.02 Slide fasteners and parts thereof
- 98.03 Fountain pens, stylograph pens and pencils (including ballpoint pens and pencils and other pens), pen-holders, pencil-holders and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No 98.04 or 98.05
- 98.04 Pen nibs and nib points
- 98.05 Pencils (other than pencils of heading No 98.03), pencil leads, slate pencils, crayons and pastels, drawing charcoals and writing and drawing chalks; tailors' and billiard chalks
- 98.06 Slates and boards, with writing or drawing surfaces, whether framed or not
- 98.07 Date, sealing or numbering stamps, and the like (including devices for printing or embossing labels), designed for operating in the hand; hand-operated composing sticks and hand printing sets incorporating such composing sticks
- 98.08 Typewriter and similar ribbons, whether or not on spools; ink-pads with or without boxes
- 98.09 Sealing wax (including bottle-sealing wax) in sticks, cakes or similar forms; copying pastes with a basis of gelatin, whether or not with a paper or textile backing

(a) The asterisk covers only subheadings 96.01 B I and III.

(b) The asterisk covers only subheading 97.04 A.

⁽¹⁾ For products falling within heading No 97.04, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at \$ 173 030 u.s. and 25% respectively.

⁽²⁾ For products falling within subheadings 97.06 B and C, the Community ceiling referred to in Article 1 (3) is set at 16 078 000 u.s.

- 98.10 Mechanical lighters and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks
 - 98.11 Smoking pipes; pipe bowls, stems and other parts of smoking pipes (including roughly shaped blocks of wood or root); cigar and cigarette holders and parts thereof
 - 98.12 Combs, hair-slides and the like
 - 98.14 Scent and similar sprays of a kind used for toilet purposes, and mounts and heads therefor
 - 98.16 Tailors' dummies and other lay figures; automata and other animated displays of a kind used for shop window dressing
-

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	260 Guinea ⁽²⁾	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti ⁽²⁾	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh ⁽²⁾	700 Indonesia	324 Rwanda ⁽²⁾
469 Barbados	616 Iran	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	612 Iraq	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana ⁽²⁾	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi ⁽²⁾	728 Korea, Republic of	342 Somalia ⁽²⁾
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos ⁽²⁾	224 Sudan ⁽²⁾
306 Central African Empire ⁽²⁾	604 Lebanon	492 Surinam
244 Chad ⁽²⁾	395 Lesotho ⁽²⁾	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania ⁽²⁾
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi ⁽²⁾	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldive Islands ⁽²⁾	472 Trinidad and Tobago
600 Cyprus	232 Mali ⁽²⁾	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda ⁽²⁾
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta ⁽²⁾
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	652 Yemen ⁽²⁾
815 Fiji	432 Nicaragua	656 Yemen, Democratic ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	048 Yugoslavia
252 Gambia ⁽²⁾	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1977' published by the Statistical Office of the European Communities.

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Mariana and Marshall Islands).

ANNEX C

List of least developed developing countries to which Article 2 (1) and (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives Islands
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	324 Rwanda
306 Central African Empire	819 Samoa
244 Chad	342 Somalia
334 Ethiopia	224 Sudan
252 Gambia	352 Tanzania
260 Guinea	350 Uganda
452 Haiti	236 Upper Volta
684 Laos	652 Yemen
395 Lesotho	656 Yemen, Democratic

COUNCIL REGULATION (EEC) No 2706/77

of 28 November 1977

opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas, in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50% of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 of cif imports from the countries benefiting from this scheme excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5% of the value of cif imports from other countries and from the countries already enjoying such arrangements (additional amount);

Whereas, however, in respect of cotton textile products formerly covered by the long-term arrangement regarding international trade in cotton textiles, the offer made by the Community laid down that the preferences in the form of duty-free ceilings normally calculated according to the formula set out in the preceding recital, would be granted to the countries enjoying generalized preferences which are signatories to the long-term arrangement or possibly to those countries which undertook *vis-à-vis* the Community commitments similar to those existing under that arrangement and that they would be accorded for the duration of the said arrangement; whereas the arrangement was due to expire on 30 September 1973 and was extended to 31 December 1973; whereas, provisionally for the years 1974 to 1976, it was considered that the countries concerned would adopt measures with equivalent aims, for both cotton textile and like products, pending the implementation of the arrangement regarding international trade in textiles (1); whereas the latter should be adjusted progressively, with the result that the distinction made between countries enjoying preferences in the textile sector is no longer justified; whereas, however, it is not yet possible to assess the overall effect of the extent of the said arrangement; whereas, consequently, a degree of prudence is necessary in particular in determining which countries are eligible for the preferences to be accorded in the textile sector as a whole; whereas to that end analogies should be established between the products of that sector and those of other industrial sectors which, because of their particular sensitivity, are administered under the preferential arrangements by means of tariff quotas; whereas consequently at this stage it seems appropriate that the countries and territories covered by the said tariff quotas should also be covered under the preferential arrangements for the textile sector as a whole; whereas, moreover, in view of the special nature which trade in the products concerned may have, it appears generally appropriate to determine in terms of tonnages the ceilings for the preferential imports of such products by reference to deliveries effected in 1968 by the former beneficiary countries alone;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries

(1) OJ No L 118, 30. 4. 1974, p. 1.

which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States as a result of implementation of the generalized system of preferences;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied during the first half of 1978, with adjustments to take account particularly of the admission to the preferential system in the textile sector of the new beneficiary countries and territories;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preferences scheme has been applicable in the new Member States from 1 January 1974;

Whereas in respect of textile products, the complexity of the measure to be implemented, combined with the abovementioned aim of improving the generalized preferences, could from 1974 to 1977 be overcome only by means of successive flat-rate increases of around 50% and — on three occasions — 5% in the ceiling fixed for 1973; whereas the situation in the sector concerned no longer enables further improvement of the generalized preferences to be envisaged for the first half of 1978, so that the ceilings will be at a level of 50% of those fixed for 1977;

Whereas, in respect of the group of textile products listed in Annexes A, B and C, generally originating in the countries and territories listed in Annex D, the Community should therefore allow, for each category of these products during 1977, duty-free imports within the limits of the Community ceilings established in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating

in the countries under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾; whereas charges against each of these ceilings must, as a general rule, come within a maximum Community amount of 50% in respect of the products originating in any of the abovementioned countries and territories;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the maximum Community amount;

Whereas the ceiling arrangements so defined constitute a distinct improvement to the Community preference scheme for textile products; whereas, however, such improvement may only be made — particularly in view of experience gained in recent years — by ensuring that the improvement continues to be compatible with the degree of sensitivity of the Community sector concerned, and that a better balance is achieved in the distribution of the advantages granted to the new group of beneficiary countries and territories;

Whereas in view of these factors:

- if imports into the Community of textile products of a given category from each of the potential beneficiary countries and territories do not exceed 6% of the imports of the same products from all the beneficiaries, the objectives referred to above may be achieved by applying a method of administration based on the charging at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned in accordance with the detailed rules set out below;
- whereas from 6%, special rules for administering the preferential ceilings become necessary:
 - whereas, accordingly, where previous history of deliveries in each category of the products concerned shows that this level of 6% or more is generally attained only by independent countries with a very low *per capita* gross national product, it is still possible to fix relatively high

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

maximum amounts for such countries of the order of 30% and even 50% in some cases; whereas, however, the compatibility mentioned above requires that these maximum amounts be placed within the framework of an administration of the ceilings concerned by means of tariff quotas, and these amounts should even, in exceptional cases, be fixed at a lower level for potential beneficiaries which are less underdeveloped;

- whereas when at least the abovementioned level of 6% is reached, as regards each of the countries' and territories' own deliveries in the categories of products concerned, mainly by beneficiaries other than the least developed, it would seem appropriate to ensure better access to the Community market for the least developed by reserving for them a share of normally 70% of the ceiling for the products concerned — coupled with a maximum amount of 50% — the remaining 30% being administered in the form of Community tariff quotas open without distinction to the other beneficiaries alone;

Whereas, as regards ceilings and maximum amounts relating thereto, the objectives sought may be achieved by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas, as regards the ceilings administered in the form of tariff quotas:

- charges against each of the latter must, for the abovementioned beneficiary countries, come within a given percentage of the quota amount;
- it is necessary to guarantee to all importers equal and continuous access to the abovementioned quotas and uninterrupted application of the rates laid down for those quotas to all imports of the products concerned into all Member States until the quota has been used up;
- having regard to the abovementioned principles it seems that the Community nature of the quotas can best be respected by allocating them among the Member States;

- the actual charges against the quotas may relate only to goods which are entered for home use and are accompanied by a certificate of origin;
- whereas the application of the generally accepted principles in respect of the allocation of the Community tariff quotas which have been opened until now entails, under these circumstances and in view of the variety of the products concerned and of the fact that the benefiting countries are specified, calculations which are all the more problematic in that the statistical data required sometimes prove to be incomplete or not sufficiently accurate or representative; whereas the time required for these calculations cannot be reconciled with the continuity necessary for the application of the tariff preferences concerned; whereas, under these conditions, it would be advisable still at this stage to adopt a fixed scale for allocating the Community tariff quotas concerned among the Member States; whereas, using as a basis general economic criteria relating to external trade in textiles, the gross national product and population, the percentages for the initial shares of the Member States of the quota amounts are as follows for the quota year under consideration:

Germany	27%,
Benelux	10%,
France	19%,
Italy	14%,
Denmark	7%,
Ireland	1%,
United Kingdom	22%;

Whereas, as as regards the tariff quotas coupled with a maximum amount of 30 or 50% as a general rule, set out in Annex A, without affecting the Community nature of those tariff quotas it still appears possible to provide at this stage for a utilization scheme based on a single allocation among the Member States; whereas, moreover, the allocation adopted by this Regulation in no way prejudices the possibility of adopting the general method of allocation of Community tariff quotas involving the setting up of a reserve share; whereas implementation of this principle in this particularly sensitive sector can, however, take place only progressively, yet must remain attuned to the methods of administration laid down in the general framework of the generalized system of tariff preferences; whereas at the present juncture it appears feasible that such allocation could in general be made according to the percentages set out in the table above; whereas, however, one of the new Member States, the Kingdom of Denmark, has for a number of years been importing relatively large quantities of certain cotton yarns and woven fabrics falling within heading Nos ex 55.05 and ex 55.09 of the Common Customs Tariff and certain yarn and woven fabrics of synthetic textile fibres and sisal twine falling within heading Nos 51.04 and ex 59.04, and subheadings 56.05 A and 56.07 A of the Common Customs

Tariff from a number of developing countries and has therefore ceased to produce the articles in question; whereas this special situation should temporarily continue to be taken into account and this Member State should be granted an increased share without restricting the access thereto of countries benefiting from generalized preferences;

Whereas, in addition, in respect of the said products measures should be introduced to encourage the principal suppliers benefiting from the system to ensure a balanced distribution of their deliveries throughout the Community instead of concentrating them in specific areas, or even in one single area of the Community; whereas this measure, combined with the need to reserve an equitable share of the preferential system for the least competitive countries, leads to the access of the countries stated in column 4 (b) of Annex A being accompanied by a special Community maximum amount; of 10% of the national shares;

Whereas, as regards the products listed in Annex B and administered by means of tariff quotas, the method of administration described for the products in Annex A may also be adopted taking into account the absence of maximum amounts;

Whereas the methods of administration for the products listed in Annexes A, B and C call for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to keep under observation:

- the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce customs duties, either generally or individually, when any of the ceilings or maximum amounts are reached;
- the extent to which the tariff quotas are used up, and inform the Member States thereof; whereas, for these purposes, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 30 June 1978, the Common Customs Tariff duties on the products listed in Annexes A, B and C shall be totally suspended within the framework of Community tariff quotas or within the limits of Community ceilings.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex D, subject to the details given in Annexes A, B and C.

However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the tariff quotas or ceilings referred to in paragraph 1. For the purposes of this Regulation, the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

With regard to carpets, carpeting and rugs of wool or fine animal hair, falling within heading No 58.01 and mentioned in Annexes A and C, the certificates of origin for these products shall state the number of knots per metre of warp.

3. The ceilings shall be administered and the quotas allocated and administered in accordance with the following provisions.

SECTION I

Provisions relating to the administration of the Community tariff ceilings

Article 2

1. Subject to the provisions of Articles 3 and 4, this suspension shall be granted, in respect of each category of products, within the limits of a Community ceiling expressed in tonnes:

- indicated, for each of the products listed in Annex B, under (a) in column 5,
- equal, as regards the products listed in Annex C, to 87% of the amount obtained by adding together imports into the Community in 1968, expressed in tonnes, of the products concerned from the independent countries listed in Annex D, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5% of the tonnage of imports in 1970 from other countries and from countries already enjoying such arrangements.

2. Only the products originating in the countries and territories listed in Annex D, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against the ceilings fixed under (a) in column 5 of the said Annex B.

3. Subject to the provisions of Articles 3 and 4, within each ceiling thus indicated or calculated, charges of

products originating in any one of the countries and territories listed in Annex D must not exceed a Community maximum amount equivalent to 50% of this ceiling with the exception of certain products for which the maximum amount shall be reduced to the percentage shown in Annex C.

Article 3

1. As soon as the ceilings indicated or calculated in accordance with Article 2 (1), which are laid down for Community imports of products originating in all the countries and territories referred to in Article 1 (2) — account being taken of Article 2 (2) — are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with Article 2 (3) — account being taken of Article 2 (2) — for Community imports of products originating in each of the countries and territories referred to in Article 1 (2) are reached for any one of these countries or territories at Community level, the levying of customs duties on imports of the products in question from the country or territory concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

However, the first subparagraph shall not apply to the imports in question originating in the countries listed in Annex E.

Article 4

The Commission shall re-introduce the levying of customs duties in respect of all the countries or territories referred to in Article 1 (2) or in respect of any one of them by means of a Regulation in the conditions laid down in Article 3 (1) and (2).

SECTION II

Provisions relating to the allocation and administration of the Community tariff quotas

Article 5

1. The total suspension of customs duties within the framework of the Community tariff quotas referred to in Article 1 (1) concerns the products in Annex A and the products in Annex B for each of which the quota amount, expressed in tonnes, is indicated in column 3 of Annex A and under (a) in column 4 of Annex B.

2. The amount to be charged in respect of each independent country referred to in Article 1 (2) against each of the tariff quota amounts mentioned above shall

be limited to the maximum amount given under (a) in column 4 of Annex A against each category of products.

For the products listed in Annex A, charges of the products originating in each of the countries listed under (b) in column 4 of the said Annex shall be limited in each Member State to 10% of its share. Each Member State shall re-introduce the levying of normal customs duties in respect of the country concerned as soon as it records that the said percentage has been reached. The Member State in question shall immediately notify the Commission, which shall inform the other Member States without delay.

This limitation of the amount charged shall not apply to the tariff quotas given under (a) in column 4 of Annex B, such quotas being available only to the countries and territories mentioned opposite, under (b) in column 4 of the said Annex, considered as a group.

Article 6

1. For the products listed in Annexes A and B, the Community tariff quotas referred to in Article 5 (1) shall be allocated in shares which shall be, for each Member State, the amounts corresponding to the tonnages shown in column 5 of Annex A and under (c) in column 4 of Annex B against each category of products.

2. The shares allocated to Denmark for certain products falling within subheadings and heading Nos 51.04, ex 55.05, ex 55.09, 56.05 A, 56.07 A and ex 59.04 shall be increased by an amount determined in a footnote to Annex A.

The first and second subparagraphs of Article 5 (2) shall not apply to such an increase.

Article 7

Member States shall take all measures necessary to ensure that importers of the products concerned established in their territory have free access to the shares allocated to them.

Article 8

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 5 (2) is observed. When the charges, at Community level, of products originating in each of the independent countries listed in Annex D against any one of the Community tariff quotas reach the maximum amount laid down under (a) in column 4 of Annex A, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be re-introduced in respect of the independent country in question. This notification shall

be published in the *Official Journal of the European Communities*.

SECTION III

General provisions

Article 9

1. Imports of the products in question shall be actually charged against the Community ceilings, shares and maximum amounts as and when these products are entered for home use and are accompanied by a certificate of origin pursuant to the rules referred to in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount or admitted under a tariff quota only if the certificate of origin referred to in paragraph 1 is presented before the date on which the levying of duties is re-introduced.

3. The extent to which the ceilings, shares and maximum amounts have been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

4. Any amendment to Annex D, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the amounts of the Community ceilings, quotas and maximum amounts referred to in Articles 2 (1) and (3), and 5 (1) and (2).

Article 10

On receipt of a request from the Commission, and in any case at least monthly, Member States shall inform it of imports of the products concerned charged against their shares and the Community ceilings and maximum amounts.

Article 11

Member States and the Commission shall cooperate closely to ensure that the preceding provisions are observed.

Article 12

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX A

List of textile products subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
1	51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	191.50	30	10 for — Colombia — Korea (South)	Germany 51.71 Benelux 19.15 France 36.39 Italy 26.81 Denmark ⁽¹⁾ 13.41 Ireland 1.91 United Kingdom 42.12
2	55.05	Cotton yarn, not put up for retail sale: B. Other: II. Other: Measuring, per single yarn, per kg: — 14 000 m or less	697	30	10 for Brazil	Germany 188.19 Benelux 69.70 France 132.43 Italy 97.58 Denmark 48.79 Ireland 6.97 United Kingdom 153.34

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 10.09 tonnes.

Order No	OCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
3	55.05 (cont'd)	— More than 14 000 m but not more than 40 000 m	3 216	30	10 for — Brazil — Mexico	Germany 868.32 Benelux 321.60 France 611.04 Italy 450.24 Denmark (1) 225.12 Ireland 32.16 United Kingdom 707.52
4		— More than 40 000 m but not more than 80 000 m	1 106	30	10 for — Brazil — Colombia — Mexico	Germany 298.62 Benelux 110.60 France 210.14 Italy 154.84 Denmark (2) 77.42 Ireland 11.06 United Kingdom 243.32
5		— More than 80 000 m but less than 120 000 m	159.50	20		Germany 43.07 Benelux 15.95 France 30.31 Italy 22.33 Denmark 11.15 Ireland 1.60 United Kingdom 35.09

(1) Pursuant to Article 6 (2) this share is increased by 412.80 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 223.87 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
6	55.09	Other woven fabrics of cotton: A. Containing 85% or more by weight of cotton: I. Of a width of less than 85 cm: — Unbleached	465	40		Germany 125.55 Benelux 46.50 France 88.35 Italy 65.10 Denmark 32.55 Ireland 4.65 United Kingdom 102.30
7		— Other	284	40	10 for — Colombia — Mexico	Germany 76.68 Benelux 28.40 France 53.96 Italy 39.76 Denmark 19.88 Ireland 2.84 United Kingdom 62.48
8		II. Other: — Unbleached, of a width of: — 85 cm or more but not more than 115 cm	2 880	30	10 for Brazil	Germany 777.60 Benelux 288.00 France 547.20 Italy 403.20 Denmark 201.60 Ireland 28.80 United Kingdom 633.60

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
9	55.09 (cont'd)	— More than 115 cm but not more than 165 cm	1 750	40	10 for — Brazil — Colombia — Korea (South)	Germany 472.50 Benelux 175.00 France 332.50 Italy 245.00 Denmark (1) 122.50 Ireland 17.50 United Kingdom 385.00
10		— More than 165 cm	564.50	40	10 for — Brazil — Korea (South) — Singapore — Yugoslavia	Germany 152.42 Benelux 56.45 France 107.26 Italy 79.02 Denmark 39.52 Ireland 5.65 United Kingdom 124.18
11		— Other	273.50	40	10 for — Brazil — Colombia — Mexico	Germany 73.85 Benelux 27.35 France 51.97 Italy 38.28 Denmark (2) 19.15 Ireland 2.74 United Kingdom 60.16
12		B. Other	156.50	40	10 for Yugoslavia	Germany 42.26 Benelux 15.65 France 29.74 Italy 21.91 Denmark 10.95 Ireland 1.56 United Kingdom 34.43

¹ Pursuant to Article 6 (2) this share is increased by 295.19 tonnes

² Pursuant to Article 6 (2) this share is increased by 441.70 tonnes

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
13	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: A. Of synthetic textile fibres	317	30	10 for — Korea (South) — Singapore	Germany 85.59 Benelux 31.70 France 60.23 Italy 44.38 Denmark (1) 22.19 Ireland 3.17 United Kingdom 69.74
14	56.07	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres	295.50	30	10 for Korea (South)	Germany 79.79 Benelux 29.55 France 56.15 Italy 41.37 Denmark (2) 20.69 Ireland 2.95 United Kingdom 65.00
15	58.01	Carpets, carpeting and rugs, knotted (made up or not): ex A. Of wool or of fine animal hair, containing per metre of warp not more than 500 rows of knots	2 704	40		Germany 730.08 Benelux 270.40 France 513.76 Italy 378.56 Denmark 189.28 Ireland 27.04 United Kingdom 594.88

(1) Pursuant to Article 6 (2) this share is increased by 23.11 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 174.11 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
16	ex 59.04	Twine, cordage, ropes and cables plaited or not: — Of hemp	1 389.50	40		Germany 375.17 Benelux 138.95 France 264.00 Italy 194.53 Denmark 97.26 Ireland 13.90 United Kingdom 305.69
17		— Of sisal (<i>Agave sisalana</i>)	348	30		Germany 93.96 Benelux 34.80 France 66.12 Italy 48.72 Denmark (1) 24.36 Ireland 3.48 United Kingdom 76.56
18		— Of synthetic textile fibres	334.50	20		Germany 90.32 Benelux 33.45 France 63.55 Italy 46.83 Denmark 23.41 Ireland 3.35 United Kingdom 73.59
19		— Other, other than of jute or of other textile bast fibres of heading No 57.03 or of coir	261	30		Germany 70.47 Benelux 26.10 France 49.59 Italy 36.54 Denmark 18.27 Ireland 2.61 United Kingdom 57.42

(1) Pursuant to Article 6 (2) this share is increased by 59.25 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
20	60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: — Of synthetic textile fibres	57	30	10 for Korea (South)	Germany 15.39 Benelux 5.70 France 10.83 Italy 7.98 Denmark 3.99 Ireland 0.57 United Kingdom 12.54
21		— Other	200	30	10 for — Korea (South) — Yugoslavia	Germany 54.00 Benelux 20.00 France 38.00 Italy 28.00 Denmark 14.00 Ireland 2.00 United Kingdom 44.00
22	60.04	Under garments, knitted or crocheted, not elastic or rubberized	1 226.50	30	10 for — Korea (South) — Yugoslavia	Germany 331.15 Benelux 122.65 France 233.03 Italy 171.71 Denmark 85.86 Ireland 12.27 United Kingdom 269.83

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
23	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	402	30	10 for — Korea (South) — Yugoslavia	Germany 108.54 Benelux 40.20 France 76.38 Italy 56.28 Denmark 28.14 Ireland 4.02 United Kingdom 88.44
24	61.01	Men's and boys' outer garments	422	30	10 for — Korea (South) — Yugoslavia	Germany 113.94 Benelux 42.20 France 80.18 Italy 59.08 Denmark 29.54 Ireland 4.22 United Kingdom 92.84
25	61.02	Women's, girls' and infants' outer garments	330.50	30	10 for — Korea (South) — Yugoslavia	Germany 89.23 Benelux 33.06 France 62.80 Italy 46.27 Denmark 23.13 Ireland 3.30 United Kingdom 72.71
26	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	372.50	30	10 for — Korea (South) — Yugoslavia	Germany 100.57 Benelux 37.24 France 70.77 Italy 52.14 Denmark 26.07 Ireland 3.76 United Kingdom 81.95

Order No	OCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
27	61.04	Women's, girls' and infants' under garments	148	30	10 for — Korea (South) — Yugoslavia	Germany 39-96 Benelux 14-80 France 28-12 Italy 20-72 Denmark 10-36 Ireland 1-48 United Kingdom 32-56
28	61.05	Handkerchiefs	78	30		Germany 21-06 Benelux 7-80 France 14-82 Italy 10-92 Denmark 5-46 Ireland 0-78 United Kingdom 17-16
29	61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	50	30		Germany 13-50 Benelux 5-00 France 9-50 Italy 7-00 Denmark 3-50 Ireland 0-50 United Kingdom 11-00
30	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles	180	30	10 for Brazil	Germany 48-60 Benelux 18-00 France 34-20 Italy 25-20 Denmark 12-60 Ireland 1-80 United Kingdom 39-60

ANNEX B

List of textile products referred to in Articles 2 and 5 which are subject to zero-duty Community ceilings and tariff quotas under the generalized tariff preferences for developing countries and territories

Order No	OCT-Heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
1	53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale	200.50	60	Brazil Uruguay	Germany 16.20 Benelux 6.00 France 11.40 Italy 8.40 Denmark 4.20 Ireland 0.60 United Kingdom 13.20	140.50	50	70.25
2	54.03	Flax or ramie yarn, not put up for retail sale	122	24.50	Brazil	Germany 6.62 Benelux 2.45 France 4.65 Italy 3.43 Denmark 1.71 Ireland 0.24 United Kingdom 5.39	97.50	50	48.75
3	55.05	Cotton yarn, not put up for retail sale: A. Multiple or cabled, finished in balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding 900 g	26.50	8	Brazil Hong Kong	Germany 2.16 Benelux 0.80 France 1.52 Italy 1.12 Denmark 0.56 Ireland 0.08 United Kingdom 1.76	18.50	50	9.25

Order No	OCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
4	55.05 (cont'd)	B. Other: I. Measuring, per single yarn, 120 000 m or more per kg	25	5	Brazil	Germany 1-35 Benelux 0-50 France 0-95 Italy 0-70 Denmark 0-35 Ireland 0-05 United Kingdom 1-10	20	50	10
5	55.08	Terry towelling and similar terry fabrics of cotton	52	10-50	Brazil	Germany 2-85 Benelux 1-05 France 1-99 Italy 1-47 Denmark 0-73 Ireland 0-10 United Kingdom 2-31	41-50	50	20-75
6	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres	330	100	Brazil Yugoslavia	Germany 27-00 Benelux 10-00 France 19-00 Italy 14-00 Denmark 7-00 Ireland 1-00 United Kingdom 22-00	230	50	115

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
7	58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)	235.50	70.50	Colombia Korea (South) Hong Kong	Germany 19.04 Benelux 7.05 France 13.40 Italy 9.87 Denmark 4.94 Ireland 0.70 United Kingdom 15.50	165	50	82.50
8	58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06	50	10	Hong Kong	Germany 2.70 Benelux 1.00 France 1.90 Italy 1.40 Denmark 0.70 Ireland 0.10 United Kingdom 2.20	40	50	20
9	58.10	Embroidery, in the piece, in strips or in motifs	82	16	Korea (South)	Germany 4.32 Benelux 1.60 France 3.04 Italy 2.24 Denmark 1.12 Ireland 0.16 United Kingdom 3.52	66	50	33

Order No	OCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
10	60.01	Knitted or crocheted fabrics, not elastic or rubberized	393.50	118	Brazil Uruguay Yugoslavia	Germany 31.86 Benelux 11.80 France 22.42 Italy 16.52 Denmark 8.26 Ireland 1.18 United Kingdom 25.96	275.50	50	137.75
11	60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized	50	15	Korea (South) Hong Kong	Germany 4.05 Benelux 1.50 France 2.85 Italy 2.10 Denmark 1.05 Ireland 0.15 United Kingdom 3.30	35	50	17.50
12	62.03	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: I. Used: a) Of flax or of sisal ex b) Other (excluding coir fibres) ex II. Other (excluding coir fibres)	254	76	Korea (South) Hong Kong	Germany 20.52 Benelux 7.60 France 14.44 Italy 10.64 Denmark 5.32 Ireland 0.76 United Kingdom 16.72	178	50	89

ANNEX C

List of products originating in developing countries and territories to which the generalized tariff preferences for certain textile products will apply (a)

Order No	CCT heading No	Description
	CHAPTER 50	
1	50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale
2	50.05	Yarn spun from noil or other waste silk, not put up for retail sale
3	50.07	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale; silk-worm gut; imitation catgut of silk
4	50.09	Woven fabrics of silk, of noil or other waste silk ⁽¹⁾
	CHAPTER 51	
5	51.01	Yarn of man-made fibres (continuous), not put up for retail sale ⁽²⁾
6	51.02	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials
7	51.03	Yarn of man-made fibres (continuous), put up for retail sale
8	CHAPTER 52	METALLIZED TEXTILES
	CHAPTER 53	
9	53.06	Yarn of carded sheep's or lambs' wool (wollen yarn), not put up for retail sale
10	53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale
11	53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale
12	53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale
13	53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair ⁽¹⁾
14	53.12	Woven fabrics of horsehair or of other coarse animal hair

(a) Products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only those entries.
 (1) For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 20 %.
 (2) For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 30 %.

Order No	CCT heading No	Description
	CHAPTER 54	
15	54.04	Flax or ramie yarn, put up for retail sale
16	54.05	Woven fabrics of flax or of ramie
	CHAPTER 55	
17	55.06	Cotton yarn, put up for retail sale
18	55.07	Cotton gauze
	CHAPTER 56	
19	56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾
20	56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous) ⁽¹⁾
21	56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾
22	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning
23	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres
24	56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale
	CHAPTER 57	
25	ex 57.07	Yarn of other vegetable textile fibres, other than coir yarn; paper yarn
26	ex 57.11	Woven fabrics of other vegetable textile fibres, other than those of coir; woven fabrics of paper yarn
	CHAPTER 58	
27	ex 58.01	Carpets, carpeting and rugs, knotted (made up or not), other than of jute or of other textile bast fibres of heading No 57.03 or of coir or wool or fine animal hair, containing per metre of warp not more than 500 rows of knots
	58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not):

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 30%.

Order No	CCT heading No	Description
28	58.02 (cont'd)	ex A. Carpets, whether tufted or not other than of jute or other textile bast fibres of heading No 57.03 or coir
29		B. 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like
30	58.03	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point and cross stitch) made in panels and the like by hand
31	58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size
32	58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like
33	58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain
34	58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs
	CHAPTER 59	
35	59.01	Wadding and articles of wadding; textile flock and dust and mill neps
36	59.02	Felt and articles of felt, whether or not impregnated or coated
37	59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated
38	59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope
39	59.06	Other articles made from yarn, twine, cordage, rope or cables other than textile fabrics and articles made from such fabrics
40	59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses
41	59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials
42	59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not
43	59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods
44	59.12	Textile fabrics otherwise impregnated or coated; painting canvas being theatrical scenery, studio back-cloths or the like

Order No	CCT heading No	Description
45	59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads
46	59.14	Wicks, of woven, plaited or knitted textile materials, for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles
47	59.15	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials
48	59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material
49	59.17	Textile fabrics and textile articles of a kind commonly used in machinery or plant
CHAPTER 60		
50	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings)
CHAPTER 61		
51	61.06	Shawls, scarves, mufflers, mantillas, veils and the like
52	61.07	Ties, bow ties and cravats
53	61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods
54	61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)
CHAPTER 62		
55	62.01	Travelling rugs and blankets
56	62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods
57	ex 62.05	Other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir
CHAPTER 63		
58	ex 63.01	Clothing, clothing accessories, travelling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No 58.01, 58.02 or 58.03), of textile materials; footwear and headgear of any material, showing signs of appreciable wear and imported in bulk or in bales, sacks or similar bulk packings other than of jute, other than textile bast fibres of heading No 57.03 or coir

ANNEX D

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	416 Guatemala	662 Pakistan
208 Algeria	260 Guinea ⁽²⁾	440 Panama
330 Angola	257 Guinea Bissau	801 Papua New Guinea
528 Argentina	488 Guyana	520 Paraguay
453 Bahamas	452 Haiti ⁽²⁾	504 Peru
640 Bahrain	424 Honduras	708 Philippines
666 Bangladesh ⁽²⁾	664 India	644 Qatar
469 Barbados	700 Indonesia	324 Rwanda ⁽²⁾
284 Benin ⁽²⁾	616 Iran	819 Samoa ⁽²⁾
675 Bhutan ⁽²⁾	612 Iraq	311 Sao Tome and Principe
516 Bolivia	272 Ivory Coast	632 Saudi Arabia
391 Botswana ⁽²⁾	464 Jamaica	248 Senegal
508 Brazil	628 Jordan	355 Seychelles and Dependencies
676 Burma	696 Kampuchea, Democratic	264 Sierra Leone
328 Burundi ⁽²⁾	346 Kenya	706 Singapore
302 Cameroon	728 Korea, Republic of	342 Somalia ⁽²⁾
247 Cape Verde Islands	636 Kuwait	669 Sri Lanka
306 Central African Empire ⁽²⁾	684 Laos ⁽²⁾	224 Sudan ⁽²⁾
244 Chad ⁽²⁾	604 Lebanon	492 Surinam
512 Chile	395 Lesotho ⁽²⁾	393 Swaziland
480 Colombia	268 Liberia	608 Syria
375 Comoros	216 Libya	352 Tanzania ⁽²⁾
318 Congo, People's Republic of	370 Madagascar	680 Thailand
436 Costa Rica	386 Malawi ⁽²⁾	280 Togo
448 Cuba	701 Malaysia	817 Tonga
600 Cyprus	667 Maldive Islands ⁽²⁾	472 Trinidad and Tobago
338 Djibouti	232 Mali ⁽²⁾	212 Tunisia
456 Dominican Republic	228 Mauritania	350 Uganda ⁽²⁾
500 Ecuador	373 Mauritius	647 United Arab Emirates
220 Egypt	412 Mexico	236 Upper Volta ⁽²⁾
428 El Salvador	204 Morocco	524 Uruguay
310 Equatorial Guinea	366 Mozambique	484 Venezuela
334 Ethiopia ⁽²⁾	803 Nauru	690 Vietnam
815 Fiji	672 Nepal ⁽²⁾	652 Yemen ⁽²⁾
314 Gabon	432 Nicaragua	656 Yemen, Democratic ⁽²⁾
252 Gambia ⁽²⁾	240 Niger ⁽²⁾	048 Yugoslavia
276 Ghana	288 Nigeria	322 Zaire
473 Grenada	649 Oman	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1977', published by the Statistical Office of the European Communities.

⁽²⁾ This country is also included in Annex E.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean⁽¹⁾
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX E

List of least developed developing countries to which the first subparagraph of Article 3 (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives Islands
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	324 Rwanda
306 Central African Empire	819 Samoa
244 Chad	342 Somalia
334 Ethiopia	224 Sudan
252 Gambia	352 Tanzania
260 Guinea	350 Uganda
452 Haiti	236 Upper Volta
684 Laos	652 Yemen
395 Lesotho	656 Yemen, Democratic

COUNCIL REGULATION (EEC) No 2708/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured Virginia type tobaccos originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent, on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore (1), the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas, on the one hand, for several Asian countries of the Commonwealth and particularly India, the types of unmanufactured tobaccos concerned are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community and, on the other hand, these countries are among the worst hit by the present economic crisis; whereas the system of generalized tariff preferences may constitute a solution to the problems of this nature; whereas these types of tobaccos should be included in the generalized preferences scheme;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty;

whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the tobacco sector generally and of the need to safeguard the interests of the associated countries and of the ACP States in this field, to lay down for raw or unmanufactured Virginia type tobacco special conditions consisting in a reduction of the customs duty applicable to these products within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972, invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied as from the second half of 1971; whereas, however, for the flue-cured Virginia type tobacco, the said system of tariff preferences has been made applicable from 1974 and it is appropriate to apply this system henceforth for all Virginia type tobaccos;

Whereas it is expedient, therefore, that the Community should open for 1978 for these raw or unmanufactured tobaccos, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 60 000 tonnes, at a customs duty rate of 7% with a minimum charge of 15 units of account per 100 kilograms net weight for Virginia type tobaccos falling

(1) OJ No L 73, 27. 3. 1972, p. 195.

within subheading 24.01 ex B and with a maximum charge of 45 units of account per 100 kilograms net weight for the Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might be fixed at a relatively high level, in this case 98% of the full quota;

Whereas, on the basis of the available statistical data which cover only a relatively brief period and whereas they should be weighted on the basis of the estimates which may be made in respect of the quota year, the shares in the first tranche may be set out as follows:

Germany	10 315 tonnes,
Benelux	5 586 tonnes,
France	980 tonnes,
Italy	3 920 tonnes,
Denmark	1 862 tonnes,
Ireland	1 935 tonnes,
United Kingdom	34 202 tonnes;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; whereas this method of administration calls for close co-operation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, a Community tariff quota of 60 000 tonnes shall be opened in the

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 178.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

Community for the imports of raw or unmanufactured Virginia type tobaccos falling within subheadings 24.01 A ex I, 24.01 A ex II and 24.01 ex B of the Common Customs Tariff. Within this tariff quota the customs duty shall be suspended at 7% with a minimum charge of 15 units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheading 24.01 ex B and a maximum charge of 45 units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II.

2. This tariff quota shall apply solely to products originating in the countries and territories listed in the Annex. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against this tariff quota.

For the purposes of the application of this Regulation the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Entry to this tariff quota shall be subject to the production of a certificate of authenticity appearing in the certificate of origin and made out in accordance with the procedure referred to in the second subparagraph.

Article 2

1. A first tranche of 58 800 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1978, shall for each Member State be as follows:

Germany	10 315 tonnes,
Benelux	5 586 tonnes,
France	980 tonnes,
Italy	3 920 tonnes,
Denmark	1 862 tonnes,
Ireland	1 935 tonnes,
United Kingdom	34 202 tonnes.

2. The second tranche of 1 200 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

A Member State which on 25 October 1978 has not exhausted one of its initial shares shall, not later than 7 November 1978, return to the reserve any unused portion in excess of 15% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 7 November 1978, notify the Commission of the total quantities of the product in question imported up to and including 25 October 1978 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 21 November 1978, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in units of account and the quantity expressed in tonnes.

Article 9

Should imports of the products benefiting under the arrangements provided for in Article 1 be imported into the Community at prices such as to put or be likely to put Community producers of similar or directly com-

petitive products at a serious disadvantage or create an unfavourable situation in the ACP States, the customs duties applied within the Community may be re-introduced in part or in full for imports of the products in question from the country or countries or territory or territories which are the cause of such disadvantage. Such measures may also be taken in the event of a serious disadvantage, either actual or foreseeable, which is confined to a single region of the Community.

Article 10

1. In order to ensure that Article 9 is applied, the Commission may, by way of a Regulation, re-introduce normal duties for a fixed period.

2. If the Commission has acted at the request of a Member State, the former shall give its decision within a maximum period of 10 working days from the date of receipt of the request and shall inform the Member State of the action it has taken.

3. Each Member State may refer the measure taken by the Commission to the Council within a period of 10 working days following the date it was notified. The fact that the matter has been referred to the Council shall not constitute the suspension of the measure. The Council shall meet without delay. Acting on a qualified majority, it may amend or repeal the measure in question.

Article 11

Articles 9 and 10 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall cooperate closely to ensure that the above Articles are observed.

Article 13

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	260 Guinea	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh	700 Indonesia	324 Rwanda
469 Barbados	616 Iran	819 Samoa
284 Benin	612 Iraq	311 Sao Tome and Principe
675 Bhutan	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi	728 Korea, Republic of	342 Somalia
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos	224 Sudan
306 Central African Empire	604 Lebanon	492 Surinam
244 Chad	395 Lesotho	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldive Islands	472 Trinidad and Tobago
600 Cyprus	232 Mali	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia	672 Nepal	652 Yemen
815 Fiji	432 Nicaragua	656 Yemen, Democratic
314 Gabon	240 Niger	048 Yugoslavia
252 Gambia	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

(¹) The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1977', published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos/(Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Mariana and Marshall Islands).

COUNCIL REGULATION (EEC) No 2709/77

of 28 November 1977

opening preferential tariffs for developing countries for raw or unmanufactured tobaccos falling within subheading 24.01 A ex II 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 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore⁽¹⁾, the Community declared its readiness to seek solutions to the problems which may arise in the field of trade for the countries referred to as well as for developing countries situated in the same geographical region;

Whereas, particularly for Indonesia, raw or unmanufactured tobaccos, other than Virginia type, falling within subheading 24.01 A ex II, represent an important export product; whereas the generalized preferences scheme may constitute a solution for problems arising in this connection; whereas these types of tobaccos should therefore be included in the generalized preferences scheme;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions;

whereas, it appears appropriate however, in view of the sensitiveness of the tobacco sector generally and of the need to safeguard the interests of the associated countries and of the ACP States in this field, to lay down for these raw or unmanufactured tobaccos special conditions consisting in a reduction of the customs duty applicable to these products within the limits of a Community tariff ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied as from the second half of 1971; whereas, however, for certain types of tobacco the said system of tariff preferences has been made applicable from 1974; whereas it is appropriate to extend this system also for tobaccos falling within subheading 24.01 A ex II;

Whereas it is expedient, therefore, that the Community should open for 1978 for the said raw or unmanufactured tobaccos, other than Virginia type, originating in the countries and territories listed in the Annex, a Community ceiling of 2 500 tonnes, at a customs duty rate of 7% with a minimum charge of 33 units of account and a maximum charge of 45 units of account per 100 kilograms net weight;

(1) OJ No L 73, 27. 3. 1972, p. 195.

Whereas, in accordance with Protocol 23 to the Act of Accession (1), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is essential to reserve the benefit of this tariff suspension for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (2); whereas the charging of imports against a ceiling must be carried out as and when the tobaccos concerned are presented for customs clearance under cover of declarations that they are intended for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of customs duties as soon as the ceiling is reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceiling and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce customs duties either generally or individually, when the ceiling is reached;

Whereas measures should be provided for which will enable any serious disruption in any sector of the economic activity of the Community to be avoided; whereas to this end, the Commission should be empowered to re-introduce partially or wholly the levying of customs duties in order that such disruption may be avoided,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, the duties under the Common Customs Tariff relating to raw or unmanufactured tobacco, other than Virginia type, falling within subheading 24.01 A ex II shall be suspended at 7% within a minimum charge of 33 units of account per 100 kilograms net weight and a maximum charge of 45 units of account per 100 kilograms net weight.

2. This tariff suspension shall apply solely to products originating in the countries and territories listed in the Annex. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against the ceiling referred to in paragraph 3. For the purposes of the application of this Regulation the concept of 'originating products' shall be deter-

(1) OJ No L 73, 27. 3. 1972, p. 14.

(2) OJ No L 148, 28. 6. 1968, p. 1.

mined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to Articles 2 and 4 this suspension shall be granted for the tobaccos in question up to a Community ceiling of 2 500 tonnes.

Article 2

As soon as the ceiling calculated in accordance with the provisions of Article 1 (3), which is laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2), is reached at Community level, the levying of customs duties on imports of the tobaccos from all the countries and territories concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

Article 3

1. Imports of the products in question shall be charged against the Community ceiling as and when the tobaccos in question are entered for home use, and provided that they are accompanied by a certificate of origin pursuant to the rules laid down in Article 1 (2).

2. Goods may be charged against the ceiling only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is re-introduced.

3. The extent to which the ceiling has been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall issue a Regulation to re-introduce the levying of customs duties in respect of all the countries and territories referred to in Article 1 (2) in accordance with Article 2.

Article 5

Member States shall inform the Commission periodically of imports of the products in question charged against the Community ceiling laid down in Article 1

(3). This information shall show both the value, expressed in units of account, and the quantities expressed in tonnes.

Article 6

When products benefiting from the treatment provided for in Article 1 are imported into the Community at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the levying of customs duties may be reintroduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 7

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 6 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 8

Articles 6 and 7 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 9

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	260 Guinea	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh	700 Indonesia	324 Rwanda
469 Barbados	616 Iran	819 Samoa
284 Benin	612 Iraq	311 Sao Tome and Principe
675 Bhutan	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi	728 Korea, Republic of	342 Somalia
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos	224 Sudan
306 Central African Empire	604 Lebanon	492 Surinam
244 Chad	395 Lesotho	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldive Islands	472 Trinidad and Tobago
600 Cyprus	232 Mali	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia	672 Nepal	652 Yemen
815 Fiji	432 Nicaragua	656 Yemen, Democratic
314 Gabon	240 Niger	048 Yugoslavia
252 Gambia	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is the given in "Statistical Annex 1977", published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

COUNCIL REGULATION (EEC) No 2710/77

of 28 November 1977

establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalized preferences in favour of developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned should be effected without quantitative restrictions;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might

arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of the Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, that the Community should authorize the importation of the products referred to in Annex A, originating in the countries and territories listed in Annex B, subject to the customs duties given in respect of each of them, throughout 1978; whereas the benefit of such preferential terms should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽³⁾;

Whereas measures should be provided for which will enable any serious disruption in any sector of the economic activity of the Community to be avoided; whereas, to this end, the Commission should be empowered to re-introduce partially or wholly the levying of customs duties in order that such disruption may be avoided;

Whereas the Commission must be able to have access to information concerning imports effected within the framework of generalized preferences; whereas, to this end, Member States shall inform the Commission every three months of imports actually effected, classified by origin,

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, Community imports of the products listed in Annex A shall benefit from the customs duties specified for each product.

2. The treatment provided for in paragraph 1 shall be enjoyed solely by products originating in the countries and territories listed in Annex B.

For the purpose of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

'Tequila' falling within subheading 22.09 C V ex a) shall qualify for the preferential system subject to the production of a certificate of authenticity appearing in the certificate of origin and drawn up according to the procedure referred to in the second subparagraph.

Article 2

When products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

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

Done at Brussels, 28 November 1977.

Article 3

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 2 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 4

Articles 2 and 3 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 5

Member States shall inform the Commission every three months of imports effected under this Regulation, classified by origin.

Article 6

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

ANNEX A

List of products falling within Chapters 1 to 24 originating in developing countries and territories to which the generalized tariff preferences will apply (a)

CCT heading No	Description	Rate of duty
01.01	Live horses, asses, mules and hinnies: A. Horses: II. For slaughter (b) III. Other	2% 12%
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, frozen C. Other: ex I. Frogs' legs II. Other	7% Free Free Free
03.01	Fish, fresh (live or dead), chilled or frozen: B. Saltwater fish: I. Whole, headless or in pieces: e) Sharks g) Halibut (<i>Hippoglossus vulgaris</i> , <i>Hippoglossus reinhardtus</i>) ex q) Other: — Aquarium fish II. Fillets: b) Frozen: ex 7. Other: — Of sharks and of halibut C. Livers and roes	4% 4% Free 10% 5%
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process: A. Dried, salted or in brine: I. Whole, headless or in pieces: d) Common halibut (<i>Hippoglossus vulgaris</i>) e) Salmon, salted or in brine	10% 2%

Note: The terms expressed in the 'Rate of duty' column are explained under 'Abbreviations' on page 129.

(a) Agricultural products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

(b) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
03.03	<p>Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</p> <p>A. Crustaceans:</p> <ul style="list-style-type: none"> I. Crawfish 8% II. Lobsters (Homarus spp): <ul style="list-style-type: none"> a) Live 8% b) Other: <ul style="list-style-type: none"> 1. Whole 8% 2. Other 8% III. Crabs and freshwater crayfish 8% IV. Shrimps and prawns: <ul style="list-style-type: none"> a) Prawns (Pandalidae spp) 6% ex c) Other: <ul style="list-style-type: none"> — Shrimps (Palaemonidae spp) 6% — Shrimps (Penaeidae spp) 7% ex V. Other (for example Norway lobsters): <ul style="list-style-type: none"> — <i>Peurullus</i> spp 8% <p>B. Molluscs:</p> <ul style="list-style-type: none"> II. Mussels 7% IV. Other: <ul style="list-style-type: none"> a) Frozen: <ul style="list-style-type: none"> 1. Squid: <ul style="list-style-type: none"> aa) <i>Ommastrephes sagittatus</i> and <i>Loligo</i> spp 5% 2. Cuttle-fish of the species <i>Sepia officinalis</i>, <i>Rossia macrosoma</i> and <i>Sepiola rondeleti</i> 6% 3. Octopus 5% 4. Other 5% b) Other: <ul style="list-style-type: none"> 1. Squid (<i>Ommastrephes sagittatus</i> and <i>Loligo</i> spp) 5% 2. Other 5% 	
04.06	Natural honey	25%
04.07	Edible products of animal origin, not elsewhere specified or included	6%
05.03	<p>Horseshair and horseshair waste, whether or not put up on a layer or between two layers of other material:</p> <p>B. Other</p>	Free

CCT heading No	Description	Rate of duty
05.07	<p>Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers:</p> <p>A. Bed feathers; down:</p> <p> II. Other</p> <p>B. Other</p>	<p>Free</p> <p>Free</p>
05.13	<p>Natural sponges:</p> <p>B. Other</p>	<p>Free</p>
06.03	<p>Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared:</p> <p>A. Fresh:</p> <p> ex I. From 1 June to 31 October:</p> <p> — Orchids (family Orchidaceae) and Anthurium</p> <p> ex II. From 1 November to 31 May:</p> <p> — Orchids (family Orchidaceae) and Anthurium</p>	<p>15%</p> <p>15%</p>
07.01	<p>Vegetables, fresh or chilled:</p> <p>ex T. Other:</p> <p> — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)</p> <p> — Pumpkins, courges and courgettes, from 1 December to last day of February</p> <p> — Other, excluding celery sticks and parsley, from 1 January to 31 March</p>	<p>Free</p> <p>9%</p> <p>9%</p>
07.03	<p>Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption:</p> <p>ex E. Other vegetables:</p> <p> — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)</p>	<p>Free</p>
07.04	<p>Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared:</p> <p>ex B. Other:</p> <p> — Mushrooms, excluding cultivated mushrooms</p> <p> — Horse-radish (<i>Cochlearia armoracia</i>)</p>	<p>8%</p> <p>Free</p>

CCT heading No	Description	Rate of duty
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: B. Other: I. Peas (including chick peas) and beans (of the species Phaseolus): — Beans of the genus 'Phaseolus mungo' — Chick peas of the genus 'Cicer arietinum' — Other III. Other: — Cajan peas of the genus 'Cajanus cajan' — Other	Free Free 3% Free 3%
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: B. Other	Free
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guaves and mangosteens, fresh or dried, shelled or not: ex B. Bananas: — Dried D. Avocados E. Coconuts H. Other: — Mangosteens, guavas — Mangoes	10% 6% Free Free 5%
08.02	Citrus fruit, fresh or dried: ex E. Other: — Limes and limettes (Citrus aurantifolia var. Lumio and var. Limetta)	9.6%
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: D. Pistachios E. Pecans F. Areca (or betel) and cola ex G. Other (excluding hazelnuts)	Free Free Free Free
08.07	Stone fruit, fresh: E. Other	7%
08.08	Berries, fresh: F. Other	6%

CCT heading No	Description	Rate of duty
ex 08.09	Other fruit, fresh: — Rose-hips fruit — Watermelons, from 1 November to 30 April — Other, excluding melons and watermelons	Free 6.5% 6%
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex A. Bilberries (fruit of the <i>Vaccinium myrtillus</i>), blackberries (brambleberries), mulberries and cloudberrries ex B. Other: — Quinces — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	9% 11% 8%
08.11	Fruit 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): C. Papaws D. Bilberries (fruit of the <i>Vaccinium myrtillus</i>) ex E. Other: — Quinces — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B and F and 08.09, excluding pineapples, melons and watermelons	Free 4% 4% Free
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: A. Apricots E. Papaws ex G. Other: — Tamarind (pods, pulp)	5.5% Free Free
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free
09.01	Coffee, whether or not roasted or free of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion: A. Coffee: I. Unroasted: b) Free of caffeine II. Roasted: a) Not free of caffeine b) Free of caffeine B. Husks and skins C. Coffee substitutes containing coffee in any proportion	10% 12% 15% 10% 15%

CCT heading No	Description	Rate of duty
09.02	Tea: A. In immediate packings of a net capacity not exceeding 3 kg	Free
09.04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta': A. Neither crushed nor ground: I. Pepper: b) Other II. Pimento: c) Other B. Crushed or ground: I. Pimento of the genus 'Capsicum' II. Other	5% 5% 7% 7%
09.06	Cinnamon and cinnamon-tree flowers: A. Ground B. Other	5% 4%
09.07	Cloves (whole fruit, cloves and stems)	12%
09.08	Nutmeg, mace and cardamoms: A. Neither crushed nor ground: II. Other: a) Nutmeg B. Crushed or ground: I. Nutmeg II. Mace	2% 3% Free
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper: A. Neither crushed nor ground: I. Aniseed II. Badian seed III. Seeds of fennel, coriander, cumin, caraway and juniper: b) Other: 2. Other B. Crushed or ground: I. Badian seed III. Other	Free 11% Free 12% Free
09.10	Thyme, saffron and bay leaves; other spices: F. Other spices, including the mixtures referred to in Note 1 (b) to this Chapter: I. Neither crushed nor ground II. Crushed or ground: b) Other	4% 5%

CCT heading No	Description	Rate of duty
11.04	<p>Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8; flour and meal of sago and of roots and tubers falling within heading No 07.06:</p> <p>A. Flour of the dried leguminous vegetables falling within heading No 07.05</p> <p>B. Flour of the fruits falling within any heading in Chapter 8:</p> <p>I. Of bananas:</p> <p>— Denatured(a)</p> <p>— Other</p> <p>II. Other:</p> <p>— Chestnuts</p> <p>— Not specified</p>	<p>5%</p> <p>Free</p> <p>6%</p> <p>7 5%</p> <p>5%</p>
12.07	<p>Plants and parts (including seeds and fruits) of trees bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered:</p> <p>B. Liquorice roots</p> <p>C. Tonquin beans</p>	<p>Free</p> <p>Free</p>
12.08	<p>Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading:</p> <p>C. Locust bean seeds:</p> <p>I. Not decorticated, crushed or ground</p> <p>II. Other</p> <p>D. Apricot, peach and plum stones, and kernels thereof</p>	<p>Free</p> <p>6%</p> <p>Free</p>
13.02	<p>Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams:</p> <p>A. Conifer resins</p>	<p>Free</p>
13.03	<p>Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products:</p> <p>A. Vegetable saps and extracts:</p> <p>III. Of quassia amara</p> <p>IV. Of liquorice</p> <p>V. Of pyrethrum and of the roots of plants containing rotenone</p> <p>VII. Intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations</p> <p>VIII. Other:</p> <p>a) Medicinal</p>	<p>Free</p> <p>Free</p> <p>Free</p> <p>Free</p> <p>Free</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
13.03 <i>(cont'd)</i>	B. Pectic substances, pectinates and pectates: ex I. Dry, excluding apple, pear and quince pectic substances ex II. Other, excluding apple, pear and quince pectic substances C. Agar-agar and other mucilages and thickeners derived from vegetable products: I. Agar-agar II. Mucilages and thickeners extracted from locust beans or locust bean seeds	12% 7% Free Free
14.01	Vegetable materials of a kind used primarily for plaiting (for example, cereal straw, cleaned, bleached or dyed, osier, reeds, rushes, rattans, bamboos, raffia and lime bark): A. Osier: II. Other B. Cereal straw, cleaned, bleached or dyed	Free Free
15.03	Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way: A. Lard stearin and oleostearin: II. Other B. Tallow oil for industrial uses other than the manufacture of foodstuffs for human consumption (a) C. Other	3% Free 5%
15.04	Fats and oils, of fish and marine mammals, whether or not refined: A. Fish-liver oil: I. Of a vitamin A content not exceeding 2 500 international units per gram	Free
15.05	Wool grease and fatty substances derived therefrom (including lanolin): A. Wool grease, crude B. Other	Free Free
15.06	Other animal oils and fats (including neat's foot oils and fats from bones or waste)	Free
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: B. China-wood and oiticica oils; myrtle wax and Japan wax C. Castor oil: II. Other	Free 6%

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
15.07 (cont'd)	D. Other oils: I. For technical or industrial uses other than the manufacture of foodstuffs for human consumption (a): a) Crude: 1. Palm oil ex 3. Other, excluding linseed oil, groundnut oil, sunflower seed oil and colza oil b) Other: ex 2. Other: — Palm kernel and coconut oil II. Other: a) Palm oil: 1. Crude 2. Other b) Other: 1. Solid, in immediate packings of a net capacity of 1 kg or less 2. Solid, other; fluid: ex aa) Crude: — Palm kernel and coconut oil ex bb) Other: — Palm kernel and coconut oil	2.5% 2.5% 6.5% 4% 12% 18% 7% 13%
15.10	Fatty acids; acid oils from refining; fatty alcohols: A. Stearic acid B. Oleic acid C. Other fatty acids; acid oils from refining D. Fatty alcohols	2% 5% Free 6%
15.11	Glycerol and glycerol lyes: A. Crude glycerol and glycerol lyes B. Other, including synthetic glycerol	Free Free
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared: A. In immediate packings of a net capacity of 1 kg or less B. Other	16% 11%
15.15	Spermaceti, crude, pressed or refined, whether or not coloured; beeswax and other insect waxes, whether or not coloured: A. Spermaceti, crude, pressed or refined, whether or not coloured	Free

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
15.15 (cont'd)	B. Beeswax and other insect waxes, whether or not coloured: II. Other	Free
15.16	Vegetable waxes, whether or not coloured: B. Other	Free
15.17	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes: A. Degras B. Residues resulting from the treatment of fatty substances or animal or vegetable waxes: II. Other: a) Oil foots and dregs; soapstocks b) Other	Free Free Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal: — Game — Rabbit III. Other: b) Other: 1. Containing bovine meat or offal: ex bb) Other: — Prepared or preserved bovine tongue 2. Other: aa) Ovine meat or offal bb) Other	14% 9% 14% 17% 18% 16%
16.03	Meat extracts, meat juices and fish extracts, in immediate packings of a net capacity of: B. More than 1 kg but less than 20 kg C. 1 kg or less	1% 9%
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes: I. Caviar (sturgeon roe) II. Other B. Salmonidae ex F. Bonito (<i>Sarda spp</i>) and mackerel G. Other: I. Fillets, raw, coated with batter or breadcrumbs, deep frozen II. Other	12% 16% 4% 19% 10% 10%

CCT heading No	Description	Rate of duty
16.05	Crustaceans and molluscs, prepared or preserved:	
	A. Crabs	6.5%
	ex B. Other, excluding shrimps of the Crangon spp type and snails	6%
17.04	Sugar confectionery, not containing cocoa:	
	A. Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	9%
	B. Chewing gum	3% + vc with a max. of 23%
	C. White chocolate	5% + vc with a max. of 27% + ads
	D. Other	7% + vc with a max. of 27% + ads
18.03	Cocoa paste (in bulk or in block), whether or not defatted	11%
18.05	Cocoa powder, unsweetened	11%
18.06	Chocolate and other food preparations containing cocoa	
	A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	3% + vc
	C. Chocolate and chocolate goods, whether or not filled; sugar confectionary and substitutes therefor made from sugar substitution products, containing cocoa	10% + vc with a max. of 27% + ads
19.02	Malt extract; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa:	
	B. Other:	
	I. Containing malt extract and not less than 30% by weight of reducing sugars (expressed as maltose)	3% + vc
	II. Other:	
	— Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
	— Other	3% + vc
ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	4% + vc
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereals products (puffed rice, corn flakes and similar products)	2% + vc

CCT heading No	Description	Rate of duty
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: A. Crispbread B. Matzos C. Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products D. Other	3% + vc with a maximum of 24% + adf Free + vc with a maximum of 20% + adf Free + vc 5% + vc
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: A. Gingerbread and the like	5% + vc
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salts, spices or mustard: ex B. Other, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers	15%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers ex H. Other, including mixtures: — Moringa oleifera (drumsticks)	14% 20% 16% 12% Free
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13% by weight: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex B. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	12% + (L) 12%
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13% by weight:	

CCT heading No	Description	Rate of duty
20.04 (cont'd)	<p>— Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex II. Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples melons and watermelons</p>	<p>8% + (L)</p> <p>8%</p>
20.05	<p>Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar:</p> <p>B. Jams and marmalades of citrus fruit:</p> <p>ex I. With a sugar content exceeding 30% by weight, excluding orange jam and marmalade</p> <p>ex II. With a sugar content exceeding 13% but not exceeding 30% by weight, excluding orange jam and marmalade</p> <p>ex III. Other, excluding orange jam and marmalade</p> <p>C. Other:</p> <p>I. With a sugar content exceeding 30% by weight:</p> <p>ex b) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex II. With a sugar content exceeding 13% but not exceeding 30% by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex III. Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p>	<p>19% + (L)</p> <p>19% + (L)</p> <p>19%</p> <p>12% + (L)</p> <p>12% + (L)</p> <p>12%</p>
20.06	<p>Fruit, otherwise prepared or preserved, whether or not containing added sugar spirit:</p> <p>A. Nuts (including ground-nuts), roasted, in immediate packings of a net capacity:</p> <p>I. Of more than 1 kg:</p> <p>— Almonds, walnuts and hazelnuts</p> <p>— Other</p> <p>II. Of 1 kg or less:</p> <p>— Almonds, walnuts and hazelnuts</p> <p>— Other</p> <p>B. Other:</p> <p>I. Containing added spirit:</p>	<p>12%</p> <p>7%</p> <p>14%</p> <p>8%</p>

CCT heading No	Description	Rate of duty
20.06 (cont'd)	a) Ginger	10%
	b) Pineapples, in immediate packings of a net capacity:	
	1. Of more than 1 kg:	
	aa) With a sugar content exceeding 17% by weight	10% + (L)
	bb) Other	10%
	2. Of 1 kg or less:	
	aa) With a sugar content exceeding 19% by weight	10% + (L)
	bb) Other	10%
	c) Grapes:	
	1. With a sugar content exceeding 13% by weight	25% + (L)
	2. Other	25%
	d) Peaches, pears and apricots, in immediate packings of a net capacity:	
	1. Of more than 1 kg:	
	aa) With a sugar content exceeding 13% by weight	25% + (L)
	bb) Other	25%
	2. Of 1 kg or less:	
	aa) With a sugar content exceeding 15% by weight	25% + (L)
	bb) Other	25%
	e) Other fruits:	
	ex 1. With a sugar content exceeding 9% by weight, excluding cherries	25% + (L)
	ex 2. Other, excluding cherries	25%
	f) Mixtures of fruit:	
	1. With a sugar content exceeding 9% by weight	25% + (L)
	2. Other	25%
II. Not containing added spirit:		
a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:		
2. Grapefruit segments	11% + (L)	
3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids	19% + (L)	
4. Grapes	18% + (L)	
ex 8. Other fruits:		
— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8% + (L)	
— Tamarind (pods, pulp)	8% + (L)	

CCT heading No	Description	Rate of duty
20.06 (cont'd)	<p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits:</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons ..</p> <p>b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <p>2. Grapefruit segments</p> <p>3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids</p> <p>4. Grapes</p> <p>ex 8. Other fruits:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits:</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons ..</p> <p>c) Not containing added sugar, in immediate packings of a net capacity:</p> <p>1. Of 4.5 kg or more:</p> <p>ex dd) Other fruits:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex ee) Mixtures of fruit:</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons, in which no single fruit exceeds 50% of the total weight of the fruits</p>	<p>12% + (L)</p> <p>11% + (L)</p> <p>20% + (L)</p> <p>19% + (L)</p> <p>8% + (L)</p> <p>12% + (L)</p> <p>8%</p> <p>12%</p>

CCT heading No	Description	Rate of duty
20.06 <i>(cont'd)</i>	2. Of less than 4.5 kg: ex bb) Other fruit and mixtures of fruit: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons, in which no single fruit exceeds 50% of the total weight of the fruits	8% 12%
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a specific gravity exceeding 1.33 at 15 °C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30% by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex 2. Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons B. Of a specific gravity of 1.33 or less at 15 °C: II. Other: a) Of a value exceeding 30 u.a. per 100 kg net weight: 2. Grapefruit juice 3. Lemon juice or other citrus fruit juices: ex aa) Containing added sugar: — Excluding lemon juice ex bb) Other: — Excluding lemon juice 6. Other fruit and vegetable juices: ex aa) Containing added sugar:	15% 15% + (L) 15% 8% 13% 13%

CCT heading No	Description	Rate of duty	
20.07 (cont'd)	— Fruit falling within heading Nos 08.01, 08.08 B, F and F and 08.09, excluding pineapples, melons and watermelons	10%	
	— Other, excluding apricot and peach juices	17%	
	ex bb) Other:		
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons		10%
	— Other, excluding apricot and peach juices		18%
	7. Mixtures:		
	ex bb) Other, excluding mixtures containing either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:		
	11. Containing added sugar		17%
	22. Other		18%
	b) Of a value of 30 u.a. or less per 100 kg net weight:		
	2. Grapefruit juice:		
	aa) With an added sugar content exceeding 30% by weight:		8% + (L)
	bb) Other		8%
	4. Other citrus fruit juices:		
	aa) With an added sugar content exceeding 30% by weight:		14% + (L)
	bb) With an added sugar content of 30% or less by weight		14%
	cc) Not containing added sugar		15%
	7. Other fruit and vegetable juices:		
	ex aa) With an added sugar content exceeding 30% by weight:		
	— Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons		10% + (L)
	— Other, excluding apricot and peach juices		17% + (L)
	ex bb) With an added sugar content of 30% or less by weight:		
	— Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons		10%

CCT heading No	Description	Rate of duty
20.07 (cont'd)	<ul style="list-style-type: none"> — Other, excluding apricot and peach juices ex cc) Not containing added sugar: <ul style="list-style-type: none"> — Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices 8. Mixtures: <ul style="list-style-type: none"> ex bb) Other, excluding mixtures containing, either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: <ul style="list-style-type: none"> 11. With an added sugar content exceeding 30% by weight: 22. With an added sugar content of 30% or less by weight 33. Not containing added sugar 	<ul style="list-style-type: none"> 17% 10% 18% 17% + (L) 17% 18%
21.02	<p>Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:</p> <ul style="list-style-type: none"> ex A. Essences of concentrates of coffee B. Extracts, essences or concentrates of tea or maté and preparations with a basis of those extracts, essences or concentrates C. Roasted chicory and other roasted coffee substitutes: <ul style="list-style-type: none"> II. Other D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes: <ul style="list-style-type: none"> II. Other 	<ul style="list-style-type: none"> 9% Free 2% + vc 6% + vc
21.03	<p>Mustard flour and prepared mustard:</p> <ul style="list-style-type: none"> A. Mustard flour, in immediate packings of a net capacity: <ul style="list-style-type: none"> I. Of 1 kg or less II. Of more than 1 kg B. Prepared mustard 	<ul style="list-style-type: none"> Free Free 9%
21.04	<p>Sauces; mixed condiments and mixed seasonings:</p> <ul style="list-style-type: none"> ex. B. Other: <ul style="list-style-type: none"> — Products with a tomato ketchup basis — Other, excluding sauces with a vegetable oil basis 	<ul style="list-style-type: none"> 8% 6%

CCT heading No	Description	Rate of duty
21.05	Soups and broths, in liquid, solid or powder form; homogenized composite food preparations: A. Soups and broths, in liquid, solid or powder form B. Homogenized composite food preparations	11% 17%
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: I. Culture yeast II. Baker's yeast: a) Dried b) Other III. Other B. Inactive natural yeasts: I. In tablet, cube or similar form, or in immediate packings of a net capacity of 4 kg or less II. Other C. Prepared baking powders	8% 5% + vc 5% + vc 10% 6% 3% 4%
21.07	Food preparations not elsewhere specified or included: A. Cereals in grain or ear form, pre-cooked or otherwise prepared G. Other: I. Containing no milkfats or containing less than 1.5% by weight of such fats: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): ex 1. Containing no starch or less than 5% by weight of starch: — Palm tree cores	4% + vc 9%
22.01	Waters, including spa waters and aerated waters; ice and snow: A. Spa waters, natural or artificial; aerated waters	Free
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: A. Not containing milk or milkfats	6%
22.03	Beer made from malt	14.5%

CCT heading No	Description	Rate of duty
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages: C. Spirituous beverages: V. Other, in containers holding: ex a) Two litres or less: — Tequila	1-30 u.a. per hl and per degree + 5 u.a. per hl
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables: B. Of leguminous vegetables	3%
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: B. Other	Free
23.07	Sweetened forage; other preparations of a kind used in animal feeding: A. Fish or marine mammal solubles C. Other	Free 6%
24.02	Manufactured tobacco; tobacco extracts and essences: A. Cigarettes B. Cigars C. Smoking tobacco D. Chewing tobacco and snuff E. Other, including agglomerated tobacco, in the form of sheets or strip	87% 47% 110% 45% 19%

Abbreviations

- (L): indicates that the goods referred to are subject to the levy system;
- vc: indicates that the goods referred to are subject to a charge based on a variable component which is specified under the regulations concerning trade in certain goods resulting from the processing of agricultural products;
- adf: indicates that additional duty may be levied on the flour content of the products concerned;
- ads: indicates that additional duty may be levied on the sugar content of the products concerned.
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ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	260 Guinea	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh	700 Indonesia	324 Rwanda
469 Barbados	616 Iran	819 Samoa
284 Benin	612 Iraq	311 Sao Tome and Principe
675 Bhutan	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi	728 Korea, Republic of	342 Somalia
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos	224 Sudan
306 Central African Empire	604 Lebanon	492 Surinam
244 Chad	395 Lesotho	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldive Islands	472 Trinidad and Tobago
600 Cyprus	232 Mali	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia	672 Nepal	652 Yemen
815 Fiji	432 Nicaragua	656 Yemen, Democratic
314 Gabon	240 Niger	048 Yugoslavia
252 Gambia	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1977', published by the Statistical Office of the European Communities

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

COUNCIL REGULATION (EEC) No 2711/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for cocoa butter and a tariff quota for soluble coffee originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the cocoa butter and soluble coffee sectors generally and of the need to safeguard the interests of the ACP States in this field, to lay down for those two products special conditions consisting in a reduction of the customs duty applicable to these two products within the limits of Community tariff quotas;

Whereas the offer by the Community includes a clause stating that it is made on the assumption that the main industrialized countries which are members of the OECD participate in granting preferences and make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1978;

Whereas in respect of cocoa butter and soluble coffee originating in the countries and territories listed in the Annex the Community should therefore open for 1978 two Community tariff quotas within the respective limits of 21 600 tonnes and at a customs duty of 8% for cocoa butter and of 18 750 tonnes and a duty of 9% for soluble coffee;

Whereas, in accordance with Protocol 23 to the Act of Accession (1), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of these tariff quotas should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (2);

Whereas it is necessary to ensure equal and continuous access for all Community importers to the said quotas and the uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until these quotas are used up; whereas, having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second

(1) OJ No L 73, 27. 3. 1972, p. 14.

(2) OJ No L 148, 28. 6. 1968, p. 1.

held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might be fixed at a relatively high level, in this case at approximately 90% of the full quotas;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the quota year; whereas the shares in the first tranche may be drawn up as follows:

	(tonnes)	
	cocoa butter	soluble coffe
Germany	720	810
Benelux	10 935	1 395
France	90	225
Italy	45	45
Denmark	45	45
Ireland	45	45
United Kingdom	7 560	14 310

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the

quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one of other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas provision should be made for measures enabling any serious disturbance within the sector of the Community's economic activity to be avoided, and to this end the Commission should be empowered to re-introduce in part or in full the normal duties in order to avoid such disturbance;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, Community tariff quotas shall be opened within the Community for imports of the products listed below and under the conditions stated:

CCT heading No	Description	Volume (in tonnes)	Rate of duty
18.04	Cocoa butter, including cocoa fat or oil	21 600	8%
21.02	Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof: ex A. Extracts, essences or concentrates of coffee and preparations with a basis of those extracts, essences or concentrates: — Extracts of coffee or 'soluble coffee' obtained by a water method of extraction from roasted coffee, put up in powder form, granulated, in grains, in tablets or in a similar solid form	18 750	9%

2. These tariff quotas shall apply solely to products originating in the countries and territories listed in the Annex. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas.

For the purposes of this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 19 440 tonnes for cocoa butter and of 16 875 tonnes for soluble coffee of the Community tariff quotas referred to in Article 1 shall be allocated, in respect of each Member State, in shares the amounts of which are set out below:

	<i>(tonnes)</i>	
	<i>cocoa butter</i>	<i>soluble coffee</i>
Germany	720	810
Benelux	10 935	1 395
France	90	225
Italy	45	45
Denmark	45	45
Ireland	45	45
United Kingdom	7 560	14 310

2. The second tranche of 2 160 tonnes for cocoa butter and 1 875 tonnes for soluble coffee shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions,

draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

A Member State which on 15 September 1978 has not exhausted one of its initial shares shall, not later than 1 October 1978, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1978, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1978 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1978, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to each of the shares which have been allocated to them for importers of the products concerned who are established on their territory.

2. The extent to which shares of Member States have been used up shall be determined on the basis of imports of the said goods which have been entered for home use, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in units of account and the quantity expressed in tonnes.

Article 9

If the Community should find that the products benefiting under the arrangements provided for in Article 1 are being imported into the Community in quantities or at prices such as to put or be likely to put Community producers of similar or directly competitive products at a serious disadvantage or to create an unfavourable situation in the ACP States, the customs duties applied within the Community may be re-introduced in part or in full for imports of the products in question from the

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

Done at Brussels, 28 November 1977.

country or countries or territory or territories which are the cause of such disadvantage. Such measures may also be taken in the event of a serious disadvantage, either actual or foreseeable, which is confined to a single region of the Community.

Article 10

1. In order to ensure that Article 9 is applied, the Commission may, by way of a Regulation, re-introduce normal duties for a fixed period.

2. If the Commission has acted at the request of a Member State, the former shall give its decision within a maximum period of 10 working days from the date of receipt of the request and shall inform the Member State of the action it has taken.

3. Each Member State may refer the measure taken by the Commission to the Council within a period of 10 working days following the date it was notified. The fact that the matter has been referred to the Council shall not constitute the suspension of the measure. The Council shall meet without delay. Acting on a qualified majority, it may amend or repeal the measure in question.

Article 11

Articles 9 and 10 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

ANNEX C

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	260 Guinea	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh	700 Indonesia	324 Rwanda
469 Barbados	616 Iran	819 Samoa
284 Benin	612 Iraq	311 Sao Tome and Principe
675 Bhutan	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi	728 Korea, Republic of	342 Somalia
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos	224 Sudan
306 Central African Empire	604 Lebanon	492 Surinam
244 Chad	395 Lesotho	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldivé Islands	472 Trinidad and Tobago
600 Cyprus	232 Mali	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia	672 Nepal	652 Yemen
815 Fiji	432 Nicaragua	656 Yemen, Democratic
314 Gabon	240 Niger	048 Yugoslavia
252 Gambia	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1977', published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

COUNCIL REGULATION (EEC) No 2712/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, other than in slices, half slices or spirals, originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore (1), the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas in respect of several Asian countries of the Commonwealth and particularly as regards Malaysia, preserved pineapples are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community; whereas the system of generalized tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the system of generalized preferences;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions;

whereas it appears appropriate, however, in view of the sensitiveness of the preserved fruit and vegetable sector generally and of the need to safeguard the interests of the ACP States in this field, to lay down for preserved pineapples, other than in slices, half slices or spirals, special conditions consisting in a reduction of the customs duty applicable to that product within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1978;

Whereas it is expedient, therefore, that the Community should open for 1978 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 45 000 tonnes and at a customs duty of 12%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa);

Whereas, in accordance with Protocol 23 to the Act of Accession (2), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the

(1) OJ No L 73, 27. 3. 1972, p. 195.

(2) OJ No L 73, 27. 3. 1972, p. 14.

procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at 80% of the full quota;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the quota year; whereas the percentage of the shares in the first tranche may be drawn up as follows:

Germany	20.5%,
Benelux	4.9%,
France	0.5%,
Italy	2.0%,
Denmark	1.9%,
Ireland	1.0%,
United Kingdom	69.2%;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost

used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; whereas this method of administration calls for close co-operation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, a Community tariff quota of 45 000 tonnes shall be opened by the Community for the imports of preserved pineapples, other than in slices, half slices or spirals, falling within the following subheadings of the Common Customs Tariff: ex 20.06 B II a) 5, ex 20.06 B II b) 5, ex 20.06 B II c) 1 dd) and ex 20.06 B II c) 2 bb). Within this tariff quota the customs duty shall be suspended at 12%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa).

2. The benefit of this tariff quota shall be reserved for the products originating in the countries and territories listed in the Annex. However, the imports already benefiting from exemption of customs duties under another

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purposes of implementing this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 36 000 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1978, shall for each Member State be as follows:

Germany	7 380 tonnes,
Benelux	1 764 tonnes,
France	180 tonnes,
Italy	720 tonnes,
Denmark	684 tonnes,
Ireland	360 tonnes,
United Kingdom	24 912 tonnes.

2. The second tranche of 9 000 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of one of its initial shares as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting one of its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those

specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

A Member State which on 15 August 1978 has not exhausted one of its initial shares shall, not later than 1 September 1978, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 September 1978, notify the Commission of the total quantities of the product in question imported up to and including 15 August 1978 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 September 1978, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 4 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question actually charged against their shares. This information shall show both the value expressed in units of account and the quantity expressed in tonnes.

Article 9

If the Community finds that products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, or that an unfavourable situation is created in the ACP States, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

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

Done at Brussels, 28 November 1977.

Article 10

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 9 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 11

The provisions of Articles 9 and 10 shall not prejudice the application of the safeguard clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty or those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

ANNEX

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	260 Guinea	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh	700 Indonesia	324 Rwanda
469 Barbados	616 Iran	819 Samoa
284 Benin	612 Iraq	311 Sao Tome and Principe
675 Bhutan	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi	728 Korea, Republic of	342 Somalia
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos	224 Sudan
306 Central African Empire	604 Lebanon	492 Surinam
244 Chad	395 Lesotho	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldive Islands	472 Trinidad and Tobago
600 Cyprus	232 Mali	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia	672 Nepal	652 Yemen
815 Fiji	432 Nicaragua	656 Yemen, Democratic
314 Gabon	240 Niger	048 Yugoslavia
252 Gambia	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1977', published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

COUNCIL REGULATION (EEC) No 2713/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, in slices, half slices or spirals, originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore⁽¹⁾, the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas in respect of several Asian countries of the Commonwealth and particularly as regards Malaysia, preserved pineapples are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community; whereas the system of generalized tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the system of generalized preferences;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions;

whereas it appears appropriate, however, in view of the sensitiveness of the preserved fruit and vegetable sector generally and of the need to safeguard the interests of the ACP States in this field, to lay down for preserved pineapples, in slices, half slices or spirals, special conditions consisting in a reduction of the customs duty applicable to that product within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1978;

Whereas it is expedient, therefore, that the Community should open for 1978 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 28 000 tonnes and at a customs duty of 15%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa);

Whereas, in accordance with Protocol 23 to the Act of Accession⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 195.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (1);

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might in this case be fixed at a relatively high level, in this case at approximately 95% of the full quota;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the quota year; whereas the percentage of the shares in the first tranche may be drawn up as follows:

Germany	35.1%,
Benelux	13.0%,
France	1.0%,
Italy	2.8%,
Denmark	2.7%,
Ireland	1.0%,
United Kingdom	44.4%;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should

be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; whereas this method of administration calls for close co-operation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, a Community tariff quota of 28 000 tonnes shall be opened by the Community for the imports of preserved pineapples, in slices, half slices or spirals, falling within the following subheadings of the Common Customs Tariff: ex 20.06 B II a) 5, ex 20.06 B II b) 5, ex 20.06 B II c) 1 dd) and ex 20.06 B II c) 2 bb). Within this tariff quota the customs duty shall be suspended at 15%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa).

2. The benefit of this tariff quota shall be reserved for the products originating in the countries and territories listed in the Annex. However, the imports already

(1) OJ No L 148, 28. 6. 1968, p. 1.

benefiting from exemption of customs duties under another preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purposes of implementing this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 26 600 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1978, shall for each Member State be as follows:

Germany	9 337 tonnes,
Benelux	3 458 tonnes,
France	266 tonnes,
Italy	745 tonnes,
Denmark	718 tonnes,
Ireland	266 tonnes,
United Kingdom	11 810 tonnes.

2. The second tranche of 1 400 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for

believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

A Member State which on 15 September 1978 has not exhausted one of its initial shares shall, not later than 1 October 1978, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1978, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1978 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1978, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in units of account and quantity expressed in tonnes.

Article 9

If the Community finds that products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, or that an unfavourable situation is created in the ACP States, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage.

Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 10

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 9 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 11

The provisions of Articles 9 and 10 shall not prejudice the application of the safeguard clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty or those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	260 Guinea	801 Papua New Guinea
208 Algeria	257 Guinea Bissau	520 Paraguay
330 Angola	488 Guyana	504 Peru
528 Argentina	452 Haiti	708 Philippines
453 Bahamas	424 Honduras	644 Qatar
640 Bahrain	664 India	066 Romania
666 Bangladesh	700 Indonesia	324 Rwanda
469 Barbados	616 Iran	819 Samoa
284 Benin	612 Iraq	311 Sao Tome and Principe
675 Bhutan	272 Ivory Coast	632 Saudi Arabia
516 Bolivia	464 Jamaica	248 Senegal
391 Botswana	628 Jordan	355 Seychelles and Dependencies
508 Brazil	696 Kampuchea, Democratic	264 Sierra Leone
676 Burma	346 Kenya	706 Singapore
328 Burundi	728 Korea, Republic of	342 Somalia
302 Cameroon	636 Kuwait	669 Sri Lanka
247 Cape Verde Islands	684 Laos	224 Sudan
306 Central African Empire	604 Lebanon	492 Surinam
244 Chad	395 Lesotho	393 Swaziland
512 Chile	268 Liberia	608 Syria
480 Colombia	216 Libya	352 Tanzania
375 Comoros	370 Madagascar	680 Thailand
318 Congo, People's Republic of	386 Malawi	280 Togo
436 Costa Rica	701 Malaysia	817 Tonga
448 Cuba	667 Maldives Islands	472 Trinidad and Tobago
600 Cyprus	232 Mali	212 Tunisia
338 Djibouti	228 Mauritania	350 Uganda
456 Dominican Republic	373 Mauritius	647 United Arab Emirates
500 Ecuador	412 Mexico	236 Upper Volta
220 Egypt	204 Morocco	524 Uruguay
428 El Salvador	366 Mozambique	484 Venezuela
310 Equatorial Guinea	803 Nauru	690 Vietnam
334 Ethiopia	672 Nepal	652 Yemen
815 Fiji	432 Nicaragua	656 Yemen, Democratic
314 Gabon	240 Niger	048 Yugoslavia
252 Gambia	288 Nigeria	322 Zaire
276 Ghana	649 Oman	378 Zambia
473 Grenada	662 Pakistan	
416 Guatemala	440 Panama	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1977', published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Mariana and Marshall Islands).

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

of 28 November 1977

opening, allocating and providing for the administration of tariff quotas for certain steel
products originating in developing countries

(77/768/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1978, the duties applicable in all customs areas of the Community to the products listed in Annex A shall be completely suspended within the framework of Community tariff quotas of amounts which shall be expressed in units of account and which shall be indicated against each product in column 3 of that Annex.

2. These tariff quotas shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the nine Member States of the Community may not be charged against these tariff quotas. For the purposes of the application of this Decision, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts indicated in column 5 of Annex A shall be limited to the maximum amount given as a percentage in column 4 of Annex A against each category of products.

4. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the maximum amounts expressed as percentages laid down in column 4 of Annex A and to the tariff ceilings and quotas laid down respectively in columns 3 and 5 of Annex A.

Article 2

1. The Member States shall administer their tariff quotas in accordance with their own provisions in this respect.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may be imported under the tariff quota only if the certificate of origin mentioned in paragraph 2 is presented before the date on which customs duties are re-introduced.

Article 3

Each Member State shall re-introduce the levying of duties which have been suspended in respect of a country or territory mentioned in Annex B as soon as it records that the charges against its national quota of the products concerned originating in such country or territory have reached the maximum amount laid down in column 4 of Annex A.

Such re-introduction shall be notified immediately to the Commission, which shall inform the other Member States forthwith. At the request of a Member State or of the Commission, the possible consequences of such a situation (with regard to the aggregate appearing in column 3 of Annex A) shall be jointly examined immediately.

Article 4

Member States shall inform the Commission at least monthly of imports of the products in question charged against their quotas.

Article 5

Member States, in close cooperation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

Article 6

The Member States shall take all measures necessary for the implementation of this Decision.

Done at Brussels, 28 November 1977.

The President

L. OUTERS

ANNEX A

List of products subject to zero-duty tariff ceilings under the generalized tariff preferences granted to developing countries and territories

CCT heading No (1)	Description (2)	Aggregate of column 5 (in u.a.) (3)	Maximum amount per country and territory (%) (4)	Volume of shares allocated to Member States (in u.a.) (5)														
73.08	Iron or steel coils for re-rolling	12 091 800	40	<table border="0"> <tr><td>Germany</td><td>3 325 245</td></tr> <tr><td>Benelux</td><td>1 269 640</td></tr> <tr><td>France</td><td>2 297 440</td></tr> <tr><td>Italy</td><td>1 813 770</td></tr> <tr><td>Denmark</td><td>604 590</td></tr> <tr><td>Ireland</td><td>120 920</td></tr> <tr><td>United Kingdom</td><td>2 660 195</td></tr> </table>	Germany	3 325 245	Benelux	1 269 640	France	2 297 440	Italy	1 813 770	Denmark	604 590	Ireland	120 920	United Kingdom	2 660 195
Germany	3 325 245																	
Benelux	1 269 640																	
France	2 297 440																	
Italy	1 813 770																	
Denmark	604 590																	
Ireland	120 920																	
United Kingdom	2 660 195																	
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <p>I. Not further worked than clad:</p> <p>a) Hot-rolled or extruded</p>	7 493 900	50	<table border="0"> <tr><td>Germany</td><td>2 060 810</td></tr> <tr><td>Benelux</td><td>786 860</td></tr> <tr><td>France</td><td>1 423 840</td></tr> <tr><td>Italy</td><td>1 124 090</td></tr> <tr><td>Denmark</td><td>374 700</td></tr> <tr><td>Ireland</td><td>74 940</td></tr> <tr><td>United Kingdom</td><td>1 648 660</td></tr> </table>	Germany	2 060 810	Benelux	786 860	France	1 423 840	Italy	1 124 090	Denmark	374 700	Ireland	74 940	United Kingdom	1 648 660
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France	1 423 840																	
Italy	1 124 090																	
Denmark	374 700																	
Ireland	74 940																	
United Kingdom	1 648 660																	
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. 'Electrical' sheets and plates</p> <p>B. Other sheets and plates:</p> <p>I. Not further worked than hot-rolled</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>b) More than 1 mm but less than 3 mm</p> <p>c) 1 mm or less</p> <p>III. Not further worked than burnished, polished or glazed</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>b) Tinned</p> <p>c) Zinc-coated or lead-coated</p> <p>d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed)</p> <p>V. Otherwise shaped or worked:</p> <p>a) Cut into shapes other than rectangular shapes, but not further worked:</p> <p>2. Other</p>	23 440 200	30	<table border="0"> <tr><td>Germany</td><td>6 446 055</td></tr> <tr><td>Benelux</td><td>2 461 220</td></tr> <tr><td>France</td><td>4 453 640</td></tr> <tr><td>Italy</td><td>3 516 030</td></tr> <tr><td>Denmark</td><td>1 172 010</td></tr> <tr><td>Ireland</td><td>234 400</td></tr> <tr><td>United Kingdom</td><td>5 156 845</td></tr> </table>	Germany	6 446 055	Benelux	2 461 220	France	4 453 640	Italy	3 516 030	Denmark	1 172 010	Ireland	234 400	United Kingdom	5 156 845
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France	4 453 640																	
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Ireland	234 400																	
United Kingdom	5 156 845																	

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	416 Guatemala	662 Pakistan
208 Algeria	260 Guinea	440 Panama
330 Angola	257 Guinea Bissau	801 Papua New Guinea
528 Argentina	488 Guyana	520 Paraguay
453 Bahamas	452 Haiti	504 Peru
640 Bahrain	424 Honduras	708 Philippines
666 Bangladesh	664 India	644 Qatar
469 Barbados	700 Indonesia	324 Rwanda
284 Benin	616 Iran	819 Samoa
675 Bhutan	612 Iraq	311 Sao Tome and Principe
516 Bolivia	272 Ivory Coast	632 Saudi Arabia
391 Botswana	464 Jamaica	248 Senegal
508 Brazil	628 Jordan	355 Seychelles and Dependencies
676 Burma	696 Kampuchea, Democratic	264 Sierra Leone
328 Burundi	346 Kenya	706 Singapore
302 Cameroon	728 Korea, Republic of	342 Somalia
247 Cape Verde Islands	636 Kuwait	669 Sri Lanka
306 Central African Empire	684 Laos	224 Sudan
244 Chad	604 Lebanon	492 Surinam
512 Chile	395 Lesotho	393 Swaziland
480 Colombia	268 Liberia	608 Syria
375 Comoros	216 Libya	352 Tanzania
318 Congo, People's Republic of	370 Madagascar	680 Thailand
436 Costa Rica	386 Malawi	280 Togo
448 Cuba	701 Malaysia	817 Tonga
600 Cyprus	667 Maldive Islands	472 Trinidad and Tobago
338 Djibouti	232 Mali	212 Tunisia
456 Dominican Republic	228 Mauritania	350 Uganda
500 Ecuador	373 Mauritius	647 United Arab Emirates
220 Egypt	412 Mexico	236 Upper Volta
428 El Salvador	204 Morocco	524 Uruguay
310 Equatorial Guinea	366 Mozambique	484 Venezuela
334 Ethiopia	803 Nauru	690 Vietnam
815 Fiji	672 Nepal	652 Yemen
314 Gabon	432 Nicaragua	656 Yemen, Democratic
252 Gambia	240 Niger	048 Yugoslavia
276 Ghana	288 Nigeria	322 Zaire
473 Grenada	649 Oman	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1977', published by the Statistical Office of the European Communities.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

of 28 November 1977

opening tariff preferences for certain steel products originating in developing countries

(77/769/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1978, the duties applicable in the Community to the imports of the products listed in Annex A shall be completely suspended, subject to the provisions of Article 2.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. For the purposes of the application of this Decision the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾.

3. Subject to Article 2, this suspension shall be granted generally up to the limit of a ceiling equal to the amount obtained, in respect of each category of products, by adding together, in units of account, the value for 1971 of cif imports of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the nine Member States of the Community, and 5% of the value of cif imports in 1974 from other countries and from the countries and territories already enjoying such arrangements.

For the particular purpose of the abovementioned calculations, the statistics referring to the year 1974, expressed in EUR, are to be considered as being expressed in units of account of the Common Customs Tariff.

Imports already enjoying exemption from customs duties under such arrangements shall not be charged against the aforementioned ceiling.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

4. Subject to Article 2, within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a maximum amount equivalent to 50% of this ceiling, except for the specific cases indicated in Annex A.

5. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the ceilings and maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings calculated in accordance with the provisions of Article 1 (3) which are laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2) are reached at Community level, the Member States may at any time, at the request of any one of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from all the countries and territories concerned until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4) which are laid down for the Community imports of products originating in each of the countries and territories referred to in Article 1 (2) and (3) are reached for any one of these countries or territories at Community level, the Member States may at any time, at the request of any of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from the country or territory concerned until the end of the period referred to in Article 1 (1).

3. Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for re-introducing normal customs duties, in particular, by notifying the date common to the whole of the Community and directly applicable in each Member State. This notification shall be published in the *Official Journal of the European Communities*.

Article 3

1. Imports of the said goods shall be charged against the ceilings and maximum amounts as and when they are entered for home use, on the basis of the customs value of the said goods, and are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin mentioned in paragraph 1 is presented before the date on which the levying of duties is re-introduced.

3. The extent to which ceilings and maximum amounts have been used up shall be recorded at Community level on the basis of imports charged in the manner laid down in paragraphs 1 and 2.

Article 4

Member States, in close cooperation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

Article 5

Member States shall inform the Commission periodically of imports of the products in question charged against the ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

The Member States shall take all measures necessary for the implementation of this Decision.

Done at Brussels, 28 November 1977.

The President
L. OUTERS

ANNEX A

List of products in respect of which the Common Customs Tariff duties are completely suspended under the generalized tariff preferences granted to developing countries and territories

CCT heading No	Description
73.07 ⁽¹⁾	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.09	Universal plates of iron or steel
73.11 ⁽²⁾ ⁽³⁾	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): a) Not further worked than clad: I. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate C. Clad, coated or otherwise surface-treated: III. Tinned: a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): a) Not further worked than clad: I. Hot-rolled

⁽¹⁾ For products covered by heading No 73.07, the ceiling referred to in Article 1 (3) has been lowered to 6 899 000 u.a.

⁽²⁾ For products covered by heading No 73.11 and with respect to Yugoslavia, the maximum amount referred to in Article 1 (4) has been lowered to 594 150 u.a.

⁽³⁾ For products covered by heading No 73.11, the ceiling referred to in Article 1 (3) has been lowered to 3 961 000 u.a.

CCT heading No	Description
73.15 ⁽¹⁾	<p>Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14:</p> <p>A. High carbon steel:</p> <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other: <ul style="list-style-type: none"> 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled VII. Sheets and plates: <ul style="list-style-type: none"> a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: <ul style="list-style-type: none"> 1. Cut into shapes other than rectangular shapes, but not further worked <p>B. Alloy steel:</p> <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other: <ul style="list-style-type: none"> 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled VII. Sheets and plates: <ul style="list-style-type: none"> a) 'Electrical' sheets and plates

⁽¹⁾ For products covered by heading No 73.15, the ceiling referred to in Article 1 (3) has been lowered to 12 224 000 u.s.

CCT heading No	Description
73.15 (cont'd)	b) Other sheets and plates: <ol style="list-style-type: none"> 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: <ol style="list-style-type: none"> bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: <ol style="list-style-type: none"> aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair-wedges, sole plates (base plates), rail clips, bedplates, ties, and other material specialized for joining or fixing rails: <ol style="list-style-type: none"> A. Rails: <ol style="list-style-type: none"> II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: <ol style="list-style-type: none"> I. Rolled

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan	416 Guatemala	662 Pakistan
208 Algeria	260 Guinea	440 Panama
330 Angola	257 Guinea Bissau	801 Papua New Guinea
528 Argentina	488 Guyana	520 Paraguay
453 Bahamas	452 Haiti	504 Peru
640 Bahrain	424 Honduras	708 Philippines
666 Bangladesh	664 India	644 Qatar
469 Barbados	700 Indonesia	324 Rwanda
284 Benin	616 Iran	819 Samoa
675 Bhutan	612 Iraq	311 Sao Tome and Principe
516 Bolivia	272 Ivory Coast	632 Saudi Arabia
391 Botswana	464 Jamaica	248 Senegal
508 Brazil	628 Jordan	355 Seychelles and Dependencies
676 Burma	696 Kampuchea, Democratic	264 Sierra Leone
328 Burundi	346 Kenya	706 Singapore
302 Cameroon	728 Korea, Republic of	342 Somalia
247 Cape Verde Islands	636 Kuwait	669 Sri Lanka
306 Central African Empire	684 Laos	224 Sudan
244 Chad	604 Lebanon	492 Surinam
512 Chile	395 Lesotho	393 Swaziland
480 Colombia	268 Liberia	608 Syria
375 Comoros	216 Libya	352 Tanzania
318 Congo, People's Republic of	370 Madagascar	680 Thailand
436 Costa Rica	386 Malawi	280 Togo
448 Cuba	701 Malaysia	817 Tonga
600 Cyprus	667 Maldive Islands	472 Trinidad and Tobago
338 Djibouti	232 Mali	212 Tunisia
456 Dominican Republic	228 Mauritania	350 Uganda
500 Ecuador	373 Mauritius	647 United Arab Emirates
220 Egypt	412 Mexico	236 Upper Volta
428 El Salvador	204 Morocco	524 Uruguay
310 Equatorial Guinea	366 Mozambique	484 Venezuela
334 Ethiopia	803 Nauru	690 Vietnam
815 Fiji	672 Nepal	652 Yemen
314 Gabon	432 Nicaragua	656 Yemen, Democratic
252 Gambia	240 Niger	048 Yugoslavia
276 Ghana	288 Nigeria	322 Zaire
473 Grenada	649 Oman	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1977', published by the Statistical Office of the European Communities

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 890 Australian Antarctic Territory
- 421 Belize
- 413 Bermuda
- 890 British Antarctic Territory
- 357 British Indian Ocean Territory
- 812 British Pacific Ocean
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands and Dependencies
- 205 Ceuta and Melilla
- 802 Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island
- 529 Falkland Islands and Dependencies
- 822 French Polynesia
- 890 French Southern and Antarctic Territories
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and Dependencies
- 808 Pacific Islands administered by the United States of America or under United States trusteeship ⁽¹⁾
- 329 St Helena and Dependencies
- 814 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands)
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

COUNCIL REGULATION (EEC) No 2819/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for certain textile fibres falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus (1978)

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 Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾ and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾ provide for the opening of an annual duty-free Community tariff quota of 100 tonnes of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas those arrangements are maintained by the Additional Protocol to the Association Agreement signed on 15 September 1977; whereas, pending the entry into force of that Protocol, in order to avoid any discontinuity, the tariff quota in question should be opened for 1978;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the abovementioned principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlook for the quota period concerned;

Whereas, however, during the past three years, no such products originating in Cyprus have been imported into the Community; whereas no forecast can be made for 1978; whereas, to ensure fair distribution of the quota amount between the Member States, each Member State should make a significant contribution to the quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	13 %
Denmark	10 %
Germany	20 %
France	20 %
Ireland	8 %
Italy	17 %
United Kingdom	12 %;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States and the second instalment forming a reserve intended to cover the subsequent requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 60 % of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the

⁽¹⁾ / GEN I 1

⁽²⁾ GEN I 85

Commission, which must, in particular, be able to observe the extent to which the quota amount is used, and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the tariff quota's remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the above-mentioned economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1978 the Common Customs Tariff duties in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus, shall be entirely suspended within the limits of a Community tariff quota of 100 tonnes.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment, amounting to 60 tonnes, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1978, shall be as follows:

Benelux	8 tonnes,
Denmark	6 tonnes,
Germany	12 tonnes,
France	12 tonnes,
Ireland	5 tonnes,
Italy	10 tonnes,
United Kingdom	7 tonnes.

3. The second instalment of 40 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of the initial share of a Member State as laid down in Article 2 (2), or 90 % of that share less the amount returned into the reserve where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5 % of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

The Member States shall return to the reserve, not later than 1 October 1978, the unused portion of their initial shares which, on 15 September 1978, are in excess of 20 % of the initial amounts. They may return greater portions if there are grounds for believing that such portions may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of

the said goods effected up to and including 15 September 1978 and charged against the Community quota and, where appropriate, the proportions of their initial shares that are being returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 2 and 3 and shall inform each State of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 5 October 1978, notify the Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 3 it is possible for changes to be made without interruption against their accumulated share of the Community quota.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1978.

COUNCIL REGULATION (EEC) No 2820/77

of 28 November 1977

opening, allocating and providing, for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus (1978)

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 Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾ and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾ provide for the opening of an annual duty-free Community tariff quota of 500 tonnes of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas those arrangements are maintained by the Additional Protocol to the Association Agreement signed on 15 September 1977; whereas pending the entry into force of that Protocol, in order to avoid any discontinuity, the tariff quota in question should be opened for 1978;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlook for the quota period concerned;

Whereas, however, during the past three years only one Member State has imported, and in an insignificant quantity, the said goods; whereas no forecast can be made for 1978; whereas, to ensure fair distribution of the quota amount between the Member States, each Member State should make a significant contribution to the quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	7 %
Denmark	13 %
Germany	15 %
France	11 %
Ireland	2 %
Italy	9 %
United Kingdom	43 %;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States and the second instalment forming a reserve intended to cover the subsequent requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 46 % of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls

⁽¹⁾ GEN I 1

⁽²⁾ GEN I 85

for close cooperation between Member States and the Commission, which must, in particular be able to observe the extent to which the quota amount is used, and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State return a large amount of it to the reserve, in order to prevent a part of the tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the above-mentioned economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1978 the Common Customs Tariff duty in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus, shall be entirely suspended within the limits of a Community tariff quota of 500 tonnes.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment, amounting to 230 tonnes, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1978, shall be as follows:

Benelux	15 tonnes,
Denmark	30 tonnes,
Germany	35 tonnes
France	25 tonnes.
Ireland	5 tonnes,
Italy	20 tonnes,
United Kingdom	100 tonnes.

3. The second instalment of 270 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of the initial share of a Member State as laid down in Article 2 (2), or 90 % of that share less the amount returned into the reserve where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15 % of initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5 % of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph:

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

The Member States shall return to the reserve, not later than 1 October 1978, the unused portions of their initial shares which, on 15 September 1978, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of the said goods effected up to and including 15 September 1978 and charged against the Community

quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 2 and 3 shall inform each state of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 5 October 1978, notify the Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 3 it is possible for changes to be made without interruption against their accumulated share of the Community quota.

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

Done at Brussels, 28 November 1977.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for home use.

4. The extent to which a Member State used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

ANNEX

PROTOCOL

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

(see GEN I 18 - 73 Vol. 2)

**COUNCIL REGULATION (EEC) No 2914/77
of 20 December 1977**

extending certain provisions of Regulation (EEC) No 1641/77 as regards the arrangements applicable to trade with the Republic of Cyprus beyond the date of expiry of the first stage of the Association Agreement

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the provisions governing the first stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus⁽¹⁾, including the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community⁽²⁾, expired on 30 June 1977;

Whereas an Additional Protocol to the Association Agreement has been negotiated;

Whereas pending the entry into force of that Protocol the Council by means of Regulation (EEC) No

1641/77 extended the arrangements applicable to trade with the Republic of Cyprus beyond the date of expiry of the first stage of the Association Agreement;

Whereas it is necessary to extend the application of Article 1 of Regulation (EEC) No 1641/77,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1641/77 is hereby extended until the entry into force of the Additional Protocol.

Article 2

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

It shall apply from 1 January 1978.

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

Done at Brussels, 20 December 1977.

For the Council

The President

H. SIMONET

⁽¹⁾ GEN I 1

⁽²⁾ GEN I 85

COUNCIL REGULATION (EEC) No 3016/77

of 29 December 1977

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus Sherry', and introducing subsidies for similar wine products produced in the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas the exchange of letters referred to in Article 12 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community⁽¹⁾ makes provision for special interim arrangements for the wine product exported under the label of 'Cyprus Sherry', and intended for direct human consumption, which involve the non-application of countervailing charges on imports of this wine into Ireland and the United Kingdom, within the limits of an annual quota of 200 000 hectolitres; whereas, to that end, Regulation (EEC) No 1253/73, as amended by Regulation (EEC) No 3576/73, as last extended and amended by Regulation (EEC) No 1606/76, introduced arrangements for imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and provided for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom; whereas the arrangements in question expired on 30 June 1977;

Whereas, to allow for the disposal of existing stocks, Community arrangements were introduced for the second half of 1977, in the form of a Community tariff quota exempt from customs duties and the countervailing charge, by Regulation (EEC) No 2561/77; whereas these arrangements should not disturb the market in Community wines similar to liqueur wines originating in Cyprus and covered by this Regulation; whereas, to avoid distortion of the conditions of competition between the said products

and similar Community wines, provision was made, in respect of the latter, for the granting of aids, based on the difference, on the market of the Member States of destination, between the prices of Community liqueur wines and the prices of the liqueur wines in question originating in Cyprus;

Whereas, pending the implementation on 1 March 1978 of new Community arrangements the tariff arrangements introduced by Regulation (EEC) No 2561/77 for the second half of 1977 should be extended for the period from 1 January 1978 to 28 February 1978 and a Community tariff quota should be opened for the products in question of a volume of 33 334 hectolitres free of customs duties and the countervailing charge;

Whereas entry under the above Community tariff quota must be conditional on the presentation of the A. CY. 1 movement certificate and on the wines being described as 'Cyprus Sherry' in the V.I. 1 document provided for in Regulation (EEC) No 2115/76⁽²⁾;

Whereas, the Community nature of the quota would be respected by a system based on the allocation of the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual development of the market in the products concerned, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports of the said products from Cyprus over a representative period and to the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available; whereas estimating the import needs of the Member States for the quota period is difficult because of the absence of valid precedents; whereas because of the small amount of the tariff quota the allocation thereof between the Member States would result in such small shares being allocated that they would no longer be

⁽¹⁾ GEN I 1

⁽²⁾ OJ No L 299, 23. 11. 1977, p. 1.

considered commercially viable; whereas, as a result the only possible course would seem to be to allocate the whole quota volume to the Community reserve and to provide for the possibility of those Member States in which needs might arise drawing appropriate quantities from that reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must, in particular, be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a Member State has a considerable quantity of the initial share left over, it is essential that it should return a significant proportion thereof to the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 28 February 1978, the Common Customs Tariff duties in respect of the following products originating in Cyprus shall be totally suspended within the limits of an overall Community tariff quota of 33 334 hectolitres.

CCT heading No	Description
ex 22.05 C II a)	} Liqueur wines marketed under the label of 'Cyprus Sherry'
ex 22.05 C II b)	
ex 22.05 C III a) 2	
ex 22.05 C III b) 3	
ex 22.05 C IV a) 2	
ex 22.05 C IV b) 3	

2. The Protocol on the definition of the concept of 'originating products' and on methods of administra-

tive cooperation annexed to the Agreement between the European Economic Community and Cyprus shall be applicable.

3. The entry of these wines under the tariff quota referred to in paragraph 1 shall be conditional on their being described in the V.II document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines to be marketed under the label of "Cyprus Sherry"'.

4. Within the limits of the above tariff quota, the products referred to in paragraph 1 shall be exempt from the countervailing charges provided for in Regulation (EEC) No 816/70 ⁽¹⁾, as last amended by Regulation (EEC) No 2211/77 ⁽²⁾.

Article 2

1. The quota laid down in Article 1 shall be allocated to the Community reserve.

2. If needs for the product in question arise in a Member State, it shall draw an adequate share from the reserve thus set up, in so far as the amount of the reserve permits this.

Article 3

The shares drawn pursuant to Article 2 shall be valid until 28 February 1978.

Article 4

Member States shall return to the reserve, not later than 20 February 1978, the unused portion of their share which, on 10 February 1978 is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion might not be used in full.

Each Member State shall, not later than 20 February 1978, notify the Commission of the total imports of the products concerned effected under the Community quota up to and including 10 February 1978 and, where appropriate, the proportion of the share returned to the reserve.

Article 5

The Commission shall keep account of the shares opened by Member States pursuant to Article 2 and, as soon as it has been notified, shall inform each State of the extent to which the reserve has been used.

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 256, 7. 10. 1977, p. 1.

The Commission shall notify Member States not later than 23 February 1978 of the amount in the reserve after the return of shares pursuant to Article 4.

The Commission shall ensure that the drawing which uses up the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 6

1. Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 2 are opened in such a way that imports may be charged without interruption against their aggregate shares in the Community quota.

2. Each Member State shall ensure that importers of the products concerned established in their territory have free access to the shares allocated to it.

3. The extent to which a Member State has used up its shares shall be determined on the basis of the imports of the products in question entered for home use.

Article 7

1. Subsidies shall be granted for liqueur wines of Community origin similar to the liqueur wines described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines to be marketed under the label of "Cyprus Sherry" which are dispatched by 28 February 1978 from the producer Member States to the other Member States of the Community which have actually imported and

marketed under this Regulation products referred to in Article 1

2. The subsidies referred to in paragraph 1 shall be calculated on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of the liqueur wine marketed under the label of 'Cyprus Sherry'.

Article 8

Detailed rules in respect, particularly, of the amount of the subsidy and of the Community liqueur wine eligible for aid, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 on the progressive establishment of a common organization of the market in wine⁽¹⁾.

Article 9

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 11

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 29 December 1977.

For the Council

The President

H. SIMONET

⁽¹⁾ OJ No 30, 20. 4. 1962, p. 989/62.

COUNCIL REGULATION (EEC) No 3017/77
of 29 December 1977

extending the validity of Regulation (EEC) No 2365/77 suspending application of the condition to which the importation into the Community of certain types of citrus fruit originating in Spain or in Cyprus is subject by virtue of the Agreements between the Community and those countries

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 Council Regulation (EEC) No 2365/77 of 28 October 1977 suspending application of the condition to which the importation into the Community of certain types of citrus fruit originating in Spain or in Cyprus is subject by virtue of the Agreements between the Community and those countries expires on 31 December 1977;

Whereas the negotiations for the widening of the scope of the Agreements currently in force with Spain and Cyprus have not yet been completed and it is therefore necessary, in order to avoid any change in the arrangements applicable to trade in the products

in question, to extend the validity of Regulation (EEC) No 2365/77 on the suspension of the 'conventional' price for certain types of fresh citrus fruit falling within subheading 08.02 A I or ex B of the Common Customs Tariff and originating in Spain or in Cyprus,

HAS ADOPTED THIS REGULATION :

Article 1

The second paragraph of Article 3 of Regulation (EEC) No 2365/77 shall be replaced by the following :

'It shall apply until 31 December 1978.'

Article 2

This Regulation shall enter into force on the third 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, 29 December 1977.

For the Council

The President

H. SIMONET

**COUNCIL REGULATION (EEC) No 3018/77
of 29 December 1977**

**concerning the arrangements applicable to trade in the agricultural sector
between the European Economic Community and Cyprus**

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 Additional Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus signed on 15 September 1977 extends until 31 December 1979, with certain supplementary measures, the first stage of the abovementioned Agreement;

Whereas in a Declaration annexed to the Final Act of the Agreement, the Community stated that it was prepared to re-examine with the Republic of Cyprus the provisions of the Agreement relating to agricultural products, in the light of the result of work undertaken with a view to a global approach to the Community's relations with the Mediterranean countries, in the course of which work the interests of Cyprus should also be taken into consideration;

Whereas as a result of the negotiations for the conclusion of the abovementioned Additional Protocol an

exchange of letters took place concerning agricultural products, whereby the Community undertakes to use its best endeavours to see that negotiations on agriculture take place in good time to put into effect the conclusions of these negotiations on 1 January 1978;

Whereas from 1 January 1978 onwards certain agricultural products will no longer be covered by preferential arrangements in trade with the Community, whereas provision should therefore be made for unilateral temporary measures in order to avoid disturbance of the trade flow of the products in question pending the entry into force of a supplementary protocol on agricultural products,

HAS ADOPTED THIS REGULATION .

Article 1

From 1 January 1978 customs duties on imports into the Community of the products originating in Cyprus which are listed below shall be reduced by the percentage rates indicated for each of them.

CC I heading No	Description	Rate of reduction (%)
07.01	Vegetables, fresh or chilled :	
	A. Potatoes	
	II. New potatoes :	
	ex a) From 1 January to 15 May :	
	— From 1 January to 31 March	40
	F. Leguminous vegetables, shelled or unshelled :	
	II. Beans (of the species Phaseolus) :	
	ex a) From 1 October to 30 June :	
	— From 1 January to 31 March	60
	G. Carrots, turnips, salad beetroot, salsify, celeriac radishes, and similar edible roots :	
	ex II. Carrots and turnips :	
	— Carrots, from 1 January to 31 March	40
	ex H. Onions, shallots and garlic :	
	— Onions, from 15 February to 31 March	60

CCT heading No	Description	Rate of reduction (%)
07.01 (cont'd)	M. Tomatoes : ex I. From 1 November to 14 May : — From 1 January to 31 March S. Sweet peppers ex T. Other : — Aubergines, from 1 January to 31 March — Stick celery, from 1 January to 31 March — Courgettes, from 1 January to 28 February	 60 40 60 50 60
08.02	Citrus fruit, fresh or dried : ex A. Oranges : — Fresh ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids : — Fresh D. Grapefruit	 60 60 80
08.08	Berries, fresh : — Strawberries : ex II. From 1 August to 30 April : — From 1 January to 31 March	 60
ex 08.09	Other fruit, fresh : — Melons, from 1 January to 31 March	 50
12.03	Seeds, fruit and spores, of a kind used for sowing : E. Other (a)	 60
12.08	Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading C. Locust bean seeds	 100
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit : B. Other : II. Not containing added spirit : a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg : 2. Grapefruit segments ex 8. Other fruits : — Grapefruit b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less : 2. Grapefruit segments	 80 80 80

(a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

CCT heading No	Description	Rate of reduction (%)
20.06 (cont'd)	ex 8. Other fruits : — Grapefruit	80
	c) Not containing added sugar, in immediate packings of a net capacity :	
	1. of 4.5 kg or more	
	ex dd) Other fruits :	
	— Grapefruit segments	80
	— Grapefruit	80
	2. of less than 4.5 kg :	
	ex bb) Other fruits and mixtures of fruit :	
	— Grapefruit segments	80
	— Grapefruit	80
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :	
	A. Of a specific gravity exceeding 1.33 at 15 °C :	
	III. Other :	
	ex a) Of a value exceeding 30 u.a. per 100 kg net weight	
	— Orange juice	70
	— Grapefruit juice	70
	ex b) Of a value not exceeding 30 u.a. per 100 kg net weight :	
	— Orange juice	70
	— Grapefruit juice	70
	B. Of a specific gravity of 1.33 or less at 15° C :	
	II. Other :	
	a) Of a value exceeding 30 u.a. per 100 kg net weight :	
	1. Orange juice	70
	2. Grapefruit juice	70
	b) Of a value of 30 u.a. or less per 100 kg net weight :	
	1. Orange juice	70
	2. Grapefruit juice	70

Article 2

1. From 1 January 1978 the common customs tariff duty on dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I and originating in Cyprus, shall be totally suspended within the limit of a Community tariff quota of 125 tonnes.

2. The tariff quota laid down in paragraph 1 shall be divided into two tranches.

A first tranche of 110 tonnes of the quota shall be allocated among the Member States; the shares, which subject to Article 6 shall be applicable for the period of applicability of this Regulation, shall be for the following quantities :

	(tonnes)
Benelux	5
Denmark	5
Germany	10
France	5
Ireland	5
Italy	5
United Kingdom	75

The second tranche of the quota, i.e. 15 tonnes, shall constitute the corresponding reserve.

Article 3

1. From 1 January 1978 the Common Customs Tariff duties on the products originating in Cyprus which are listed below shall be suspended at the rates indicated for each of them, within the limit of a Community tariff quota of 2 500 hectolitres.

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes, grape must with fermentation arrested by the addition of alcohol	
	C. Other :	
	I. Of an actual alcoholic strength not exceeding 13° C, in containers holding :	
	ex a) Two litres or less :	
	— Wine of fresh grapes	3 u.a./hl
	II. Of an actual alcoholic strength exceeding 13° C but not exceeding 15° C, in containers holding :	
	ex a) Two litres or less :	
	— Wine of fresh grapes other than liqueur wines of an actual alcoholic strength of 15° C	3.5 u.a./hl

2. The tariff quota laid down in paragraph 1 shall be divided into two tranches.

A first tranche of 2 250 hectolitres of the quota shall be allocated among the Member States; the shares, which subject to Article 6 shall be applicable for the period of applicability of this Regulation, shall be as follows :

	(in hectolitres)
Benelux	50
Denmark	50
Germany	50
France	50
Ireland	100
Italy	50
United Kingdom	1 900.

The second tranche of the quota, i.e. 250 hectolitres, shall constitute the corresponding reserve.

3. The wines in question shall benefit from these tariff quotas on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 which apply to such prices.

Article 4

1. If 90 % or more of a Member State's initial share, as determined in Articles 2 and 3, or of that share minus any portion returned to the corresponding reserve, where Article 6 has been applied, has been used up, that Member State shall forthwith, by

notifying the Commission, draw a second share, to the extent that the corresponding reserve so permits, equal to 15 % of its initial share, rounded up to the next whole number, if necessary.

2. If, after any of the initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1 and to the extent that the corresponding reserve so permits, draw a third share equal to 7.5 % of its initial share, rounded up to the next whole number, if necessary.

3. If, after any of the second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the corresponding reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares less than those specified therein if there are grounds for believing that those specified may not be fully used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 5

Each of the additional shares drawn under Article 4 shall be applicable for the period of applicability of this Regulation.

Article 6

Member States shall return to the reserve not later than 1 March 1978 the unused portions of their initial shares which on 15 February 1978 are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be fully used up.

Member States shall notify the Commission, not later than 1 March 1978, of the total quantities of the product in question imported up to and including 15 February 1978 and charged against the tariff quotas and of any portion of their initial shares returned to each of the reserves.

Article 7

The Commission shall keep an account of the amounts of the shares opened by the Member States pursuant to Articles 2 to 4 and, as soon as it has been notified, shall inform each State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 5 March 1978, of the state of each of the reserves after amounts have been returned thereto pursuant to Article 6.

It shall ensure that the drawing which exhausts any of the reserves does not exceed the balance available and, to this end, shall notify the amount of that balance to the Member State making the last drawing.

Article 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn

pursuant to Article 4 are opened in such a way that imports may be charged without a break in continuity against their aggregate shares of the tariff quota.

2. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports entered at customs for home use.

Article 9

At the Commission's request, Member States shall inform it of imports actually charged against their shares.

Article 10

Member States and the Commission shall cooperate closely to ensure that Articles 2 to 9 are complied with.

Article 11

This Regulation shall enter into force on 1 January 1978.

It shall apply until the entry into force of a supplementary Protocol on agricultural products between the European Economic Community and the Republic of Cyprus or until 31 March 1978, whichever is the earlier.

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

Done at Brussels, 29 December 1977.

For the Council

The President

H. SIMONET

COMMISSION REGULATION (EEC) No 135/78

of 25 January 1978

laying down detailed rules for the granting of subsidies for certain liqueur wines produced in the Community and similar to the liqueur wine marketed as 'Cyprus sherry'

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3016/77 of 29 December 1977 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus sherry', and introducing subsidies for similar wine products produced in the Community, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (1), as last amended by Regulation (EEC) No 2560/77 (2), and in particular Article 29 (3) thereof,

Whereas Article 7 (1) of Regulation (EEC) No 3016/77 provides for the granting of subsidies in respect of Community liqueur wines similar to the liqueur wines described on the V.I.I document as liqueur wines intended for marketing as 'Cyprus sherry', consigned on or before 28 February 1978 by producer Member States to other Member States of the Community which have actually imported such products and marketed them pursuant to the said Regulation (EEC) No 3016/77; whereas, according to the information available to the Commission, such products are marketed as Cyprus sherry in two Member States, Ireland and the United Kingdom; whereas subsidies must therefore be granted for consignments of similar Community liqueur wines to those two Member States;

Whereas Article 7 (2) of Regulation (EEC) No 3016/77 provides that the amount of the subsidy granted to Community products must be determined on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of liqueur wines marketed as 'Cyprus sherry';

Whereas in order to obtain the subsidy the consignor should be required to furnish the necessary proof;

whereas to this end he should be required, when he submits an application for a subsidy, to submit also a copy of the accompanying document provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers (3), as amended by Regulation (EEC) No 2617/77 (4); whereas, however, under Article 13 (2) of that Regulation the Member States may provide that in the case of certain products and in certain circumstances such document is not required; whereas it is therefore necessary, if the objectives of the present Regulation are to be attained, to prohibit the application of that provision in Member States from which the products in question are consigned;

Whereas the consignor should also be required to furnish proof that the products concerned have been released to the United Kingdom or Irish markets; whereas such proof may take the form of the control copy provided for in Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (5), as amended by Regulation (EEC) No 1601/77 (6); whereas any further information necessary for control purposes should be given in that document;

Whereas, since the subsidy is at present to be granted only in respect of consignments to Ireland and the United Kingdom, it is necessary to provide that, where a wine product qualifying for a subsidy is re-consigned to another Member State of the Community or is exported to a non-member country, a sum equal to the amount of the subsidy is to be recovered; whereas the sums so recovered by Ireland and the United Kingdom should be used to finance intervention measures designed to stabilize the agricultural markets;

Whereas, in order that the Commission and the Member States concerned keep track of the situation, they should be informed of the quantities in respect of which subsidies have been applied for and the quantities in respect of which subsidies have been granted;

(1) OJ No L 99, 5. 5. 1970, p. 1.

(2) OJ No L 303, 28. 11. 1977, p. 1.

(3) OJ No L 113, 1. 5. 1975, p. 1.

(4) OJ No L 304, 29. 11. 1977, p. 33.

(5) OJ No L 38, 9. 2. 1977, p. 20.

(6) OJ No L 182, 22. 7. 1977, p. 1.

Whereas the Management Committee for Wine has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION

Article 1

The liqueur wines qualifying for the subsidy provided for in Article 7 of Regulation (EEC) No 3016/77 shall be those of quality liqueur wines produced in specified regions, consigned to Ireland and the United Kingdom.

Article 2

For products as referred to in Article 1 in respect of which customs formalities on consignment were completed between 1 January and 28 February 1978, the amount of the subsidy provided for in Article 7 of Regulation (EEC) No 3016/77 shall be :

- 10 units of account per hectolitre for products with an actual alcoholic strength of at least 15° and not more than 18°,
- 15 units of account per hectolitre for products with an actual alcoholic strength of at least 18° and not more than 22°.

Article 3

1. The subsidy shall be granted to the consignors concerned in accordance with the procedure laid down in Article 4.

2. The day on which the customs formalities on consignment are completed shall be the day on which the customs authorities accept the document by which the declarant states his intention to consign to Ireland or the United Kingdom a product of the kind specified in Article 1. At the time of such acceptance the products concerned shall be placed under customs control and shall so remain until they leave the territory of the Member State from which they are consigned.

The day on which the customs formalities on consignment are completed shall be the operative date for determining the quantity, nature and characteristics of the product consigned.

Article 4

1. To obtain payment of the subsidy, the consignor must, within three months of the completion of customs formalities on consignment or, in the case of wine consigned before this Regulation enters into force, within three months of its entry into force,

present to the competent authorities of the Member State from which the product was consigned an application for a subsidy accompanied by ;

- a copy of the accompanying document provided for in Regulation (EEC) No 1153/75, it being possible to replace such copy by any other appropriate document specified by the Member States concerned where the wine was consigned before the entry into force of this Regulation and the accompanying document was not required pursuant to Article 13 (2) of Regulation (EEC) No 1153/75, and
- proof from the United Kingdom or Irish customs authorities that the wine products in question have been released to the market in the Member State of destination.

For the purposes of this provision and without prejudice to the provision in the first indent above for the replacement of the accompanying document, the Member State from which the products in question are consigned may not avail itself of the option provided for in Article 13 (2) of Regulation (EEC) No 1153/75.

2. The proof referred to in the preceding paragraph shall be furnished by production of the control copy referred to in Article 10 of Regulation (EEC) No 223/77. Entries shall be made in the following sections of the control copy :

- (a) Sections 101 and 103 ;
- (b) Section 104, deleting as necessary and inserting one of the following :
 - Intended for entry for home use,
 - Bestemt til overgang til forbrug,
 - Für den freien Verkehr bestimmt,
 - Destiné à être mis à la consommation,
 - Destinato ad essere immesso in consumo,
 - Bestemd om in het vrije verkeer te worden gebracht.

Article 5

1. Where customs import formalities are completed in Ireland or the United Kingdom on or after 1 January 1978 in respect of a wine product as referred to in Article 1 and this product is then reconsigned from either of these two Member States to another Member State or exported to a non-member country, an amount shall be charged which is equal to the subsidy applicable on the day of completion of the customs formalities on consignment or export.

The said amount shall be paid by the consignor or exporter not later than the time of completion of the customs formalities.

However no such amount shall be charged if the consignor or exporter furnishes proof that no subsidy has been granted in respect of the product in question.

2. Ireland and the United Kingdom shall enter all sums collected in pursuance of paragraph 1 to the credit of the Guarantee Section of the EAGGF.

3. Ireland and the United Kingdom shall adopt whatever measures are necessary to implement this Article and shall inform the Commission thereof and of the quantities in respect of which the amount provided for in paragraph 1 has been charged.

Article 6

The Member State from which the wine products are consigned shall, not later than the 15th day of each month, provide the Commission and the Member States of destination with particulars in respect of the

preceding month concerning the quantities of products in respect of which subsidies have been granted and the quantities in respect of which applications for subsidies have been received.

Article 7

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

However :

- the provisions of Article 4 (2) shall apply only in respect of products for which customs formalities on consignment are completed on or after the seventh day following the entry into force of this Regulation,
- the provisions of Article 5 (1) shall apply only in respect of products for which customs formalities on reconsignment or export are completed following the entry into force of this Regulation.

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

Done at Brussels, 25 January 1978.

For the Commission

Finn GUNDELACH

Vice-President

COUNCIL REGULATION (EEC) No 533/78
of 13 March 1978

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus sherry', and introducing subsidies for similar wine products produced in the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas the Exchange of Letters referred to in Article 12 of the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community⁽¹⁾ makes provision for special interim arrangements for the wine product exported under the label of 'Cyprus sherry' and intended for direct human consumption, which involve the non-application of countervailing charges on imports of this wine into Ireland and the United Kingdom, within the limits of an annual quota of 200 000 hectolitres; whereas, to that end, Regulation (EEC) No 1253/73, as amended by Regulation (EEC) No 3576/73, as last extended and amended by Regulation (EEC) No 1606/76, introduced arrangements for imports of the wine product exported under the label of 'Cyprus sherry', originating in and coming from Cyprus, and provided for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom; whereas the arrangements in question expired on 30 June 1977;

Whereas, to allow for the disposal of existing stocks, Community arrangements were introduced until 28 February 1978 in the form of a Community tariff quota exempt from customs duties and the countervailing charge, by Regulation (EEC) No 3016/77; whereas these arrangements should not disturb the market in Community wines similar to liqueur wines originating in Cyprus and covered by this Regulation; whereas, to avoid distortion of the conditions of

competition between the said products and similar Community wines, provision was made, in respect of the latter, for the granting of aids, based on the difference, on the market of the Member States of destination, between the prices of Community liqueur wines and the prices of the liqueur wines in question originating in Cyprus;

Whereas, pending the implementation on 1 May 1978 of new Community arrangements, the tariff arrangements introduced by Regulation (EEC) No 3016/77 should be extended for the period 1 March 1978 to 30 April 1978 and a Community tariff quota should be opened for the products in question of a volume of 33 334 hectolitres free of customs duties and the countervailing charge;

Whereas entry under the above Community tariff quota must be conditional on the presentation of the A.CY.1 movement certificate and on the wines being described as 'Cyprus sherry' in the V.I.1 document provided for in Regulation (EEC) No 2115/76⁽²⁾;

Whereas the Community nature of the quota would be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual development of the market in the products concerned, such allocation should be in proportion to the requirements of the Member States, assessed by reference to both the statistics relating to imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available; whereas estimating the import needs of the Member States for the quota period is difficult because of the absence of valid precedents; whereas because of the small amount of the tariff quota the allocation thereof between the Member States would result in such small

⁽¹⁾ GEN I 85

⁽²⁾ OJ No L 237, 28. 8. 1976, p. 1.

shares being allocated that they would no longer be considered commercially viable; whereas, as a result the only possible course would seem to be to allocate the whole quota volume to the Community reserve and to provide for the possibility of those Member States in which needs might arise drawing appropriate quantities from that reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which latter must, in particular, be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a Member State has a considerable quantity of the initial share left over, it is essential that it should return a significant proportion thereof to the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 30 April 1978, the Common Customs Tariff duties in respect of the following products originating in Cyprus shall be totally suspended within the limits of an overall Community tariff quota of 33 334 hectolitres:

CCT heading No	Description
ex 22.05 C II a) ex 22.05 C II b) ex 22.05 C III a) 2 ex 22.05 C III b) 3 ex 22.05 C IV a) 2 ex 22.05 C IV b) 3	} Liqueur wines marketed under the label of 'Cyprus sherry'

2. The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation annexed to the Agreement between

the European Economic Community and Cyprus shall be applicable.

3. The entry of these wines under the tariff quota referred to in paragraph 1 shall be conditional on their being described in the V.I.I document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines to be marketed under the label of "Cyprus sherry".'

4. Within the limits of the above tariff quota, the products referred to in paragraph 1 shall be exempt from the countervailing charges provided for in Regulation (EEC) No 816/70 ⁽¹⁾, as last amended by Regulation (EEC) No 2211/77 ⁽²⁾.

Article 2

1. The quota laid down in Article 1 shall be allocated to the Community reserve.

2. If needs for the product in question arise in a Member State, it shall draw an adequate share from the reserve thus set up, in so far as the amount of the reserve so permits.

Article 3

The shares drawn pursuant to Article 2 shall be valid until 30 April 1978.

Article 4

Member States shall return to the reserve, not later than 20 April 1978, the unused portion of their share which, on 10 April 1978 is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion might not be used in full.

Each Member State shall, not later than 20 April 1978, notify the Commission of the total imports of the products concerned effected under the Community quota up to and including 10 April 1978 and, where appropriate, the proportion of the share returned to the reserve.

Article 5

The Commission shall keep account of the shares opened by Member States pursuant to Article 2 and, as soon as it has been notified, shall inform each State of the extent to which the reserve has been used up.

The Commission shall notify Member States not later than 23 April 1978 of the amount in the reserve after the return of shares pursuant to Article 4.

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 256, 7. 10. 1977, p. 1.

The Commission shall ensure that the drawing which uses up the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 6

1. Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 2 are opened in such a way that imports may be charged without interruption against their aggregate shares in the Community quota.
2. Each Member State shall ensure that importers of the products concerned established in their territory have free access to the shares allocated to it.
3. The extent to which a Member State has used up its shares shall be determined on the basis of the imports of the products in question entered for home use.

Article 7

1. Subsidies shall be granted for liqueur wines of Community origin similar to the liqueur wines described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines to be marketed under the label of "Cyprus sherry"' which are dispatched by 30 April 1978 from the producer Member States to the other Member States of the Community which have actually imported and marketed under this Regulation products referred to in Article 1.

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

Done at Brussels, 13 March 1978.

For the Council

The President

Lise ØSTERGAARD

2. The subsidies referred to in paragraph 1 shall be calculated on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of the liqueur wine marketed under the label of 'Cyprus sherry'.

Article 8

Detailed rules in respect, particularly, of the amount of the subsidy and of the Community liqueur wine eligible for aid, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 on the progressive establishment of a common organization of the market in wine (¹).

Article 9

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 11

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

It shall apply from 1 March 1978.

(¹) OJ No 30, 20.4.1962, p. 989/62.

COMMISSION REGULATION (EEC) No 570/78

of 21 March 1978

laying down detailed rules for the granting of subsidies for certain liqueur wines produced in the Community and similar to the liqueur wine marketed as 'Cyprus sherry'

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 533/78 of 13 March 1978 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label of 'Cyprus sherry', and introducing subsidies for similar wine products produced in the Community, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (1), as last amended by Regulation (EEC) No 2560/77 (2), and in particular Article 29 (3) thereof,

Whereas Article 7 (1) of Regulation (EEC) No 533/78 provides for the granting of subsidies in respect of Community liqueur wines similar to the liqueur wines described on the V.I.I. document as liqueur wines intended for marketing as 'Cyprus sherry', consigned on or before 30 April 1978 by producer Member States to other Member States of the Community which have actually imported such products and marketed them pursuant to the said Regulation (EEC) No 533/78; whereas, according to the information available to the Commission, such products are marketed as 'Cyprus sherry' in two Member States, Ireland and the United Kingdom; whereas subsidies must therefore be granted for consignments of similar Community liqueur wines to those two Member States;

Whereas Article 7 (2) of Regulation (EEC) No 533/78 provides that the amount of the subsidy granted to Community products must be determined on the basis of the difference, on the markets of the importing Member States, between the prices of Community liqueur wines and those of liqueur wines marketed as 'Cyprus sherry';

Whereas in order to obtain the subsidy the consignor should be required to furnish the necessary proof;

whereas to this end he should be required, when he submits an application for a subsidy, to submit also a copy of the accompanying document provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers (3), as amended by Regulation (EEC) No 2617/77 (4); whereas, however, under Article 13 (2) of that Regulation the Member States may provide that in the case of certain products and in certain circumstances such document is not required; whereas it is therefore necessary, if the objectives of the present Regulation are to be attained, to prohibit the application of that provision in Member States from which the products in question are consigned;

Whereas the consignor should also be required to furnish proof that the products concerned have been released to the United Kingdom or Irish markets; whereas such proof may take the form of the control copy provided for in Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (5), as amended by Regulation (EEC) No 1601/77 (6); whereas any further information necessary for control purposes should be given in that document;

Whereas, since the subsidy is at present to be granted only in respect of consignments to Ireland and the United Kingdom, it is necessary to provide that, where a wine product qualifying for a subsidy is re-consigned to another Member State of the Community or is exported to a non-member country, a sum equal to the amount of the subsidy is to be recovered; whereas the sums so recovered by Ireland and the United Kingdom should be used to finance intervention measures designed to stabilize the agricultural markets;

Whereas, in order that the Commission and the Member States concerned keep track of the situation, they should be informed of the quantities in respect of which subsidies have been applied for and the quantities in respect of which subsidies have been granted;

(1) OJ No L 99, 5. 5. 1970, p. 1.

(2) OJ No L 303, 28. 11. 1977, p. 1.

(3) OJ No L 113, 1. 5. 1975, p. 1.

(4) OJ No L 304, 29. 11. 1977, p. 33.

(5) OJ No L 38, 9. 2. 1977, p. 20.

(6) OJ No L 182, 22. 7. 1977, p. 1.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The liqueur wines qualifying for the subsidy provided for in Article 7 of Regulation (EEC) No 533/78 shall be those of Community origin with the exception of quality liqueur wines produced in specified regions, consigned to Ireland or the United Kingdom.

Article 2

For products as referred to in Article 1 in respect of which customs formalities on consignment were completed between 1 March and 30 April 1978 the amount of the subsidy provided for in Article 7 of Regulation (EEC) No 533/78 shall be:

- 10 units of account per hectolitre for products with an actual alcoholic strength of at least 15° and not more than 18°,
- 15 units of account per hectolitre for products with an actual alcoholic strength of at least 18° and not more than 22°.

Article 3

1. The subsidy shall be granted to the consignors concerned in accordance with the procedure laid down in Article 4.

2. The day on which the customs formalities on consignment are completed shall be the day on which the customs authorities accept the document by which the declarant states his intention to consign to Ireland or the United Kingdom a product of the kind specified in Article 1. At the time of such acceptance the products concerned shall be placed under customs control and shall so remain until they leave the territory of the Member State from which they are consigned.

The day on which the customs formalities on consignment are completed shall be the operative date for determining the quantity, nature and characteristics of the product consigned.

Article 4

1. To obtain payment of the subsidy, the consignor must, within three months of the completion of customs formalities on consignment or, in the case of wine consigned before this Regulation enters into force, within three months of its entry into force,

present to the competent authorities of the Member State from which the product was consigned an application for a subsidy accompanied by:

- a copy of the accompanying document provided for in Regulation (EEC) No 1153/75, it being possible to replace such copy by any other appropriate document specified by the Member States concerned where the wine was consigned before the entry into force of this Regulation and the accompanying document was not required pursuant to Article 13 (2) of Regulation (EEC) No 1153/75, and
- proof from the United Kingdom or Irish customs authorities that the wine products in question have been released to the market in the Member State of destination.

For the purposes of this provision and without prejudice to the provision in the first indent above for the replacement of the accompanying document, the Member State from which the products in question are consigned may not avail itself of the option provided for in Article 13 (2) of Regulation (EEC) No 1153/75.

2. The proof referred to in the preceding paragraph shall be furnished by production of the control copy referred to in Article 10 of Regulation (EEC) No 223/77. Entries shall be made in the following sections of the control copy:

- (a) Sections 101 and 103;
- (b) Section 104, deleting as necessary and inserting one of the following:
 - Intended for entry for home use,
 - Bestemt til overgang til forbrug,
 - Für den freien Verkehr bestimmt,
 - Destiné à être mis à la consommation,
 - Destinato ad essere immesso in consumo,
 - Bestemd om in het vrije verkeer te worden gebracht.

Article 5

1. Where customs import formalities are completed in Ireland or the United Kingdom on or after 1 March 1978 in respect of a wine product as referred to in Article 1 and this product is then reconsigned from either of these two Member States to another Member State or exported to a non-member country, an amount shall be charged which is equal to the subsidy applicable on the day of completion of the customs formalities on consignment or export.

The said amount shall be paid by the consignor or exporter not later than the time of completion of the customs formalities.

However no such amount shall be charged if the consignor or exporter furnishes proof that no subsidy has been granted in respect of the product in question.

2. Ireland and the United Kingdom shall enter all sums collected in pursuance of paragraph 1 to the credit of the Guarantee Section of the EAGGF.

3. Ireland and the United Kingdom shall adopt whatever measures are necessary to implement this Article and shall inform the Commission thereof and of the quantities in respect of which the amount provided for in paragraph 1 has been charged.

Article 6

The Member State from which the wine products are consigned shall, not later than the 15th day of each month, provide the Commission and the Member States of destination with particulars in respect of the

preceding month concerning the quantities of products in respect of which subsidies have been granted and the quantities in respect of which applications for subsidies have been received.

Article 7

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

However:

- the provisions of Article 4 (2) shall apply only in respect of products for which customs formalities on consignment are completed on or after the seventh day following the entry into force of this Regulation,
- the provisions of Article 5 (1) shall apply only in respect of products for which customs formalities on reconsignment or export are completed following the entry into force of this Regulation.

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

Done at Brussels, 21 March 1978.

For the Commission

Finn GUNDELACH

Vice-President

COUNCIL REGULATION (EEC) No 781/78**of 17 April 1978****concerning the arrangements applicable to trade in the agricultural sector
between the European Economic Community and Cyprus**

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 Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus signed on 15 September 1977 extends, until 31 December 1979, with certain supplementary measures, the first stage of the abovementioned Agreement;

Whereas in a declaration annexed to the Final Act of the Agreement the Community stated that it was prepared to re-examine with the Republic of Cyprus the provisions of the Agreement relating to agricultural products, in the light of the result of work undertaken with a view to a global approach to the Community's relations with the Mediterranean countries, in the course of which work the interests of Cyprus should be taken into consideration;

Whereas as a result of the negotiations for the conclusion of the abovementioned Additional Protocol an exchange of letters took place concerning agricultural products, whereby the Community undertakes to use its best endeavours to see that negotiations on agriculture take place in good time to put into effect the conclusions of these negotiations on 1 January 1978; whereas, by Regulation (EEC) No 3018/77, the Community has laid down autonomous preferential arrangements for certain agricultural products originating in Cyprus, which were applicable until 31 March 1978;

Whereas from 1 April 1978 onwards certain agricultural products are no longer covered by preferential arrangements in trade with the Community; whereas provision should therefore be made for certain additional autonomous measures, of a short-term nature, in order to avoid disturbance in trade in the products in question pending the entry into force of a Supplementary Protocol on agricultural products;

Whereas equal and uninterrupted access to the Community tariff quotas provided for in this Regulation and uninterrupted application of the rates laid down for those quotas to all imports of the products concerned into all Member States until each quota has been used up should in particular be ensured for all Community importers; whereas, having regard to the abovementioned principles, the Community nature of the quotas can be respected by allocating them among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available; whereas, however, it is to be anticipated that the greater part thereof will be imported into two Member States; whereas in these circumstances the quota volumes should be allocated in initial shares by reference to the probable demand for these wines on the market of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated

among the Member States and the second instalment forming a reserve intended to cover the subsequent requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 90 % of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used, and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the tariff quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 April 1978, customs duties on imports into the Community of the products originating in Cyprus which are listed below shall be reduced by the percentage rates indicated for each of them:

CCI heading No	Description	Rate of reduction (%)
07.01	Vegetables, fresh or chilled:	
	F. Leguminous vegetables, shelled or unshelled:	
	II. Beans (of the species <i>Phaseolus</i>):	
	ex a) From 1 October to 30 June:	
	— From 1 to 30 April	60
	ex H. Onions, shallots and garlic:	
	— Onions, from 1 April to 15 May	60
	M. Tomatoes:	
	ex I. From 1 November to 14 May:	
	— From 1 to 15 April	60
	S. Sweet peppers	40
	ex T. Other:	
	— Aubergines, from 1 to 30 April	60
	— Stick celery, from 1 to 30 April	50
08.02	Citrus fruit, fresh or dried:	
	ex A. Oranges:	
	— Fresh	60
	ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:	
	— Fresh	60
	D. Grapefruit	80

CCT heading No	Description	Rate of reduction (%)
ex 08.09	Other fruit, fresh : — Melons, from 1 April to 31 May — Water melons, from 1 April to 15 June	50 50
12.03	Seeds, fruit and spores, of a kind used for sowing : E. Other (a)	60
12.08	Chicory roots, fresh or dried, whole or cut, unroasted ; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared ; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading : C. Locust bean seeds	100
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit : B. Other : II. Not containing added spirit : a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg : 2. Grapefruit segments ex 8. Other fruits : — Grapefruit b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less : 2. Grapefruit segments ex 8. Other fruits : — Grapefruit c) Not containing added sugar, in immediate packings of a net capacity : 1. Of 4.5 kg or more : ex dd) Other fruits : — Grapefruit segments — Grapefruit 2. Of less than 4.5 kg : ex bb) Other fruits and mixtures of fruit : — Grapefruit segments — Grapefruit	80 80 80 80 80 80 80 80

(a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

CCT heading No	Description	Rate of reduction (%)
20 07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C .</p> <p>III. Other :</p> <p>ex a) Of a value exceeding 30 u.a. per 100 kg net weight</p> <p>— Orange juice 70</p> <p>— Grapefruit juice 70</p> <p>ex b) Of a value not exceeding 30 u.a per 100 kg net weight :</p> <p>— Orange juice 70</p> <p>— Grapefruit juice 70</p> <p>B. Of a specific gravity of 1.33 or less at 15 °C :</p> <p>II. Other .</p> <p>a) Of a value exceeding 30 u.a per 100 kg net weight .</p> <p>1. Orange juice 70</p> <p>2. Grapefruit juice 70</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight</p> <p>1. Orange juice 70</p> <p>2. Grapefruit juice 70</p>	

Article 2

1. From 1 April to 15 May 1978, the Common Customs Tariff duty on new potatoes, falling within subheading ex 07.01 A II a) and originating in Cyprus shall be suspended at 5.2 % within the limit of a Community tariff quota of 25 000 tonnes.

2. From 16 May to 30 June 1978, the Common Customs Tariff duty on new potatoes, falling within subheading 07.01 A II b) and originating in Cyprus, shall be suspended at 7.3 % within the limit of a Community tariff quota of 75 000 tonnes.

3. The tariff quota referred to in paragraphs 1 shall constitute the Community reserves.

4. If a need for such products arises in a Member State that State shall draw an adequate share from the corresponding reserve to the extent that the reserves so permit.

5. The shares drawn pursuant to paragraph 4 shall be valid until 15 May and 30 June 1978 respectively.

Article 3

1. From 1 April to 15 May 1978, the Common Customs Tariff duty on carrots, falling within subheading ex 07.01 G II and originating in Cyprus, shall be suspended at 6.8 % within the limit of a Community tariff quota of 2 200 tonnes.

2. The tariff quota referred to in paragraph 1 shall constitute the Community reserve.

3. If a need for such products arises in a Member State that State shall draw an adequate share from the reserve to the extent that the reserves so permit.

4. The shares drawn pursuant to paragraph 3 shall be valid until 15 May 1978.

Article 4

1. From 8 to 30 June 1978, the Common Customs Tariff duty on table grapes, falling within subheading ex 08.04 A I a) and originating in Cyprus, shall be suspended at 7.2 % within the limit of a Community tariff quota of 500 tonnes.

2. The tariff quota referred to in paragraph 1 shall constitute the Community reserve.

3. If a need for such products arises in a Member State that State shall draw an adequate share from the reserve to the extent that the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 June 1978.

Article 5

1. From 1 April 1978, the Common Customs Tariff duty on sweet peppers, falling within subheading 07.01 S and originating in Cyprus, shall be suspended at 4.5 % within the limit of a Community tariff quota of 75 tonnes.

2. The tariff quota referred to in paragraph 1 shall be divided into two tranches.

A first tranche of 67 tonnes of the quota shall be allocated among the Member States; the shares which, subject to Article 10, shall be valid until 30 June 1978, shall be as follows:

	(tonnes)
Benelux	3
Denmark	3
Germany	6
France	3
Ireland	3

Italy	3
United Kingdom	46

The second tranche of the quota, i.e. eight tonnes, shall constitute the corresponding reserve.

Article 6

1. From 1 April 1978, the Common Customs Tariff duty on dried grapes, in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I and originating in Cyprus, shall be totally suspended within the limit of a Community tariff quota of 125 tonnes.

2. The tariff quota referred to in paragraph 1 shall be divided into two tranches.

A first tranche of 110 tonnes of the quota shall be allocated among the Member States; the shares which, subject to Article 10, shall be valid until 30 June 1978, shall be as follows:

	(tonnes)
Benelux	5
Denmark	5
Germany	10
France	5
Ireland	5
Italy	5
United Kingdom	75

The second tranche of the quota, i.e. 15 tonnes, shall constitute the corresponding reserve.

Article 7

1. From 1 April 1978, the Common Customs Tariff duties on the products originating in Cyprus which are listed below shall be suspended at the rates indicated for each of them, within the limit of a Community tariff quota of 2 500 hectolitres.

CCT heading No	Description	Rate of duty
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>I. Of an actual alcoholic strength not exceeding 13 °C, in containers holding:</p> <p>ex a) Two litres or less:</p> <p>— Wine of fresh grapes</p> <p>II. Of an actual alcoholic strength exceeding 13 °C but not exceeding 15 °C, in containers holding:</p> <p>ex a) Two litres or less:</p> <p>— Wine of fresh grapes other than liqueur wines of an actual alcoholic strength of 15 °C</p>	<p>3 u.a./hl</p> <p>3.5 u.a./hl</p>

2. The tariff quota referred to in paragraph 1 shall be divided into two tranches.

A first tranche of 2 250 hectolitres of the quota shall be allocated among the Member States; the shares which, subject to Article 10, shall be valid until 30 June 1978, shall be as follows:

	<i>(hectolitres)</i>
Benelux	50
Denmark	50
Germany	50
France	50
Ireland	100
Italy	50
United Kingdom	1 900

The second tranche of the quota, i.e. 250 hectolitres, shall constitute the corresponding reserve.

3. The wines in question shall benefit from this tariff quota on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 which apply to such prices.

Article 8

1. If 90 % or more of a Member State's initial share, as determined in Articles 5 to 7, or of that share minus any portion returned to the corresponding reserve, where Article 10 has been applied, has been used up, that Member State shall forthwith, by notifying the Commission, draw a second share, to the extent that the corresponding reserve so permits, equal to 15 % of its initial share, rounded up to the next whole number, if necessary.

2. If, after any of the initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, under the conditions laid down in paragraph 1 and to the extent that the corresponding reserve so permits, draw a third share equal to 7.5 % of its initial share, rounded up to the next whole number, if necessary.

3. If, after any of the second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, on the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the corresponding reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares less than those specified therein if there are grounds for believing that those specified may not be fully used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 9

Each of the additional shares drawn pursuant to Article 8 shall be valid until 30 June 1978.

Article 10

Member States shall return to the reserve not later than 1 June 1978 the unused portions of their initial shares which on 15 May 1978 are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be fully used up.

Member States shall notify the Commission, not later than 1 June 1978, of the total quantities of the product in question imported up to and including 15 May 1978 and charged against the tariff quotas and of any portion of their initial shares returned to each of the reserves.

Article 11

The Commission shall keep an account of the amounts of the shares opened by the Member States pursuant to Articles 5 to 8 and, as soon as it has been notified, shall inform each State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 5 June 1978, of the state of each of the reserves after amounts have been returned thereto pursuant to Article 10.

It shall ensure that the drawing which exhausts any of the reserves does not exceed the balance available and, to this end, shall notify the amount of the balance to the Member State making the last drawing.

Article 12

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 8 are opened in such a way that imports may be charged without a break in continuity against their aggregate shares of the tariff quota.

2. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports entered at customs for home use.

Article 13

At the Commission's request, Member States shall inform it of imports actually charged against their shares.

Article 14

Member States and the Commission shall cooperate closely to ensure that Articles 2 to 13 are complied with.

Article 15

The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation annexed to the Agreement between the European Economic Community and Cyprus shall be applicable.

Article 16

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

It shall apply from 1 April 1978 and until the entry into force of a Supplementary Protocol on agricultural products between the European Economic Community and the Republic of Cyprus or until 30 June 1978, whichever shall be the earlier.

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

Done at Luxembourg, 17 April 1978.

For the Council

The President

K. HEINESEN

COUNCIL REGULATION (EEC) No 923/78
of 2 May 1978

**on the opening, allocation and administration of a Community tariff quota for
liqueur wines, falling within subheading ex 22.05 C of the Common Customs
Tariff and originating in Cyprus**

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 a Supplementary Protocol to be annexed to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus was initialled on 7 April 1978; whereas that Protocol is expected to enter into force on 1 July 1978; whereas Article 6 thereof provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 30 % of the Common Customs Tariff duties; whereas the *pro rata temporis* clause is applicable,

Whereas, in order to avoid a disruption of the trade in the product in question between Cyprus and the Community, it is necessary to bring forward the application of this tariff measure autonomously with effect from 1 May until 30 June 1978 in order to maintain continuity with the autonomous measures which the Community has taken under Regulations (EEC) No 3016/77 and (EEC) No 533/78 for the period 1 January to 30 April 1978; whereas in these circumstances it is necessary to open a Community tariff quota of 41 666 hectolitres for the period 1 May to 30 June 1978;

Whereas these wines remain subject to the provisions governing the common organization of the market in

wine products, in particular as regards observance of the reference price; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A CY 1 and to the condition that these wines are described in the V.I.1 document provided for in Regulation (EEC) No 2115/76⁽¹⁾ as 'liqueur wines';

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries⁽²⁾ introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas, for special reasons inherent in the method of production and distribution of the product in question, the import into the Community of these wines is largely carried out during the last months of the year; whereas, therefore, the quotas opened for the period 1 January to 30 April 1978 have not been entirely used up; whereas, by way of exception, it should be laid down that the amount remaining from the period be taken into consideration with a view to it being used during the period of validity of this Regulation;

Whereas equal and uninterrupted access to the above-mentioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up should in particular be provided for; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation

⁽¹⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽²⁾ OJ No L 256, 2. 10. 1975, p. 2.

should be in proportion to the needs of the Member States, assessed by reference both of the statistics of each State's imports of the said products from Cyprus over a representative period and to the economic outlook for the quota period concerned ;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available and no reliable estimates of future imports can be made ; whereas, in these circumstances, the quota volumes should be allocated in initial shares, taking into account demand for these wines on the markets of the various Member States ;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares ; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be approximately 90 % of the quota amount ;

Whereas the initial shares of the Member States may be used up at different times ; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve ; whereas this must be done by each Member State as

and when each of its additional shares is almost entirely used up and repeated as many times as the reserve allows ; whereas the initial and additional shares must be available for use until the end of the quota period ; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof ;

Whereas if at a specified date in the quota period a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others ;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 May until 30 June 1978, the Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown against each of them within the limits of a Community tariff quota of 41 666 hectolitres :

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol : C. Other : II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding : ex a) Two litres or less : — Liqueur wines of an actual alcoholic strength of 15° ex b) More than two litres : — Liqueur wines of an actual alcoholic strength of 15°	4.2 u.a./hl 3.3 u.a./hl

CC 1 heading No	Description	Rate of duty
22.05 (cont'd)	III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding	
	a) Two litres or less :	
	ex 2. Other :	
	— Liqueur wines	5.1 u.a./hl
	b) More than two litres :	
	ex 3. Other :	
	— Liqueur wines	4.2 u.a./hl
	IV Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding :	
a) Two litres or less :		
ex 2. Other :		
— Liqueur wines	5.7 u.a./hl	
b) More than two litres :		
ex 3. Other :		
— Liqueur wines	5.7 u.a./hl	

2. The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation annexed to the Agreement between the European Economic Community and Cyprus shall be applicable.

Germany	500 hectolitres,
France	10 hectolitres,
Ireland	1 500 hectolitres,
Italy	10 hectolitres,
United Kingdom	32 000 hectolitres.

3. The inclusion of these wines in the tariff quota shall be conditional on their being described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines'.

3. The shares fixed in paragraph 2 shall be increased by any part of the shares allocated by Regulations (EEC) No 3016/77 and (EEC) No 533/78 remaining on 30 April 1978.

4. The inclusion of these wines in the tariff quota shall be conditional upon observance of the reference price applying to them and production of movement certificate A CY 1.

Member States shall notify the Commission not later than 15 May 1978 of any remaining parts of the shares allocated to them by the abovementioned Regulations existing on 30 April 1978.

5. The wines in question shall benefit from the tariff quota on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 and subsequent texts which apply to them.

4. The second instalment amounting to 6 646 hectolitres shall constitute the reserve to which shall be added any parts of the reserves established by Article 2 of Regulations (EEC) No 3016/77 and (EEC) No 533/78 remaining on 30 April 1978 irrespective of the application of Article 5.

Article 2

Article 3

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. The first instalment, amounting to 35 020 hectolitres, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 30 June 1978, shall be as follows :

Benelux	500 hectolitres,
Denmark	500 hectolitres,

1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (2), or 90 % of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1 to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1978.

Article 5

Member States shall return to the reserve, not later than 15 June 1978, the unused portion of their initial share which, on 10 June 1978, is in excess of 20 % of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 15 June 1978, notify the Commission of the total imports of the products concerned effected up to 10 June 1978 inclusive, and charged against the Community quota, and, where appropriate, the proportion of its initial share which is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles

2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 20 June 1978, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the goods in question entered at customs for home use.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

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

It shall be applicable from 1 May 1978.

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

Done at Brussels, 2 May 1978.

For the Council

The President

K. B. ANDERSEN

COMMISSION REGULATION (EEC) No 993/78

of 17 May 1978

amending for the seventh time Regulation (EEC) No 2223/70 waiving the countervailing charge on imports of certain wines originating in and coming from certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular Article 9 (6) thereof,

Whereas the first subparagraph of Article 9 (3) of Regulation (EEC) No 816/70 provides that where the free-at-frontier offer price for a wine, plus customs duties is lower than the reference price for that wine, a countervailing charge equal to the difference between the reference price and the free-at-frontier offer price plus customs duties is to be levied on imports of that wine and of wines in the same category;

Whereas, however, that countervailing charge is not to be levied as regards third countries which are prepared and in a position to guarantee that the price for imports of products originating in and coming from their territory will not be lower than the reference price less customs duties and that any deflection of trade will be avoided;

Whereas the Republic of Cyprus has indicated its readiness to provide such a guarantee in respect of the exportation of all its wines to the Community;

Whereas it is the responsibility of the Vine Products Commission to ensure that the guarantee is observed; whereas the said Commission will permit exportation of the wines concerned only in cases where it is established that the free-at-Community frontier offer price is not lower than the reference price less the amount of the customs duties applicable at the time in question;

Whereas the said Commission will see to it that any deflection of trade is avoided; whereas to that end it will take all necessary steps to ensure that no action is taken which might result indirectly in prices lower than the reference price less customs duties, such as the taking over of marketing costs, the conclusion of arrangements linking the exportations concerned to other transactions, or any measures having equivalent effect;

Whereas the said Commission undertakes to communicate regularly to the Commission details of exports of wine to the Community and to enable the Commission to exercise continuous supervision over the effectiveness of the measures taken;

Whereas questions relating to the observance of the guarantee given by the Republic of Cyprus have been discussed in detail with the responsible authorities of the latter; whereas following these discussions it may be assumed that the said Republic of Cyprus is in a position to abide by its guarantee; whereas there are accordingly proper grounds for waiving the countervailing charge on imports of wine originating in and coming from the Republic of Cyprus; whereas an appropriate addition should therefore be made to Commission Regulation (EEC) No 2223/70 of 28 October 1970 waiving the countervailing charge on imports of certain wines originating in and coming from certain third countries⁽³⁾, as last amended by Regulation (EEC) No 1924/75⁽⁴⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (4) of Regulation (EEC) No 2223/70 is hereby amended to read as follows:

- '4. originating in and coming from:
- the Republic of Cyprus:
 - (a) red wine, including rosé wine;
 - (b) white wine other than that offered bearing on importation the name Riesling or Sylvaner;
 - (c) liqueur wine;
 - (d) wine fortified for distillation'.

Article 2

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

It shall apply with effect from 1 May 1978.

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 241, 4. 11. 1970, p. 3.

⁽⁴⁾ OJ No L 195, 26. 7. 1975, p. 33.

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

Done at Brussels, 17 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

**COMMISSION REGULATION (EEC) No 1064/78
of 22 May 1978**

re-establishing the levying of customs duties on terry towelling and similar terry fabrics of cotton, falling within heading No 55.08 and originating in developing countries, to which the preferential tariff arrangements set out in Regulation (EEC) No 2706/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2706/77 of 28 November 1977 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories, and in particular Article 4 thereof,

Whereas Article 2 (1) and (2) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated, for each of the products listed in Annex B, under (a) in column 5; whereas only the products originating in the countries and territories listed in Annex D thereto, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against that ceiling; whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established any time the Community ceiling has been reached;

Whereas, in respect of terry towelling and similar terry fabrics of cotton, the ceiling, calculated as indicated above, should be 41.50 tonnes; whereas on 5 May 1978 the amounts of imports into the Commu-

nity of the products in question, originating in countries covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2706/77, which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION.

Article 1

As from 26 May 1978, the levying of customs duties, suspended in pursuance of Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description
55.08	Terry towelling and similar terry fabrics of cotton

Article 2

This Regulation shall enter into force on the third 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, 22 May 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 1065/78

of 22 May 1978

re-establishing the levying of customs duties on narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, falling within heading No 58.05 and originating in developing countries, to which the preferential tariff arrangements set out in Regulation (EEC) No 2706/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2706/77 of 28 November 1977 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories, and in particular Article 4 thereof,

Whereas Article 2 (1) and (2) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated, for each of the products listed in Annex B, under (a) in column 5; whereas only the products originating in the countries and territories listed in Annex D thereto, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against that ceiling; whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established any time the Community ceiling has been reached;

Whereas, in respect of narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, falling within heading No 58.05, the ceiling, calculated as indicated above, should be 40 tonnes; whereas on 5 May 1978 the amounts of imports into the Community of the products in question, originating in coun-

tries covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2706/77, which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 26 May 1978, the levying of customs duties, suspended in pursuance of Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description
58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06

Article 2

This Regulation shall enter into force on the third 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, 22 May 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COUNCIL REGULATION (EEC) No 1129/78

of 22 May 1978

amending Regulation (EEC) No 471/76 as regards the period of suspension of the application of the condition on prices governing the importation into the Community of fresh lemons originating in certain Mediterranean countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Council Regulation (EEC) No 1122/78 of 22 May 1978 amending Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit and Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables ⁽¹⁾ provides, for the 1978/79 marketing year, for financial compensation measures for lemons; whereas such measures led to the adoption of Council Regulation (EEC) No 471/76 of 24 February 1976 suspending application of the condition on prices governing the importation into the Community of fresh lemons, originating in Cyprus, Spain, Israel, Morocco, the Arab Republic of Egypt,

Tunisia and Turkey, in accordance with Agreements between the European Economic Community and each of these countries, as last amended by Regulation (EEC) No 1389/77, in order to take into account the agreements concluded with the Arab Republic of Egypt, Jordan and Lebanon; whereas, therefore, the said suspension should be extended to include the 1978/79 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

The second paragraph of Article 3 of Regulation (EEC) No 471/76 shall be replaced by the following:

'It shall apply until 31 May 1979.'

Article 2

This Regulation shall enter into force on 1 June 1978.

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

Done at Brussels, 22 May 1978.

For the Council

The President

K. HEINESEN

⁽¹⁾ OJ No L 142, 30.5.1978.

COUNCIL REGULATION (EEC) No 1197/78

of 30 May 1978

opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas, in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 of cif imports from the countries benefiting from this scheme excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from other countries and from the countries already enjoying such arrangements (additional amount);

Whereas, however, in respect of cotton textile products formerly covered by the long-term arrangement regard-

ing international trade in cotton textiles, the offer in question laid down that the preferences in the form of duty-free ceilings normally calculated according to the formula set out in the preceding recital would be granted to the countries enjoying generalized preferences which are signatories to the long-term arrangement, or possibly to those countries which undertook *vis-à-vis* the Community commitments similar to those existing under that arrangement, and that they would be accorded for the duration of the said arrangement; whereas the arrangement was due to expire on 30 September 1973 and was extended to 31 December 1973; whereas, provisionally for the period 1 January 1974 to 30 June 1978, it was considered that the countries concerned would adopt measures with equivalent aims, for both cotton textile and like products, pending the implementation of the arrangement regarding international trade in textiles ⁽¹⁾; whereas the latter expired on 31 December 1977 and whereas the Community has participated in negotiations for its renewal and has accepted its prolongation, subject to the conditions and rules set out in a protocol to which have been attached the conclusions adopted by the Textiles Committee on 14 December 1977; whereas, within the framework of the said arrangement regarding international trade in textiles, bilateral agreements have been negotiated between the Community and certain supplier countries and territories which enjoy generalized preferences covering trade in textiles for the period 1 January 1978 to 31 December 1982; whereas under these agreements these countries and territories have accepted a quantitative limitation of their exports of certain textile products to the Community during the said period; whereas it would therefore be sufficient under this Regulation to limit the benefit of preferences in the textile sector to products originating in the said countries and territories and in those which were to give the Community similar undertakings;

(¹) OJ No L 118, 30. 4. 1974, p. 1.

Whereas, however, the implementation of a system of tariff preferences for textile products which will take due account of the results of the textile policy pursued under the arrangement regarding international trade in textiles constitutes a fairly complex operation necessitating an intensive study of the specific rules to be put into effect and of their impact on trade in textile products in general and preferential imports in particular; whereas, furthermore, this study cannot be carried out without certain information being known relating to the application of this arrangement, particularly as regards the functioning of the system of surveillance introduced to ensure the proper working of the agreements;

Whereas it is therefore desirable to extend, on exactly the same basis and for a further period of six months beginning 1 July 1978, the arrangements laid down in Regulation (EEC) No 2706/77, which was applicable during the first half of 1978,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July to 31 December 1978, the Common Customs Tariff duties on the products listed in Annexes A, B and C shall be totally suspended within the framework of Community tariff quotas or within the limits of Community ceilings.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex D, subject to the details given in Annexes A, B and C.

However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the tariff quotas or ceilings referred to in paragraph 1. For the purposes of this Regulation, the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

With regard to carpets, carpeting and rugs of wool or fine animal hair, falling within heading No 58.01 and mentioned in Annexes A and C, the certificates of origin for these products shall state the number of knots per metre of warp.

3. The ceilings shall be administered and the quotas allocated and administered in accordance with the following provisions.

SECTION I

Provisions relating to the administration of the Community tariff ceilings

Article 2

1. Subject to the provisions of Articles 3 and 4, this suspension shall be granted, in respect of each category of products, within the limits of a Community ceiling expressed in tonnes:

- indicated, for each of the products listed in Annex B, under (a) in column 5,
- equal, as regards the products listed in Annex C, to 87 % of the amount obtained by adding together imports into the Community in 1968, expressed in tonnes, of the products concerned from the independent countries listed in Annex D, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5 % of the tonnage of imports in 1970 from other countries and from countries already enjoying such arrangements.

2. Only the products originating in the countries and territories listed in Annex D, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against the ceilings fixed under (a) in column 5 of the said Annex B.

3. Subject to the provisions of Articles 3 and 4, within each ceiling thus indicated or calculated, charges of products originating in any one of the countries and territories listed in Annex D must not exceed a Community maximum amount equivalent to 50 % of this ceiling with the exception of certain products for which the maximum amount shall be reduced to the percentage shown in Annex C.

Article 3

1. As soon as the ceilings indicated or calculated in accordance with Article 2 (1), which are laid down for Community imports of products originating in all the countries and territories referred to in Article 1 (2) — account being taken of Article 2 (2) — are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with Article 2 (3) — account being taken of Article 2 (2) — for Community imports of products

originating in each of the countries and territories referred to in Article 1 (2) are reached for any one of these countries or territories at Community level, the levying of customs duties on imports of the products in question from the country or territory concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

However, the first subparagraph shall not apply to the imports in question originating in the countries listed in Annex E.

Article 4

The Commission shall reintroduce the levying of customs duties in respect of all the countries or territories referred to in Article 1 (2) or in respect of any one of them by means of a Regulation according to the conditions laid down in Article 3 (1) and (2).

SECTION II

Provisions relating to the allocation and administration of the Community tariff quotas

Article 5

1. The total suspension of customs duties within the framework of the Community tariff quotas referred to in Article 1 (1) concerns the products in Annex A and the products in Annex B for each of which the quota amount, expressed in tonnes, is indicated in column 3 of Annex A under (a) in column 4 of Annex B.

2. The amount to be charged in respect of each independent country referred to in Article 1 (2) against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given under (a) in column 4 of Annex A against each category of products.

For the products listed in Annex A, charges of the products originating in each of the countries listed under (b) in column 4 of the said Annex shall be limited in each Member State to 10 % of its share. Each Member State shall reintroduce the levying of normal customs duties in respect of the country concerned as soon as it records that the said percentage has been reached. The Member State in question shall immediately notify the Commission, which shall inform the other Member States without delay.

This limitation of the amount charged shall not apply to the tariff quotas given under (a) in column 4 of Annex B, such quotas being available only to the countries and territories mentioned opposite, under (b) in column 4 of the said Annex, considered as a group.

Article 6

1. For the products listed in Annexes A and B, the Community tariff quotas referred to in Article 5 (1) shall be allocated in shares which shall be, for each Member State, the amounts corresponding to the tonnages shown in column 5 of Annex A and under (c) in column 4 of Annex B against each category of products.

2. The shares allocated to Denmark for certain products falling within heading Nos and subheadings 51.04, ex 55.05, ex 55.09, 56.05 A, 56.07 A and ex 59.04 shall be increased by an amount determined in a footnote to Annex A.

The first and second subparagraphs of Article 5 (2) shall not apply to such an increase.

Article 7

Member States shall take all measures necessary to ensure that importers of the products concerned established in their territory have free access to the shares allocated to them.

Article 8

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 5 (2) is observed. When the charges, at Community level, of products originating in each of the independent countries listed in Annex D against any one of the Community tariff quotas reach the maximum amount laid down under (a) in column 4 of Annex A, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be reintroduced in respect of the independent country in question. This notification shall be published in the *Official Journal of the European Communities*.

SECTION III

General provisions

Article 9

1. Imports of the products in question shall be actually charged against the Community ceilings, shares and maximum amounts as and when these products are entered for home use and are accompanied by a certificate of origin pursuant to the rules referred to in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount or admitted under a tariff quota only if the certificate of origin referred to in paragraph 1 is presented before the date on which the levying of duties is reintroduced.

3. The extent to which the ceilings, shares and maximum amounts have been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

4. Any amendment to Annex D, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the amounts of the Community ceilings, quotas and maximum amounts referred to in Articles 2 (1) and (3), and 5 (1) and (2).

Article 10

On receipt of a request from the Commission, and in any case at least monthly, Member States shall inform it of imports of the products concerned charged against their shares and the Community ceilings and maximum amounts.

Article 11

Member States and the Commission shall cooperate closely to ensure that the preceding provisions are observed.

Article 12

This Regulation shall enter into force on 1 July 1978.

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

Done at Brussels, 30 May 1978.

For the Council

The President

I. NØRGAARD

ANNEX A

List of textile products subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)	
				(a) general	(b) special		
1	51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	191.50	30	10 for — Colombia — Korea (South)	Germany	51.71
						Benelux	19.15
						France	36.39
						Italy	26.81
						Denmark ⁽¹⁾	13.41
						Ireland	1.91
						United Kingdom	42.12
2	55.05	Cotton yarn, not put up for retail sale: B. Other: II. Other: Measuring, per single yarn, per kg: — 14 000 m or less	697	30	10 for Brazil	Germany	188.19
						Benelux	69.70
						France	132.43
						Italy	97.58
						Denmark	48.79
						Ireland	6.97
						United Kingdom	153.34

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 10.09 tonnes.

Order No	OCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)	
				(a) general	(b) special		
3	55.05 (cont'd)	— More than 14 000 m but not more than 40 000 m	3 216	30	10 for — Brazil — Mexico	Germany 868.32 Benelux 321.60 France 611.04 Italy 450.24 Denmark (1) 225.12 Ireland 32.16 United Kingdom 707.52	
4		— More than 40 000 m but not more than 80 000 m	1 106	30	10 for — Brazil — Colombia — Mexico	Germany 298.62 Benelux 170.60 France 210.14 Italy 154.84 Denmark (2) 77.42 Ireland 11.06 United Kingdom 243.32	
5		— More than 80 000 m but less than 120 000 m	159.50	20		Germany 43.07 Benelux 15.95 France 30.31 Italy 22.33 Denmark 11.15 Ireland 1.60 United Kingdom 35.09	

(1) Pursuant to Article 6 (2) this share is increased by 412.80 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 223.87 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
6	55.09	Other woven fabrics of cotton: A. Containing 85% or more by weight of cotton: I. Of a width of less than 85 cm: — Unbleached	465	40		Germany 125.55 Benelux 46.50 France 88.35 Italy 65.10 Denmark 32.55 Ireland 4.65 United Kingdom 102.30
7		— Other	284	40	10 for — Colombia — Mexico	Germany 76.68 Benelux 28.40 France 53.96 Italy 39.76 Denmark 19.88 Ireland 2.84 United Kingdom 62.48
8		II. Other: — Unbleached, of a width of: — 85 cm or more but not more than 115 cm	2 880	30	10 for Brazil	Germany 777.60 Benelux 288.00 France 547.20 Italy 403.20 Denmark 201.60 Ireland 28.80 United Kingdom 633.60

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
9	55.09 (cont'd)	— More than 115 cm but not more than 165 cm	1 750	40	10 for — Brazil — Colombia — Korea (South)	Germany 472.50 Benelux 175.00 France 332.50 Italy 245.00 Denmark (1) 122.50 Ireland 17.50 United Kingdom 385.00
10		— More than 165 cm	564.50	40	10 for — Brazil — Korea (South) — Singapore — Yugoslavia	Germany 152.42 Benelux 56.45 France 107.26 Italy 79.02 Denmark 39.52 Ireland 5.65 United Kingdom 124.18
11		— Other	273.50	40	10 for — Brazil — Colombia — Mexico	Germany 73.85 Benelux 27.35 France 51.97 Italy 38.28 Denmark (2) 19.15 Ireland 2.74 United Kingdom 60.16
12		B. Other	156.50	40	10 for Yugoslavia	Germany 42.26 Benelux 15.65 France 29.74 Italy 21.91 Denmark 10.95 Ireland 1.56 United Kingdom 34.43

(1) Pursuant to Article 6 (2) this share is increased by 295.19 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 441.70 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
13	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: A. Of synthetic textile fibres	317	30	10 for — Korea (South) — Singapore	Germany 85.59 Benelux 31.70 France 60.23 Italy 44.38 Denmark ⁽¹⁾ 22.19 Ireland 3.17 United Kingdom 69.74
14	56.07	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres	295.50	30	10 for Korea (South)	Germany 79.79 Benelux 29.55 France 56.15 Italy 41.37 Denmark ⁽²⁾ 20.69 Ireland 2.95 United Kingdom 65.00
15	58.01	Carpets, carpeting and rugs, knotted (made up or not): ex A. Of wool or of fine animal hair, containing per metre of warp not more than 500 rows of knots	2 704	40		Germany 730.08 Benelux 270.40 France 513.76 Italy 378.56 Denmark 189.28 Ireland 27.04 United Kingdom 594.88

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 23.11 tonnes.

⁽²⁾ Pursuant to Article 6 (2) this share is increased by 174.11 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
16	ex 59.04	Twine, cordage, ropes and cables plaited or not: — Of hemp	1 389.50	40		Germany 375.17 Benelux 138.95 France 264.00 Italy 194.53 Denmark 97.26 Ireland 13.90 United Kingdom 305.69
17		— Of sisal (<i>Agave sisalana</i>)	348	30		Germany 93.96 Benelux 34.80 France 66.12 Italy 48.72 Denmark (1) 24.36 Ireland 3.48 United Kingdom 76.56
18		— Of synthetic textile fibres	334.50	20		Germany 90.32 Benelux 33.45 France 63.55 Italy 46.83 Denmark 23.41 Ireland 3.35 United Kingdom 73.59
19		— Other, other than of jute or of other textile bast fibres of heading No 57.03 or of coir	261	30		Germany 70.47 Benelux 26.10 France 49.59 Italy 36.54 Denmark 18.27 Ireland 2.61 United Kingdom 57.42

(1) Pursuant to Article 6 (2) this share is increased by 59.25 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
20	60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: — Of synthetic textile fibres	57	30	10 for Korea (South)	Germany 15.39 Benelux 5.70 France 10.83 Italy 7.98 Denmark 3.99 Ireland 0.57 United Kingdom 12.54
21		— Other	200	30	10 for — Korea (South) — Yugoslavia	Germany 54.00 Benelux 20.00 France 38.00 Italy 28.00 Denmark 14.00 Ireland 2.00 United Kingdom 44.00
22	60.04	Under garments, knitted or crocheted, not elastic or rubberized	1 226.50	30	10 for — Korea (South) — Yugoslavia	Germany 331.15 Benelux 122.65 France 233.03 Italy 171.71 Denmark 85.86 Ireland 12.27 United Kingdom 269.83

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
23	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	402	30	10 for — Korea (South) — Yugoslavia	Germany 108.54 Benelux 40.20 France 76.38 Italy 56.28 Denmark 28.14 Ireland 4.02 United Kingdom 88.44
24	61.01	Men's and boys' outer garments	422	30	10 for — Korea (South) — Yugoslavia	Germany 113.94 Benelux 42.20 France 80.18 Italy 59.08 Denmark 29.54 Ireland 4.22 United Kingdom 92.84
25	61.02	Women's, girls' and infants' outer garments	330.50	30	10 for — Korea (South) — Yugoslavia	Germany 89.23 Benelux 33.06 France 62.80 Italy 46.27 Denmark 23.13 Ireland 3.30 United Kingdom 72.71
26	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	372.50	30	10 for — Korea (South) — Yugoslavia	Germany 100.57 Benelux 37.24 France 70.77 Italy 52.14 Denmark 26.07 Ireland 3.76 United Kingdom 81.95

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
27	61.04	Women's, girls' and infants' under garments	148	30	10 for — Korea (South) — Yugoslavia	Germany 39.96 Benelux 14.80 France 28.12 Italy 20.72 Denmark 10.36 Ireland 1.48 United Kingdom 32.56
28	61.05	Handkerchiefs	78	30		Germany 21.06 Benelux 7.80 France 14.82 Italy 10.92 Denmark 5.46 Ireland 0.78 United Kingdom 17.16
29	61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	50	30		Germany 13.50 Benelux 5.00 France 9.50 Italy 7.00 Denmark 3.50 Ireland 0.50 United Kingdom 11.00
30	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles	180	30	10 for Brazil	Germany 48.60 Benelux 18.00 France 34.20 Italy 25.20 Denmark 12.60 Ireland 1.80 United Kingdom 39.60

ANNEX B

List of textile products referred to in Articles 2 and 5 which are subject to zero-duty Community ceilings and tariff quotas under the generalized tariff preferences for developing countries and territories

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
1	53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale	200.50	60	Brazil Uruguay	Germany 16.20 Benelux 6.00 France 11.40 Italy 8.40 Denmark 4.20 Ireland 0.60 United Kingdom 13.20	140.50	50	70.25
2	54.03	Flax or ramie yarn, not put up for retail sale	122	24.50	Brazil	Germany 6.62 Benelux 2.45 France 4.65 Italy 3.43 Denmark 1.71 Ireland 0.24 United Kingdom 5.39	97.50	50	48.75
3	55.05	Cotton yarn, not put up for retail sale: A. Multiple or cabled, finished in balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding 900 g	26.50	8	Brazil Hong Kong	Germany 2.16 Benelux 0.80 France 1.52 Italy 1.12 Denmark 0.56 Ireland 0.08 United Kingdom 1.76	18.50	50	9.25

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
4	55.05 (cont'd)	B. Other: I. Measuring, per single yarn, 120 000 m or more per kg	25	5	Brazil	Germany 1.35 Benelux 0.50 France 0.95 Italy 0.70 Denmark 0.35 Ireland 0.05 United Kingdom 1.10	20	50	10
5	55.08	Terry towelling and similar terry fabrics of cotton	52	10-50	Brazil	Germany 2.85 Benelux 1.05 France 1.99 Italy 1.47 Denmark 0.73 Ireland 0.10 United Kingdom 2.31	41.50	50	20.75
6	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres	330	100	Brazil Yugoslavia	Germany 27.00 Benelux 10.00 France 19.00 Italy 14.00 Denmark 7.00 Ireland 1.00 United Kingdom 22.00	230	50	115

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
7	58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)	235.50	70.50	Colombia Korea (South) Hong Kong	Germany 19.04 Benelux 7.05 France 13.40 Italy 9.87 Denmark 4.94 Ireland 0.70 United Kingdom 15.50	16.5	50	82.50
8	58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06	50	10	Hong Kong	Germany 2.70 Benelux 1.00 France 1.90 Italy 1.40 Denmark 0.70 Ireland 0.10 United Kingdom 2.20	40	50	20
9	58.10	Embroidery, in the piece, in strips or in motifs	82	16	Korea (South)	Germany 4.32 Benelux 1.60 France 3.04 Italy 2.24 Denmark 1.12 Ireland 0.16 United Kingdom 3.52	66	50	33

Order No	OCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
10	60.01	Knitted or crocheted fabrics, not elastic or rubberized	393.50	118	Brazil Uruguay Yugoslavia	Germany 31.86 Benelux 11.80 France 22.42 Italy 16.52 Denmark 8.26 Ireland 1.18 United Kingdom 25.96	275.50	50	137.75
11	60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized	50	15	Korea (South) Hong Kong	Germany 4.05 Benelux 1.50 France 2.85 Italy 2.10 Denmark 1.05 Ireland 0.15 United Kingdom 3.30	35	50	17.50
12	62.03	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: I. Used: a) Of flax or of sisal ex b) Other (excluding coir fibres) ex II. Other (excluding coir fibres)	254	76	Korea (South) Hong Kong	Germany 20.52 Benelux 7.60 France 14.44 Italy 10.64 Denmark 5.32 Ireland 0.76 United Kingdom 16.72	178	50	89

ANNEX C

List of products originating in developing countries and territories to which the generalized tariff preferences for certain textile products will apply (a)

Order No	CCT heading No	Description
	CHAPTER 50	
1	50.04	Silk yarn, other than yarn of noil or other waste silk, not-put up for retail sale
2	50.05	Yarn spun from noil or other waste silk, not put up for retail sale
3	50.07	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale; silk-worm gut; imitation catgut of silk
4	50.09	Woven fabrics of silk, of noil or other waste silk ⁽¹⁾
	CHAPTER 51	
5	51.01	Yarn of man-made fibres (continuous), not put up for retail sale ⁽²⁾
6	51.02	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials
7	51.03	Yarn of man-made fibres (continuous), put up for retail sale
8	CHAPTER 52	METALLIZED TEXTILES
	CHAPTER 53	
9	53.06	Yarn of carded sheep's or lambs' wool (wollen yarn), not put up for retail sale
10	53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale
11	53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale
12	53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale
13	53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair ⁽¹⁾
14	53.12	Woven fabrics of horsehair or of other coarse animal hair

(a) Products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only taken entries.

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 20 %.

⁽²⁾ For products falling within subheading 51.01 A and B II, the maximum Community amount referred to in Article 2 (3) is reduced to 30 %.

Order No	CCT heading No	Description
	CHAPTER 54	
15	54.04	Flax or ramie yarn, put up for retail sale
16	54.05	Woven fabrics of flax or of ramie
	CHAPTER 55	
17	55.06	Cotton yarn, put up for retail sale
18	55.07	Cotton gauze
	CHAPTER 56	
19	56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning (1)
20	56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous) (1)
21	56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning (1)
22	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning
23	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres
24	56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale
	CHAPTER 57	
25	ex 57.07	Yarn of other vegetable textile fibres, other than coir yarn; paper yarn
26	ex 57.11	Woven fabrics of other vegetable textile fibres, other than those of coir; woven fabrics of paper yarn
	CHAPTER 58	
27	ex 58.01	Carpets, carpeting and rugs, knotted (made up or not), other than of jute or of other textile bast fibres of heading No 57.03 or of coir or wool or fine animal hair, containing per metre of warp not more than 500 rows of knots
	58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanic' rugs and the like (made up or not):

(1) For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 30%.

Order No	CCT heading No	Description
28	58.02 (cont'd)	ex A. Carpets, whether tufted or not other than of jute or other textile bast fibres of heading No 57.03 or coir
29		B. 'Kelem', 'Schumacks' and 'Karamanic' rugs and the like
30	58.03	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point and cross stitch) made in panels and the like by hand
31	58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size
32	58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like
33	58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain
34	58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs
	CHAPTER 59	
35	59.01	Wadding and articles of wadding; textile flock and dust and mill neps
36	59.02	Felt and articles of felt, whether or not impregnated or coated
37	59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated
38	59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope
39	59.06	Other articles made from yarn, twine, cordage, rope or cables other than textile fabrics and articles made from such fabrics
40	59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses
41	59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials
42	59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not
43	59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods
44	59.12	Textile fabrics otherwise impregnated or coated; painting canvas being theatrical scenery, studio back-cloths or the like

Order No	CCT heading No	Description
45	59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads
46	59.14	Wicks, of woven, plaited or knitted textile materials, for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles
47	59.15	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials
48	59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material
49	59.17	Textile fabrics and textile articles of a kind commonly used in machinery or plant
	CHAPTER 60	
50	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings)
	CHAPTER 61	
51	61.06	Shawls, scarves, mufflers, mantillas, veils and the like
52	61.07	Ties, bow ties and cravats
53	61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods
54	61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)
	CHAPTER 62	
55	62.01	Travelling rugs and blankets
56	62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods
57	ex 62.05	Other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir
	CHAPTER 63	
58	ex 63.01	Clothing, clothing accessories, travelling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No 58.01, 58.02 or 58.03), of textile materials; footwear and headgear of any material, showing signs of appreciable wear and imported in bulk or in bales, sacks or similar bulk packings other than of jute, other than textile bast fibres of heading No 57.03 or coir

ANNEX D

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	257 Guinea Bissau	520 Paraguay
208 Algeria	488 Guyana	504 Peru
330 Angola	452 Haiti ⁽²⁾	708 Philippines
528 Argentina	424 Honduras	644 Qatar
453 Bahamas	664 India	066 Romania
640 Bahrain	700 Indonesia	247 Republic of Cape Verde
666 Bangladesh ⁽²⁾	616 Iran	324 Rwanda ⁽²⁾
469 Barbados	612 Iraq	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	272 Ivory Coast	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	464 Jamaica	632 Saudi Arabia
516 Bolivia	338 Jibuti	248 Senegal
391 Botswana ⁽²⁾	628 Jordan	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
696 Cambodia	604 Lebanon	728 South Korea
302 Cameroon	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
306 Central African Empire ⁽²⁾	268 Liberia	669 Sri Lanka
244 Chad ⁽²⁾	216 Libya	224 Sudan ⁽²⁾
512 Chile	370 Madagascar	492 Surinam
480 Colombia	386 Malawi ⁽²⁾	393 Swaziland
375 Comoros	701 Malaysia	608 Syria
318 Congo	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
436 Costa Rica	232 Mali ⁽²⁾	680 Thailand
448 Cuba	228 Mauritania	280 Togo
600 Cyprus	373 Mauritius	817 Tonga
456 Dominican Republic	412 Mexico	472 Trinidad and Tobago
500 Ecuador	204 Morocco	212 Tunisia
220 Egypt	366 Mozambique	350 Uganda ⁽²⁾
428 El Salvador	803 Nauru	647 United Arab Emirates
310 Equatorial Guinea	672 Nepal ⁽²⁾	236 Upper Volta ⁽²⁾
334 Ethiopia ⁽²⁾	432 Nicaragua	524 Uruguay
815 Fiji	240 Niger ⁽²⁾	484 Venezuela
314 Gabon	288 Nigeria	690 Vietnam
252 Gambia ⁽²⁾	652 North Yemen ⁽²⁾	048 Yugoslavia
276 Ghana	649 Oman	322 Zaire
473 Grenada	662 Pakistan	378 Zambia
416 Guatemala	440 Panama	
260 Guinea ⁽²⁾	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1977', published by the Statistical Office of the European Communities.

⁽²⁾ This country is also included in Annex E.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania ⁽¹⁾
- 703 Brunei
- 202 Canary Islands
- 463 Cayman Islands
- 205 Ceuta and Melilla
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania
- 890 Polar regions
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX E

List of least developed developing countries to which the first subparagraph of Article 2 (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 1431/78

of 26 June 1978

on the conclusion of the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus

(see GEN II 2 Vol. 2)

PROTOCOL

laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus

(see GEN I 83 - 86 Vol. 2)

COUNCIL REGULATION (EEC) No 1432/78

of 26 June 1978

opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff, originating in Cyprus

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 a Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and Cyprus was signed on 11 May 1978; whereas this Protocol is to enter into force on 1 July 1978; whereas Article 2 of this Protocol provides for the opening of an annual Community tariff quota of 300 tonnes of sweet peppers falling within subheading 07.01 S of the Common Customs Tariff, originating in Cyprus, at a rate of customs duty equal to 50% of the customs duty in the Common Customs Tariff; whereas the *pro rata temporis* clause is applicable; whereas under these circumstances it is necessary to open a Community tariff quota of 150 tonnes for the period 1 July to 31 December 1978;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of fu-

ture imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, taking into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 86% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas, if at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July to 31 December 1978, the Common Customs Tariff duty for sweet peppers falling within sub-heading ex 07.01 S of the Common Customs Tariff, originating in Cyprus, shall be partially suspended at 4.5% within the limits of a Community tariff quota of 150 tonnes.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 129 tonnes, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1978, shall be as follows:

Benelux	7 tonnes
Denmark	7 tonnes
Germany	14 tonnes
France	1 tonne
Ireland	7 tonnes
Italy	1 tonne
United Kingdom	92 tonnes

3. The second tranche, amounting to 21 tonnes shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

Member States shall return to the reserve, not later than 15 November 1978, the unused portion of their initial share which on 1 November 1978, is in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 15 November 1978, notify the Commission of the total imports of the products concerned effected up to 1 November 1978 inclusive and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 20 November 1978, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made

without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 26 June 1978.

For the Council

The President

K. B. ANDERSEN

COUNCIL REGULATION (EEC) No 1433/78

of 26 June 1978

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff, originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

stances, the quota volumes should be allocated in initial shares, taking into account demand for these products on the markets of the various Member States;

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 90% of the quota amount;

Having regard to the proposal from the Commission,

Whereas a Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus was signed on 11 May 1978; whereas this Protocol is to enter into force on 1 July 1978; whereas Article 4 of this Protocol provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff, originating in Cyprus; whereas the *pro rata temporis* clause is applicable; whereas under these circumstances it is necessary to open a Community tariff quota of 250 tonnes for the period 1 July to 31 December 1978;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas, if at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circum-

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July to 31 December 1978, the Common Customs Tariff duty for the following products originating in Cyprus shall be totally suspended within the limits of a Community tariff quota of 250 tonnes.

CCT heading No	Description
08.04	Grapes, fresh or dried: B. Dried: I. In immediate containers of a net capacity of 15 kilograms or less

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 225 tonnes, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1978, shall be as follows:

Benelux	10 tonnes
Denmark	10 tonnes
Germany	20 tonnes
France	10 tonnes
Ireland	10 tonnes
Italy	2 tonnes
United Kingdom	163 tonnes

3. The second tranche of 25 tonnes shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned to the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share

equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

Member States shall return to the reserve, not later than 15 November 1978, the unused portion of their initial share which, on 1 November 1978, is in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 15 November 1978, notify the Commission of the total imports of the products concerned effected up to 1 November 1978 inclusive, and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 20 November 1978, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available

and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 26 June 1978.

For the Council

The President

K. B. ANDERSEN

28. 6. 78

Official Journal of the European Communities

No L 172/23

COUNCIL REGULATION (EEC) No 1434/78

of 26 June 1978

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ,

Whereas a supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus was signed on 11 May 1978; whereas this Protocol is to enter into force on 1 July 1978; whereas Article 5 of this Protocol provides for the opening of an annual Community tariff quota of 10 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus, at rates of customs duty equal to 25 % of the customs duty in Common Customs Tariff, originating in Cyprus, at rates *temporis* clause is applicable; whereas under these circumstances it is necessary to open a Community tariff quota of 5 000 hectolitres for the period 1 July to 31 December 1978;

Whereas these wines remain subject to the provisions governing the Common organization of the market in wine products, especially as regards observance of the reference price;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries (1), introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted appli-

cation of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for each of the types of wine in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, taking into account demand for these wines on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 86 % of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use

(1) OJ No L 256, 2. 10. 1975, p. 2.

until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas, if at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg

are united within and jointly represented by the Benelux Economic Union all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July to 31 December 1978, the Common Customs Tariff duties for the following products originating in Cyprus shall be partially suspended at the levels shown below within the limits of a Community tariff quota of 5 000 hectolitres:

C.C.T heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength not exceeding 13°, in containers holding: ex a) Two litres or less: — Wine of fresh grapes II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding: ex a) Two litres or less: — Wine of fresh grapes other than liqueur wines of an actual alcoholic strength of 15 °	3 u.a./hl 3.5 u.a./hl

2. The inclusion of these wines in this Community tariff quota shall be conditional upon observance of the reference price applying to them.

3. The wines in question shall benefit from these tariff quotas on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 and subsequent texts which apply to such prices.

Benelux	140 hl
Denmark	140 hl
Germany	140 hl
France	40 hl
Ireland	300 hl
Italy	40 hl
United Kingdom	3 500 hl

3. The second tranche, amounting to 700 hectolitres, shall constitute the reserve.

Article 3

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 4 300 hectolitres, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1978, shall be as follows:

1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (2), or 90 % of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90 % of more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

Member States shall return to the reserve, not later than 15 November 1978, the unused portion of their initial share which on 1 November 1978 is in excess of 20 % of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 15 November 1978, notify the Commission of the total imports of the products concerned effected up to 1 November 1978 inclusive, and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2

and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 20 November 1978, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the goods in question entered at customs for home use.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 26 June 1978.

For the Council

The President

K. B. ANDERSEN

COUNCIL REGULATION (EEC) No 1435/78

of 26 June 1978

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission

Having regard to the opinion of the European Parliament,

Whereas a Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus was signed on 11 May 1978; whereas this Protocol is to enter into force on 1 July 1978; whereas Article 6 of this Protocol provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus, at rates of customs duty equal to 30 % of the customs duty in the Common Customs Tariff; whereas the *pro rata temporis* clause is applicable; whereas under these circumstances it is necessary to open a Community tariff quota of 125 000 hectolitres for the period 1 July to 31 December 1978;

Whereas these wines remain subject to the provisions governing the common organization of the market in wine products, especially as regards observance of the reference price; whereas entry under the above Community tariff quota must be conditional on the wines being described as 'liqueur wines' in the V.I. 1 document provided for in Regulation (EEC) No 2115/76⁽¹⁾;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries⁽²⁾, introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas these wines are, for the greater part, imported into the Community during the latter months of each year due to particular reasons inherent in their method of production and distribution; whereas, consequently, the quota opened by Regulation (EEC) No 923/78 for the period 1 May to 30 June 1978 has not been entirely used up; whereas, by way of exception, it is necessary to provide for the residual amount left over from this period to be taken into consideration to be used during the period of validity of this Regulation;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, taking into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of

⁽¹⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽²⁾ OJ No L 256, 2. 10. 1975, p. 2.

security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 85 % of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas, if at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a

part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July to 31 December 1978, the Common Customs Tariff duties in respect of the following products originating in Cyprus shall be partially suspended at the levels shown below within the limits of a Community tariff quota of 125 000 hectolitres:

CC1 heading No	Description	Rate of duty
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding:</p> <p>ex a) Two litres or less: Liqueur wines of an actual alcoholic strength of 15°</p> <p>ex b) More than two litres: Liqueur wines of an actual alcoholic strength of 15°</p> <p>III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding:</p> <p>a) Two litres or less: ex 2. Other: — Liqueur wines</p> <p>b) More than two litres: ex 3. Other: — Liqueur wines</p> <p>IV. Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding:</p> <p>a) Two litres or less: ex 2. Other: — Liqueur wines</p> <p>b) More than two litres: ex 3. Other: — Liqueur wines</p>	<p>4.2 u.a./hl</p> <p>3.3 u.a./hl</p> <p>5.1 u.a./hl</p> <p>4.2 u.a./hl</p> <p>5.7 u.a./hl</p> <p>5.7 u.a./hl</p>

2. The entry of these wines under the tariff quota shall be conditional on their being described in the V.I. 1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines'.

3. The inclusion of these wines in this Community tariff quota shall be conditional upon observance of the reference price applying to them.

4. The wines in question shall benefit from this tariff quota on condition that the prices on import into the Community are not any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 and subsequent texts which apply to such prices.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 106 520 hectolitres, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1978, shall be as follows:

Benelux	1 500 hl
Denmark	1 500 hl
Germany	1 500 hl
France	10 hl
Ireland	2 000 hl
Italy	10 hl
United Kingdom	100 000 hl

3. The shares determined in paragraph 2 shall be increased by any remainders of the shares allocated under Regulation (EEC) No 923/78 existing on 30 June 1978.

Member States shall notify the Commission not later than 15 July 1978 of any remainders of the shares allocated under the abovementioned Regulation existing on 30 June 1978.

4. The second tranche, amounting to 18 480 hectolitres, shall constitute the reserve to which any remainders of the reserves constituted under Article 2 of Regulations (EEC) No 3016/77, (EEC) No 533/78 and (EEC) No 923/78, existing on 30 June 1978 shall be added, irrespective of the implementation of Article 5.

Article 3

1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (2), or 90 % of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without

delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

Member States shall return to the reserve, not later than 15 November 1978, the unused portion of their initial share which, on 1 November 1978, is in excess of 20 % of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 15 November 1978, notify the Commission of the total imports of the products concerned effected up to 1 November 1978 inclusive, and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2

and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 20 November 1978, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

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

Done at Luxembourg, 26 June 1978.

2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the goods in question entered at customs for home use.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 July 1978.

For the Council

The President

K. B. ANDERSEN

COUNCIL REGULATION (EEC) No 1436/78

of 26 June 1978

opening, allocating and providing for the administration of a Community tariff quota for aubergines falling within subheading ex 07. 01. T of the Common Customs Tariff, originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

economic union may be carried out by any one of its members,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

Article 1

Whereas a Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and Cyprus was signed on 11 May 1978; whereas this Protocol is to enter into force on 1 July 1978; whereas Article 2 of this Protocol provided for the opening of a Community tariff quota of 300 tonnes of aubergines falling within subheading ex 07. 01 T of the Common Customs Tariff, originating in Cyprus, at a rate of customs duty equal to 40 % of the customs duty in the Common Customs Tariff, for the period 1 October to 30 November 1978; whereas it is necessary to open a Community tariff quota of 300 tonnes for the products and the period in question;

1. From 1 October to 30 November 1978, the Common Customs Tariff duty for aubergines falling within subheading ex 07. 01 T of the Common Customs Tariff, originating in Cyprus, shall be partially suspended at 6.4 % within the limits of a Community tariff quota of 300 tonnes.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State, the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 November 1978.

Whereas it is necessary in particular to ensure to all Community importers equal and uninterrupted access to the abovementioned quota, and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, however, since the tariff quota involved is of a relatively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility of those Member States in which needs might arise drawing appropriate quantities from that reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period; whereas this method of management 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 quota is used up and inform the Member States thereof;

Article 2

1. Member States shall take all appropriate measures to ensure that shares drawn pursuant to Article 1 are opened in such a way that imports may be charged without interruption against their cumulative portions of the Community quota.

2. Member States shall ensure that importers of the said goods established in its territory have free access to the shares allocated to it.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 5

This Regulation shall enter into force on 1 July 1978.

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

Done at Luxembourg, 26 June 1978

For the Council

The President

K. B. ANDERSEN

COUNCIL REGULATION (EEC) No 1437/78

of 26 June 1978

opening, allocating and providing for the administration of a Community tariff quota for fresh table grapes falling within subheading ex 08.04 A I of the Common Customs Tariff, originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas a Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus was signed on 11 May 1978; whereas this Protocol is to enter into force on 1 July 1978; whereas Article 2 of this Protocol provides for the opening of a Community tariff quota of 7 500 tonnes of fresh table grapes falling within subheadings ex 08.04 A I a) and b) of the Common Customs Tariff, originating in Cyprus, at rates of customs duty equal to 40 % of the customs duty in the Common Customs Tariff, for the period 8 June to 10 August 1978; whereas the *pro rata temporis* clause is applicable; whereas, however, as part of the tariff measures taken autonomously by the Community and anticipating the provisions of this Protocol, the Community, by Regulation (EEC) No 781/78, has opened a tariff quota of 500 tonnes instead of 2 500 tonnes, that is, a volume which would be the result of application of the *pro rata temporis* clause; whereas, in these circumstances, a Community tariff quota of 7 000 tonnes should be opened for the period 1 July to 10 August 1978;

Whereas these products are, for the greater part, imported into the Community during the beginning of the latter half of the year due to particular reasons inherent in their method of production and distribution; whereas, consequently, the quota opened by Regulation (EEC) No 781/78 for the period 8 to 30 June 1978 has not been entirely used up; whereas it is necessary to provide for the remainder left over from this period to be taken into consideration to be used during the period of validity of this Regulation;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Cyprus over a representative period and the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, taking into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be approximately 93 % of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its

additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas, if at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July to 10 August 1978 the Common Customs Tariff duties for the products listed below, originating in Cyprus, shall be partially suspended at the levels shown below, within the limits of a Community tariff quota of 7 000 tonnes:

CCT heading No	Description	Rate of duty
08.04	Grapes, fresh or dried: A. fresh: I. Table grapes: ex a) From 1 November to 14 July: — From 1 July to 14 July ex b) From 15 July to 31 October: — From 15 July to 10 August	7.2 % 8.8 %

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 6 504 tonnes, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 10 August 1978, shall be as follows:

Benelux	200 tonnes
Denmark	200 tonnes
Germany	200 tonnes
France	2 tonnes
Ireland	200 tonnes
Italy	2 tonnes
United Kingdom	5 700 tonnes

3. The second tranche, amounting to 496 tonnes, shall constitute the reserve, to which any remainders of the constituted reserve and the shares drawn therefrom by the Member States, pursuant to Regulation (EEC) No 781/78, existing on 30 June 1978, shall be added.

The Member States concerned shall notify the Commission, not later than 15 July 1978, of any remainders

of the shares drawn from the reserve constituted, pursuant to the abovementioned Regulation, existing on 30 June 1978.

Article 3

1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5 % of its initial share, rounded up to the next unit where appropriate.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 10 August 1978.

Article 5

Member States shall return to the reserve, not later than 1 August 1978, the unused portion of their initial share which, on 25 July 1978, is in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 1 August 1978, notify the Commission of the total imports of the products concerned effected up to 25 July 1978 inclusive, and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 August 1978, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

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

Done at Luxembourg, 26 June 1978.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 July 1978.

For the Council

The President

K. B. ANDERSEN

**COMMISSION REGULATION (EEC) No 2436/78
of 18 October 1978**

re-establishing the levying of customs duties on chamois-dressed leather, falling within heading No 41.06, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of the preferential ceiling opened for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those listed in Annex C to the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of chamois-dressed leather, falling within heading No 41.06, the ceiling, calculated as indicated above, should be 418 000 units of account; whereas on 2 October 1978 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 23 October 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77 :

CCT heading No	Description
41.06	Chamois-dressed leather

Article 2

This Regulation shall enter into force on the third 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, 18 October 1978.

For the Commission
Étienne DAVIGNON
Member of the Commission

COMMISSION REGULATION (EEC) No 2437/78
of 18 October 1978

re-establishing the levying of customs duties on narrow woven fabrics and narrow fabrics (bolduc), consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06, falling within heading No 58.05, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1197/78 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1197/78 of 30 May 1978 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories, and in particular Article 4 thereof,

Whereas Article 2 (1) and (2) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated, for each of the products listed in its Annex B, under (a) in column 5; whereas, only the products originating in the countries and territories listed in Annex D to the abovementioned Regulation, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against that ceiling; whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established at any time once the Community ceiling has been reached;

Whereas, in respect of narrow woven fabrics and narrow fabrics (bolduc), consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06, falling within heading No 58.05, the ceiling, calculated as indicated above, should be 40 tonnes; whereas on 29 September 1978 the amounts of imports into the Community of the products in question, originating in countries

covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) 1197/78 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 23 October 1978 the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 1197/78, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description
58.05	Narrow woven fabrics and narrow fabrics (bolduc), consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06

Article 2

This Regulation shall enter into force on the third 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, 18 October 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

**COMMISSION REGULATION (EEC) No 2438/78
of 18 October 1978**

re-establishing the levying of customs duties on gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within heading No 60.02, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1197/78 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1197/78 of 30 May 1978 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories, and in particular Article 4 thereof,

Whereas Article 2 (1) and (2) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling which is indicated, for each of the products listed in its Annex B, under (a) in column 5; whereas, only the products originating in the countries and territories listed in Annex D to the abovementioned Regulation, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against that ceiling; whereas Article 3 (1) of that Regulation provides that the levying of customs duties may be re-established at any time once the Community ceiling has been reached;

Whereas, in respect of gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within heading No 60.02, the ceiling, calculated as indicated above, should be 35 tonnes; whereas on 29 September 1978 the amounts of imports into the

Community of the products in question, originating in countries covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 1197/78 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 23 October 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 1197/78, shall be re-established in respect of the following products, imported into the Community:

CCT heading No	Description
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized

Article 2

This Regulation shall enter into force on the third 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, 18 October 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

**COMMISSION REGULATION (EEC) No 2442/78
of 18 October 1978**

re-establishing the levying of customs duties on filament lamps for lighting, falling within subheading 85.20 A, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of the preferential ceiling opened for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question originating in any of the said countries or territories — with the exception of those listed in Annex C to the same Regulation — once the relevant Community amount has been reached;

Whereas, in respect of filament lamps for lighting, falling within subheading 85.20 A, the ceiling, calcu-

lated as indicated above, should be 3 835 000 units of account; whereas on 2 October 1978 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 23 October 1978, customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77 :

CCT heading No	Description
85.20	Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc lamps : A. Filament lamps for lighting

Article 2

This Regulation shall enter into force on the third 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, 18 October 1978.

For the Commission
Étienne DAVIGNON
Member of the Commission

**COMMISSION REGULATION (EEC) No 2526/78
of 27 October 1978**

re-establishing the levying of customs duties on tableware and other articles of a kind commonly used for domestic or toilet purposes, falling within heading No 69.11, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of that fixed for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that the customs duties may be re-established at any time on imports of the products in question coming from any country or territory, with the exception of those listed in Annex C to that Regulation once the Community ceiling has been reached;

Whereas, in respect of tableware and other articles of a kind commonly used for domestic or toilet

purposes, falling within heading No 69.11, the ceiling, calculated as indicated above, should be 1 549 200 units of accounts; whereas on 16 October 1978 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 31 October 1978, customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77:

CCT heading No	Description
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes

Article 2

This Regulation shall enter into force on the third 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, 27 October 1978.

For the Commission
Wilhelm HAFERKAMP
Vice-President

**COMMISSION REGULATION (EEC) No 2528/78
of 27 October 1978**

re-establishing the levying of customs duties on gramophone records, etc., falling within heading No 92.12, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that the customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of that fixed for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that the customs duties may be re-established at any time on imports of the products in question coming from any country or territory, with the exception of those listed in Annex C to that Regulation, once the Community ceiling has been reached;

Whereas, in respect of gramophone records, etc., falling within heading No 92.12, the ceiling, calculated as indicated above, should be 7 037 000 units of

account; whereas on 16 October 1978 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 31 October 1978, customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77 :

CCT heading No	Description
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording

Article 2

This Regulation shall enter into force on the third 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, 27 October 1978.

For the Commission
Wilhelm HAFERKAMP
Vice-President

COUNCIL REGULATION (EEC) No 2850/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for certain textile fibres, falling within heading No 56.04 of the Common Customs Tariff and originating in Cyprus (1979)

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 Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, as amended by the Additional Protocol to that Agreement ⁽²⁾, provides for the opening of an annual duty-free Community tariff quota of 100 tonnes of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff and originating in Cyprus; whereas the tariff quota in question should be opened for 1979;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics of imports of the goods in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas, however, during the past three years no such products originating in Cyprus have been imported into

the Community; whereas no forecast can be made for 1979; whereas to ensure fair distribution of the quota amount between the Member States each Member State should make a significant contribution to the quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	13 %
Denmark	10 %
Germany	20 %
France	20 %
Ireland	8 %
Italy	17 %
United Kingdom	12 %

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under the present circumstances, be fixed at 60% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between Member States and the Commission and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve, to prevent

⁽¹⁾ GEN I 1

⁽²⁾ GEN I 1 Vol. 2

a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1979, the Common Customs Tariff duties in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff and originating in Cyprus, shall be entirely suspended within the limits of a Community tariff quota of 100 tonnes.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 60 tonnes shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows:

	(tonnes)
Benelux	8
Denmark	6
Germany	12
France	12
Ireland	5
Italy	10
United Kingdom	7

3. The second instalment of 40 tonnes shall constitute the reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (2), or 90% of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission,

draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, then that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1 draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

The Member States shall return to the reserve, not later than 1 October 1979, such unused portion of their initial shares as, on 15 September 1979, is in excess of 20% of the initial volume. They may return a larger quantity if there are grounds for believing that it may not be used.

The Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the products in question imported up to 15 September 1979 and charged against the tariff quota, and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it is notified, inform each Member State of the extent to which the reserve has been used up as soon as it receives the notifications.

It shall inform the Member States, not later than 5 October 1979, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

The Commission shall ensure that any drawing which exhausts the reserve does not exceed the balance available, and to this end, shall notify the amount of the balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the Community quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the products in question against their share as and when the goods are entered with customs authorities for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2851/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff and originating in Cyprus (1979)

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 Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, as amended by the Additional Protocol to that Agreement ⁽²⁾, provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff and originating in Cyprus; whereas the tariff quota in question should be opened for 1979;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics of imports of the said goods from Cyprus over a representative reference period and the economic outlook for the quota period concerned;

Whereas, however, during the past three years only one Member State has imported, and in an insignificant quantity, the said goods; whereas no forecast can be made for 1979; whereas to ensure fair distribution of the quota amount between the Member States each

Member State should make a significant contribution to the quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	7 %
Denmark	7 %
Germany	15 %
France	11 %
Ireland	2 %
Italy	9 %
United Kingdom	49 %

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under present circumstances, be fixed at 46% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between Member States and the Commission and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve, to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

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Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the quota shares granted to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1979, the Common Customs Tariff duty in respect of men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff and originating in Cyprus, shall be entirely suspended within the limits of a Community tariff quota of 500 tonnes.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 230 tonnes shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows:

	<i>(tonnes)</i>
Benelux	15
Denmark	15
Germany	35
France	25
Ireland	5
Italy	20
United Kingdom	115

3. The second instalment of 270 tonnes shall constitute the reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (2), or 90% of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90% or more of the second share drawn by a Member State has

been used up, then that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

The Member States shall return to the reserve, not later than 1 October 1979, such unused portion of their initial share as, on 15 September 1979, is in excess of 20% of the initial volume. They may return a larger quantity if there are grounds for believing that it may not be used.

The Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the products in question imported up to 15 September 1979 and charged against the tariff quota, and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it is notified, inform each Member State of the extent to which the reserve has been used up as soon as it receives the notifications.

It shall inform the Member States, not later than 5 October 1979, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

The Commission shall ensure that any drawing which exhausts the reserve does not exceed the balance

available, and to this end, shall notify the amount of the balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the Community quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the share allocated to them.

3. The Member States shall charge imports of the products in question against their share as and when the goods are entered with customs authorities for home use.

4. The extent to which a Member State used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

8. 12. 78

Official Journal of the European Communities

No L 343/57

COUNCIL REGULATION (EEC) No 2863/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for sweet peppers, falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus (1979)

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 Article 2 of the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and Cyprus⁽¹⁾ provides for the opening of an annual Community tariff quota of 250 tonnes of sweet peppers, falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50% of the customs duty in the Common Customs Tariff; whereas this Community tariff quota should be opened for the year 1979;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these

circumstances, the quota volumes should be allocated in initial shares, to take into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share, should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the

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administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1979, the Common Customs Tariff duty for sweet peppers, falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus, shall be partially suspended at 4.5% within the limits of the Community tariff quota of 250 tonnes.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 187 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows:

	(tonnes)
Benelux	7
Denmark	7
Germany	14
France	1
Ireland	7
Italy	1
United Kingdom	150

3. The second instalment amounting to 63 tonnes shall constitute the reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (2), or 90% of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in

accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

The Member States shall return to the reserve, not later than 1 October 1979, such unused portion of their initial share as, on 15 September 1979, is in excess of 20% of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1979, of the total quantities of the products in question imported up to 15 September 1979 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1979, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2864/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes, falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

initial shares, to take into account demand for these products on the markets of the various Member States;

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75% of the quota volume;

Having regard to the proposal from the Commission,

Whereas Article 4 of the Supplementary Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus⁽¹⁾ provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of certain dried grapes, falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus; whereas this Community tariff quota should be opened for the year 1979;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share, should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

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HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1979, the Common Customs Tariff duty for the following products, originating in Cyprus, shall be totally suspended within the limits of a Community tariff quota of 500 tonnes.

CCT heading No	Description
08.04	Grapes, fresh or dried: B. Dried: I. In immediate containers of a net capacity of 15 kilograms or less

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 375 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows:

	(tonnes)
Benelux	10
Denmark	10
Germany	20
France	10
Ireland	10
Italy	2
United Kingdom	313

3. The second instalment of 125 tonnes shall constitute the reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (2), or 90% of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in

accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

The Member States shall return to the reserve, not later than 1 October 1979, such unused portion of their initial share as, on 15 September 1979, is in excess of 20% of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1979, of the total quantities of the products in question imported up to 15 September 1979 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1979, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.
2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.
3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for home use.
4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2899/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

notion of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission ,

Having regard to the opinion of the European Parliament ,

Whereas Article 5 of the supplementary Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus (7) provides for the opening of an annual Community tariff quota of 10 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 25% of the customs duty in the Common Customs Tariff; whereas this Community tariff quota should be opened for 1979;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas these wines remain subject to the provisions governing the common organization of the market in wine products, in particular as regards observance of the reference price;

Whereas, however, neither Community nor national statistics showing the breakdown for each of the types of wine in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota should be allocated in initial shares on the basis of the likely demand for these wines on the markets of the various Member States;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries (8) introduced the

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the

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(2) OJ No L 256, 2. 10. 1975, p. 2.

Community quota should, under the present circumstances, be fixed at 86% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity of an initial share remains unused in any Member State, it is essential that that Member State should return a significant proportion to the

reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be partially suspended at the levels shown below within the limits of a Community tariff quota of 10 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	<p>Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol :</p> <p>C. Other :</p> <p>I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding :</p> <p>ex a) Two litres or less :</p> <p style="padding-left: 2em;">— Wine of fresh grapes</p> <p>II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding :</p> <p>ex a) Two litres or less :</p> <p style="padding-left: 2em;">— Wine of fresh grapes other than liqueur wines of an actual alcoholic strength by volume of 15 % vol</p>	<p>3 u.a./hl</p> <p>3.5 u.a./hl</p>

2. The admission of these wines under the Community tariff quota shall be conditional upon observance of the reference price applicable to them.

3. The wines in question shall benefit from this tariff quota on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices applicable thereto, as specified in Regulation (EEC) No 2506/75 and in subsequent instruments.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. The first instalment, amounting to 8 600 hectolitres, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows (in hectolitres):

Benelux	280
Denmark	280
Germany	280
France	80
Ireland	600
Italy	80
United Kingdom	7 000

3. The second instalment amounting to 1 400 hectolitres shall constitute the reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (2), or 90% of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, then to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90% or more of the second share drawn by a Member State has been used up, then to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that those might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

Member States shall return to the reserve, not later than 1 October 1979, the unused portion of their initial share which, on 15 September 1979, is in excess of 20% of the initial volume. They may return a larger quantity if there are grounds for believing that it may not be used in full.

Each Member State shall, not later than 1 October 1979, notify the Commission of the total quantities of the products in question imported up to 15 September 1979, and charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 2 and 3 and shall, as soon as it is notified, inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1979, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available, and to this end shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of imports of the products in question entered with the customs authorities for home use.

Article 8

At the request of the Commission, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2900/78

of 23 November 1978

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 6 of the supplementary Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus⁽¹⁾ provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 30% of the Common Customs Tariff; whereas this Community tariff quota should be opened for 1979;

Whereas these wines remain subject to the provisions governing the common organization of the market in wine products, in particular as regards observance of the reference price; whereas entry under the above Community tariff quota must be conditional on the wines being described as 'liqueur wines' in the V.I.1 document provided for in Regulation (EEC) No 2115/76⁽²⁾;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries⁽³⁾ introduced the notion of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota should be allocated in initial shares on the basis of the likely demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under present circumstances, be fixed at 85% of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between

(1) **EEC I 75 Vol. 2**

(2) OJ No L 237, 28. 8. 1976, p. 1.

(3) OJ No L 256, 2. 10. 1975, p. 2.

the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented

by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown below within the limits of a Community tariff quota of 250 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	<p>Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol :</p> <p>C. Other :</p> <p>II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding :</p> <p>ex a) Two litres or less :</p> <p>— Liqueur wines of an actual alcoholic strength by volume of 15 % vol</p> <p>ex b) More than two litres :</p> <p>— Liqueur wines of an actual alcoholic strength by volume of 15 % vol</p> <p>III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding :</p> <p>a) Two litres or less :</p> <p>ex 2. Other :</p> <p>— Liqueur wines</p> <p>b) More than two litres :</p> <p>ex 3. Other :</p> <p>— Liqueur wines</p> <p>IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding :</p> <p>a) Two litres or less :</p> <p>ex 2. Other :</p> <p>— Liqueur wines</p> <p>b) More than two litres :</p> <p>ex 3. Other :</p> <p>— Liqueur wines</p>	<p>4.2 u.a./hl</p> <p>3.3 u.a./hl</p> <p>5.1 u.a./hl</p> <p>4.2 u.a./hl</p> <p>5.7 u.a./hl</p> <p>5.7 u.a./hl</p>

2. The admission of these wines under the tariff quota shall be conditional on their being described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines'.

3. The admission of these wines under this Community tariff quota shall be conditional upon observance of the reference price applicable to them.

4. The wines in question shall benefit from this tariff quota on condition that the prices on import into the

Community are not at any time less than the free-at-frontier reference prices applicable thereto, as specified in Regulation (EEC) No 2506/75 and in subsequent instruments.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. The first instalment, amounting to 213 040 hectolitres, shall be allocated among the Member States;

the shares, which subject to Article 5 shall be valid until 31 December 1979, shall be as follows (in hectolitres):

Benelux	3 000
Denmark	3 000
Germany	3 000
France	20
Ireland	4 000
Italy	20
United Kingdom	200 000

3. The second instalment amounting to 36 960 hectolitres shall constitute the reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (2), or 90% of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, then to the extent permitted by the amount of the reserve that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90% or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that those might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

Member States shall return to the reserve, not later than 1 October 1979, the unused portion of their initial share which, on 15 September 1979, is in excess of 20% of the initial volume. They may return a larger quantity if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 1 October 1979, notify the Commission of the total quantities of the products in question imported up to 15 September 1979, and charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by Member States in accordance with Articles 2 and 3 and shall, as soon as it is notified, inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1979, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available, and to this end shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of imports of the products in question entered with the customs authorities for home use.

Article 8

At the request of the Commission, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2924/78**of 12 December 1978**

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Cyprus on the correction of a clerical error in Article 2 (1) of the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus

(see GEN II 4 Vol. 1)

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Cyprus on the correction of a clerical error in Article 2 (1) of the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus

(see GEN I 103 - 104 Vol. 2)

**COMMISSION REGULATION (EEC) No 2972/78
of 15 December 1978**

re-establishing the levying of customs duties on wood sawn lengthwise, sliced or peeled but not further prepared, etc., falling within subheading 44.14 B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of that fixed for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question originating in any of the said countries or territories, with the exception of those listed in Annex C to that Regulation, once the Community ceiling has been reached;

Whereas, in respect of wood sawn lengthwise, sliced or peeled but not further prepared, etc., falling within

subheading 44.14 B, the ceiling, calculated as indicated above, should be 27 506 000 units of account; whereas on 4 December 1978 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 22 December 1978, customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77:

CCT heading No	Description
44.14	Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm: B. Other

Article 2

This Regulation shall enter into force on the third 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, 15 December 1978.

For the Commission
Étienne DAVIGNON
Member of the Commission

COMMISSION REGULATION (EEC) No 2978/78

of 15 December 1978

re-establishing the levying of customs duties on thermionic, cold cathode and photo-cathode valves and tubes, etc., falling within subheadings 85.21 A, B and C and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of that fixed for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question originating in any of the said countries or territories, with the exception of those listed in Annex C thereto, once the Community ceiling has been reached;

Whereas, in respect of thermionic, cold cathode and photo-cathode valves and tubes, etc., falling within subheadings 85.21 A, B and C, the ceiling, calculated as indicated above, should be 10 667 000 units of account; whereas on 4 December 1978 the amounts of imports into the Community of the products in

question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 22 December 1978, customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77:

CCT heading No	Description
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes), photocells; mounted piezo-electric crystals; diodes, transistors and similar semiconductor devices; light-emitting diodes, electronic microcircuits: <ul style="list-style-type: none"> A. Valves and tubes B. Photocells, including photo-transistors C. Mounted piezo-electric crystals

Article 2

This Regulation shall enter into force on the third 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, 15 December 1978.

For the Commission
Étienne DAVIGNON
Member of the Commission

**COMMISSION REGULATION (EEC) No 2979/78
of 15 December 1978**

re-establishing the levying of customs duties on appliances, apparatus, accessories and requisites for gymnastics or athletics, etc., falling within subheadings 97.06 B and C and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A to the Regulation in question — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5% of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225% of that fixed for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time on imports of the products in question originating in any of the said countries or territories, with the exception of those listed in Annex C thereto, once the Community ceiling has been reached;

Whereas, in respect of appliances, apparatus, accessories and requisites for gymnastics or athletics, falling within subheadings 97.06 B and C, the ceiling, calcu-

lated as indicated above, should be 16 078 000 units of account; whereas on 8 December 1978 the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that maximum amounts should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 22 December 1978, customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C to Regulation (EEC) No 2705/77:

CCT heading No	Description
97.06	Appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04): B. Tennis rackets C. Other

Article 2

This Regulation shall enter into force on the third 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, 15 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

**COMMISSION REGULATION (EEC) No 3035/78
of 21 December 1978**

re-establishing the levying of customs duties on sewing machines, falling within subheading 84.41 A I b) and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2705/77 of 28 November 1977 establishing preferential tariffs in respect of certain products originating in developing countries, and in particular Article 4 (2) thereof,

Whereas Article 1 (3) of that Regulation provides that customs duties may, for each category of products, be suspended up to a Community ceiling, expressed in units of account, which will be equal — with the exception of certain products the value of the ceilings for which is given in Annex A thereto — to the sum arrived at by adding together the value of the products in question imported cif into the Community in 1974 and coming from countries and territories covered by those arrangements, but not including products coming from countries and territories already covered by various preferential tariff arrangements established by the Community, and 5 % of the value of 1975 cif imports coming from other countries and from countries and territories already covered by such arrangements; whereas, however, the ceiling resulting from the sum of this addition may in no case exceed 225 % of that fixed for 1976;

Whereas Article 2 (1) and (3) of that Regulation provides that customs duties may be re-established at any time in respect of imports of the products in question coming from any country or territory, with the exception of those listed in Annex C thereto, once the Community ceiling has been reached;

Whereas, in respect of sewing machines falling within subheading 84.41 A I b), the ceiling, calculated as indicated above, should be 3 983 000 units of account; whereas, on 18 December 1978, the amounts of imports into the Community of the products in question, originating in countries and territories covered by preferential tariff arrangements, reached that

ceiling; whereas, bearing in mind the objectives of Regulation (EEC) No 2705/77 which provides that the ceiling should not be exceeded, customs duties should be re-established in respect of the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 25 December 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2705/77, shall be re-established in respect of the following products, imported into the Community, coming from any beneficiary country or territory, with the exception of those listed in Annex C thereto :

CCT heading No	Description
84.41	Sewing machines; furniture specially designed for sewing machines; sewing machine needles. A. Sewing machines; furniture specially designed for sewing machines: I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor: b) Other

Article 2

This Regulation shall enter into force on the third 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, 21 December 1978.

For the Commission
 Étienne DAVIGNON
Member of the Commission

COUNCIL REGULATION (EEC) No 3154/78

of 29 December 1978

opening, allocating and providing for the administration of Community tariff quotas for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 of cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris on 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above;

whereas these preferences should continue to be applied throughout 1979; whereas having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1976; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear appropriate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 110 % of each of the preferential amounts open in 1978;

Whereas in practice the latest complete statistics available are those relating to the year 1976; whereas, however, for 1974, the statistics in question and particularly those relating to the value of the Community's external trade are expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff or the European unit of account (EUA) applicable in respect of the Common Customs Tariff pursuant to Article 2 of Regulation (EEC) No 2779/78 (1); whereas, therefore, it is necessary to define a conversion rate between these two units; whereas one EUR unit is equivalent in practice to one European unit of account; whereas the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances, and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in European units of account of the Common Customs Tariff; whereas the European unit of account must be introduced into the preferences scheme; whereas, however, in order to take account of the specific nature of the sectors concerned, appropriate conversion rates should be fixed for this Regulation;

Whereas, taking into account the interests of the ACP States, for plywood, blockboard, laminboard, battenboard and similar laminated products, falling within heading No 44.15, the quota amount should be limited to 296 741 m³; whereas in the same way as regards leather falling within subheading 41.02 ex B and footwear falling within heading Nos 64.01 and 64.02, the situation of the Community sectors concerned leaves no alternative but to repeat for 1979 the quota amounts laid down for the preference year 1978;

Whereas, in accordance with Protocol 23 to the Act of Accession (2), the generalized tariff preference scheme

(1) OJ No L 333, 30. 11. 1978, p. 5.

(2) OJ No L 73, 27. 3. 1972, p. 14.

became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annexes A and B which originate in the countries and territories listed in Annex C, that the Community should open for 1979 duty-free Community tariff quotas within the limits of the amounts, in cubic metres or European units of account, shown against each of these products;

Whereas charges against each of these tariff quotas must, in respect of the products originating in any of the abovementioned countries or territories, come within a specified percentage of the amount of the quota; whereas the benefit of such tariff quotas should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (3);

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community quota or maximum amount;

Whereas it is necessary in particular to ensure equal and continuous access for all Community importers to the abovementioned quotas and the uninterrupted application of the rate laid down for those quotas to all imports of the products concerned into all Member States until those quotas are used up; whereas, having regard to the principles set out above, the Community nature of the quotas can be respected by allocating the quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quotas may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas the application of the generally accepted principles in respect of the allocation of the Community tariff quotas which have been opened hitherto cannot be reconciled with the continuity necessary for the

(3) OJ No L 148, 28. 6. 1968, p. 1.

application of the tariff preferences concerned; whereas it would accordingly be advisable to retain a fixed scale for allocating the Community tariff quotas concerned among the Member States; whereas, using as a basis general economic criteria relating to external trade, the gross national product and population, the percentages for the initial shares of the Member States in the quota amounts are as follows for the quota year under consideration:

Germany	27.5%,
Benelux	10.5%,
France	19.0%,
Italy	15.0%,
Denmark	5.0%,
Ireland	1.0%,
United Kingdom	22.0%;

Whereas, however, taking into account the more precise information already available concerning trade in plywood, blockboard, laminboard, battenboard and similar laminated products, falling within heading No 44.15 of the Common Customs Tariff, these percentages should be replaced by 4.78, 2.76, 0.35, 1.05, 4.58, 1.98 and 84.5% respectively;

Whereas in connection with the Member States' participation in the Community tariff quota for the abovementioned products falling within heading No 44.15, it should be borne in mind that United Kingdom imports in recent years from developing countries, in particular from Malaysia and Singapore, have been increasing substantially; whereas the introduction of customs duties on these imports might alter traditional trade flows to the detriment of the developing countries which benefited from duty-free entry; whereas this situation is a special reason for a portion of the said Member State's share being accessible without limitation to the countries covered by the generalized preference scheme;

Whereas it would appear to be possible, without affecting the Community nature of the tariff quota for the products listed in Annex A, to provide temporarily for a utilization scheme based on a single allocation among the Member States; whereas, moreover, the allocation set out by this Regulation in no way prejudices the possibility of adopting the general method of allocation of Community tariff quotas comprising the setting up of a reserve share; whereas at the present juncture it appears feasible that such allocation could be made according to the specific percentages set out above;

Whereas the percentage for the shares of the Member States in the Community tariff quota referred to above,

in view of the duration and amount thereof, does not appear in this instance to compromise equal access for Community importers to the Community tariff quota in question; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

Whereas, to take account of future import trends for the products listed in Annex B in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at a relatively high level which in the event could normally be about 80% of the quota volumes;

Whereas Member States may exhaust their initial shares for the products listed in Annex B at different rates; whereas to avoid disruption of supplies on this account it should be provided that each Member State which has almost used up one of its initial shares should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as each of the reserves allows; whereas each of these initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the tariff quotas are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one of the initial shares of one or other Member State, it is essential that that Member State return a portion of it to the corresponding reserve in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic

Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the Common Customs Tariff duties on the products listed in Annexes A and B shall be totally suspended within the framework of Community tariff quotas for amounts which shall be expressed in cubic metres or European units of account, and which shall be indicated against each product in column 3 of those Annexes.

For the purposes of applying this Regulation, the preferential amounts expressed in European units of account (EUA) shall be converted into national currencies at the following rates:

1 EUA	=	3 604 3955 DM
	=	49 508 625 Bfrs/Lfrs
	=	3 577 0435 Fl
	=	5 561 6255 FF
	=	647 971 Lit
	=	7 477 5175 Dkr
	=	0 429 30445 l £
	=	0 429 3044 £

The application of these rates may not result, in terms of national currency, in charges against each of the quotas concerned being lower than those resulting from the corresponding minimum obligations laid down for 1978.

2. These tariff quotas shall apply solely in respect of products originating in the countries and territories listed in Annex C. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas. For the purposes of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given in column 4 of Annexes A and B against each category of products.

4. Any amendment to Annex C, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to

the amounts of the quotas and to the maximum amounts appearing in columns 3 and 4 of Annexes A and B.

5. After the quotas opened under this Regulation have been used up, Common Customs Tariff duties on imports of the products in question originating in the countries listed in Annex D shall continue to be totally suspended.

Article 2

For the products listed in Annex A the Community tariff quotas referred to in Article 1 shall be allocated in shares which shall be for each Member State the amounts given in column 5 of Annex A against the products in question.

Article 3

1. A first tranche of each of the Community tariff quotas listed in Annex B, expressed in units of account in column 5 of Annex B, shall be allocated among the Member States; the shares which, subject to Article 6, shall be valid until 31 December 1979, shall for each Member State be as indicated in column 6 of Annex B against each of the products listed therein.

2. The second tranche of each of the tariff quotas shall constitute the reserve specified in each case in column 7 of Annex B.

Article 4

1. If a Member State has used 90% or more of one of its initial shares as fixed in Annex B, or of that share minus any portion returned to the reserve pursuant to Article 6, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share, rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting one of its initial shares, has used 90% or more of the second share drawn by it, that Member State shall draw a third share, under the conditions laid down in paragraph 1, to the extent that the reserve so permits, equal to 5% of its initial share.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall draw a fourth share under the same conditions equal to the third.

This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Member States applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing. However, for products falling within subheadings 41.02 ex B, 42.02 B and 42.03 A, B II, B III and C, this percentage is raised to 50 %.

Article 5

Any additional shares drawn pursuant to Article 4 shall be valid until 31 December 1979.

Article 6

The Member States shall return to the reserve, not later than 1 October 1979, the unused portion of their initial share which, on 15 September 1979, is in excess of 20% of their initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1979, notify the Commission of the total imports of the product concerned effected up to and including 15 September 1979 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 3 and 4 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 6.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 4 are opened in such a way that imports may be charged without interruption against their cumulative shares of the Community quota.

Article 8

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 9

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 1 (3) is observed. When the charges, at Community level, of products originating in each of the countries and territories listed in Annex C, against any one of the Community tariff quotas reach the maximum amount laid down in column 4 of Annexes A and B, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be re-introduced in respect of the country or territory in question. This notification shall be published in the *Official Journal of the European Communities*.

Article 10

Member States shall inform the Commission on request or at least monthly of imports of the products in question charged against their shares.

Article 11

Member States and the Commission shall cooperate closely to ensure that the provisions of the above Articles are observed.

Article 12

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

Products referred to in Article 2 subject to a zero-duty Community tariff quota under the generalized tariff preferences granted to developing countries and territories

Order No	CCF heading No (1)	Description (2)	Quota amount (in EUA) (a)	Maximum amount per country or territory (1)		Share of quota amounts allocated to Member States (in %)
					EUA (a)	
1	44.15	Plywood, block-board, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry	296 741 m ³ (1)	30	89 022 m ³ (1)	Germany 185 m ³ Benelux 1 190 m ³ France 1 040 m ³ Italy 3 115 m ³ Denmark 13 590 m ³ Ireland 5 875 m ³ United Kingdom 250 746 m ³ (1)
2	64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	2 422 350	20	484 470	Germany 654 034 Benelux 242 235 France 448 135 Italy 339 129 Denmark 121 117 Ireland 12 112 United Kingdom 605 888
3	64.02 (*)	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material: A. Footwear with uppers of leather	19 796 700	15	2 969 505	Germany 5 345 110 Benelux 1 979 670 France 3 662 390 Italy 2 771 535 Denmark 989 835 Ireland 98 985 United Kingdom 4 949 175
4	64.02	Footwear with outer soles of leather or composition leather, footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material: B. Other	10 991 480	15	1 648 710	Germany 2 967 680 Benelux 1 099 140 France 2 033 410 Italy 1 538 795 Denmark 549 570 Ireland 54 955 United Kingdom 2 747 850

(a) Unless otherwise indicated.

(1) The provisions of Article 1 (3) do not apply up to a proportion limited to 141 303 m³ of the share allocated to the United Kingdom.

(*) Products falling within subheading 6402 A, originating in the countries and territories listed in Section II of Annex C, are excluded from the benefit of this tariff quota.

ANNEX B

List of products referred to in Article 3 subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries and territories

Order No	CCT heading No (1)	Description (2)	Quota amount in ECU (3)	Maximum amount per country or territory (4)		Amount of first tranche in ECU (5)	Initial share of quota amounts allocated to Member States in ECU (6)		Amount of reserve in ECU
					ECU				
1	29.23 (a)	Single or complex oxygen-function amino-compounds: D. Amino-acids: III. Glutamic acid and its salts	230 000	50	115 000	184 000	Germany 50 600 Benelux 19 320 France 34 960 Italy 27 600 Denmark 9 200 Ireland 1 840 United Kingdom 40 480	46 000	
2	41.02	Bovine cattle leather including buffalo leather and equine leather, except leather falling within heading No 41.06 or 41.08: ex B. Other, excluding leather not further prepared than tanned	19 864 580	30	5 959 375	13 905 205	Germany 3 823 930 Benelux 1 460 050 France 2 641 990 Italy 2 085 780 Denmark 695 260 Ireland 139 050 United Kingdom 3 059 145	5 959 375	

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Quota amount in ECU (3)	Maximum amount per country or territory (4)		Amount of first tranche in ECU (5)	Initial share of quota amounts allocated to Member States in ECU (6)	Amount of reserve in ECU (7)
					ECU			
3	42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks, shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: A. Of artificial plastic sheeting	6 333 600	30	1 900 080	5 066 880	Germany 1 393 392 Benelux 532 022 France 962 707 Italy 760 032 Denmark 253 344 Ireland 50 669 United Kingdom 1 114 714	1 266 720
4	42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: B. Of other materials	13 673 730	30	4 102 119	9 571 611	Germany 2 632 193 Benelux 1 005 019 France 1 818 606 Italy 1 435 742 Denmark 478 581 Ireland 95 716 United Kingdom 2 105 754	4 102 119
5	42.03	Articles of apparel and clothing accessories, of leather or of composition leather: A. Articles of apparel B. Gloves, including mittens and mitts: II. Special for sports III. Other C. Other clothing accessories	14 752 994	30	4 425 898	10 327 096	Germany 2 839 951 Benelux 1 084 346 France 1 962 148 Italy 1 549 064 Denmark 516 355 Ireland 103 271 United Kingdom 2 271 961	4 425 898

Order No	CCT heading No (1)	Description (2)	Quota amount in ECU (3)	Maximum amount per country or territory (4)		Amount of first tranche in ECU (5)	Initial share of quota amounts allocated to Member States in ECU (6)		Amount of reserve in ECU (7)
					ECU				
6	85.15	<p>Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:</p> <p>A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras:</p> <p>III. Receivers, whether or not combined with a sound recorder or reproducer</p> <p>C. Parts of the goods of subheadings A and B above:</p> <p>III. Other</p>	23 341 500	15	3 501 225	18 673 200	Germany 5 135 130 Benelux 1 960 686 France 3 547 908 Italy 2 800 980 Denmark 933 860 Ireland 186 732 United Kingdom 4 108 104	4 668 300	
7	85.21	<p>Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semiconductor devices; light-emitting diodes; electronic micro-circuits:</p> <p>D. Diodes, transistors and similar semiconductor devices; light-emitting diodes; electronic micro-circuits</p> <p>E. Parts</p>	7 641 900	20	1 528 380	6 113 520	Germany 1 681 218 Benelux 641 920 France 1 161 569 Italy 917 028 Denmark 305 676 Ireland 61 135 United Kingdom 1 344 974	1 528 380	

Order No	CCT heading No (1)	Description (2)	Quota amount in ECU (3)	Maximum amount per country or territory (4)		Amount of first tranche in ECU (5)	Initial share of quota amounts allocated to Member States in ECU (6)		Amount of reserve in ECU (7)
					ECU				
8	94.01	Chairs and other seats other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof: B. Other	23 342 130	20	4 668 426	48 673 704	Germany 5 135 268 Benelux 1 960 739 France 3 548 003 Italy 2 801 055 Denmark 933 685 Ireland 186 737 United Kingdom 4 108 217	4 668 426	
9	94.03	Other furniture and parts thereof	17 516 520	20	3 503 304	14 013 216	Germany 3 853 634 Benelux 1 471 388 France 2 662 511 Italy 2 101 982 Denmark 700 661 Ireland 140 132 United Kingdom 3 082 908	3 503 304	

ANNEX C

List of developing countries and territories enjoying generalized tariff preferences (1)

I. INDEPENDENT COUNTRIES

660 Afghanistan (2)	488 Guyana	520 Paraguay
208 Algeria	452 Haiti (2)	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda (2)
666 Bangladesh (2)	612 Iraq	819 Samoa (2)
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin (2)	464 Jamaica	632 Saudi Arabia
675 Bhutan (2)	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana (2)	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi (2)	684 Laos (2)	342 Somalia (2)
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire (2)	395 Lesotho (2)	656 South Yemen (2)
244 Chad (2)	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan (2)
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi (2)	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives (2)	352 Tanzania (2)
448 Cuba	232 Mali (2)	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
319 Equatorial Guinea	803 Nauru	350 Uganda (2)
334 Ethiopia (2)	672 Nepal (2)	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta (2)
314 Gabon	240 Niger (2)	524 Uruguay
252 Gambia (2)	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen (2)	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea (2)	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

(1) The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78 - OJ No L 339, 5. 12. 1978, p. 5).

(2) This country is also included in Annex D.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX D

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3155/78

of 29 December 1978

opening and providing for the administration of preferential Community tariff ceilings for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is

variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of the Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied throughout 1979; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1976; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear appropriate to limit for each product the considerable improvement resulting from the said method to a level which does not in general exceed 115 % of each of the preferential amounts open in 1978;

Whereas in practice the latest complete statistics available are those relating to the year 1976; whereas, however, for 1974, the statistics in question and

particularly those relating to the value of the Community's external trade are expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff or the European unit of account (EUA) applicable in respect of the Common Customs Tariff pursuant to Article 2 of Regulation (EEC) No 2779/78 ⁽¹⁾; whereas, therefore, it is necessary to define a conversion rate between these two units; whereas one EUR unit is equivalent in practice to one European unit of account and the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances, and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in European units of account of the Common Customs Tariff; whereas the European unit of account should remain the only unit to be used within the preference system, along with its rates for conversion into national currencies;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries and territories listed in Annex B, that the Community should allow, for each category of these products and throughout 1979, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽³⁾; whereas charges against each of these ceilings must, as a general rule, come within a Community maximum amount of 50 % in respect of the products originating in any of the abovementioned countries; whereas, however, in order to ensure that all the countries and territories in question are able to benefit from this preferential system, the Community maximum amount should, for certain products, be reduced to 20, 30 or 40 %;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least

developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community ceiling or maximum amount;

Whereas the products listed in Annex A were in general previously subject to preferential Community tariff quotas;

Whereas experience in recent years has shown that this improvement in the Community preferences scheme can only be achieved if an effort is made to ensure a more balanced distribution of the advantages granted to all the beneficiary countries and territories; whereas for this reason and in order to afford each of them equal opportunity to benefit from the preferential ceilings, it seems adequate to limit to 15 % the maximum amount for each of the beneficiary countries and territories which have either reached the maximum amount for a given product during two consecutive years since 1972 or which, according to the most up-to-date statistics available, supply the Community with at least 40 % of its imports of the product in question from the beneficiary countries and territories as a whole; whereas, however, in order to avoid damaging the interests of the less favoured of these beneficiary countries and territories the 15 % limit will not be applied in the case of those which have a very low *per capita* national product, or which for a given product have charged against the preferences an amount representing at least 10 % of their deliveries to the Community of industrial manufactured products eligible for the Community preferences scheme; whereas, in addition, in order to ensure that the new maximum amounts are not less than those fixed hitherto, the abovementioned maximum amount of 15 % shall in general only apply or shall only become applicable where, in absolute value, it is higher than the level determined on the basis of the 1974 preferences;

Whereas, furthermore, for some of the products affected by the fixing of the maximum amount at 15 %, this improvement is conditional upon the introduction of measures calculated to encourage the principal suppliers benefiting from the system to ensure a balanced distribution of their deliveries throughout the Community instead of concentrating them in specific areas, or even in one single area of the Community; whereas to this end general provision should be made for the levying of the normal customs duties to be re-introduced in a Member State when preferential imports originating in a single beneficiary country or territory reach 50 % or, eventually, 40 % of the maximum amount envisaged above; whereas this measure does not interfere with the immediate re-introduction of the levying of the normal customs

⁽¹⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 1.

duties at Community level when preferential imports reach the Community maximum amounts; whereas, as regards the Community ceilings, there is nothing to prevent provision being made only for the possibility of the Community's re-introducing the levying of the normal customs duties when the said ceilings are reached at Community level;

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe every 10 days the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce the levying of customs duties either generally or individually when any of the ceilings or maximum amounts are reached;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Articles 2 and 4 (2) of this Regulation.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined

in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to the provisions of Articles 2 and 4 (2), and with the exception of certain products the value of the ceilings for which is given in Annex A, this suspension shall be granted, in respect of each category of products, within a Community ceiling which shall be expressed in European units of account and which shall be equal to the amount obtained by adding together the values of cif imports in 1974 of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and in general 5 % of the value of cif imports in 1976 from other countries and from countries and territories already enjoying such arrangements.

However, in general the ceiling resulting from the sum of this addition may in no case exceed 115 % of the ceiling fixed for the 1978 preference year.

For the particular purpose of the abovementioned calculations, all statistical data are to be considered as being expressed in European units of account of the Common Customs Tariff.

4. Subject to the provisions of Articles 2 and 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a Community maximum amount expressed as a percentage or in European units of account against each of the products in column 3 of Annex A.

5. However, in the case of the products originating in the beneficiary countries or territories indicated by one or two asterisks in column 3 of Annex A, the amount charged against the preferences in a single Member State shall be limited to 50 % or 40 %, respectively, of the maximum laid down in paragraph 4. The normal customs duties shall again be levied as soon as this level is reached, unless the Member State concerned previously notifies the Commission that it does not intend to avail itself of this limitation for all or some of the products concerned. The Commission shall inform the Member States of this fact without delay.

6. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail a corresponding adjustment to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings fixed or calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products

originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts determined in accordance with Article 1 (4) for imports into the Community of products originating in each of the countries or territories referred to in Article 1 (2) are reached at Community level for one of these countries or territories, the Commission shall without delay inform the Member States of the date on which the normal tariff must be restored in respect of the countries or territories concerned. This information shall be published in the *Official Journal of the European Communities*.

However, in the case of products originating in one or other of the countries or territories indicated by three asterisks in column 3 of Annex A, when the amounts charged against the preferences reach the Community maximum amount in one Member State, that Member State shall without delay re-introduce the levying of the normal customs duty. It shall notify the Commission, which shall inform the other Member States of this fact, at the same time fixing the earliest date on which the levying of the normal tariff must be re-introduced in these States also. This information shall be published in the *Official Journal of the European Communities*.

3. However, paragraphs 1 and 2 shall not apply to the imports in question originating in the countries listed in Annex C.

4. Without prejudice to the foregoing provisions, where the levying of the normal customs duty is re-introduced under the conditions described in Article 1 (5) the Member State concerned shall immediately notify the Commission, which shall without delay inform the other Member States.

Article 3

1. Imports of the products in question shall be charged against the Community ceilings and maximum amounts

as and when the products are entered for home use, on the basis of the customs value of the said products, and provided that they are accompanied by a certificate of origin in accordance with the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is re-introduced.

3. The extent to which the ceilings and maximum amounts have been actually used up shall be determined at Community level and in the Member States on the basis of the imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall issue regulations to re-introduce the levying of the normal customs duties within the context of the ceilings established in respect of all the countries and territories referred to in Article 1 (2).

Article 5

Member States shall when requested inform the Commission of imports of the products in question charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Until the levying of the normal customs duties is re-introduced the information shall cover, in particular, and automatically, the returns relating to the amounts charged against the preferences during the previous 10 days, which must be forwarded within five full days of the end of each 10-day period.

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of products originating in developing countries and territories, enjoying generalized tariff preferences, in respect of which duties under the Common Customs Tariff are totally suspended within the limit of Community ceilings and maximum amounts per beneficiary country or territory (a)

Order No	CC1 heading No (1)	Description (2)	Level of the maximum amounts (3)
1	28.27	Lead oxides; red lead and orange lead	20 % of a ceiling of 7 833 540 EUA, reduced to 15 %, or 1 175 030 EUA for Mexico (*) (***)
2	28.56	Carbides, whether or not chemically defined: C. Of calcium	50 % of a ceiling of 788 000 EUA reduced to 195 000 EUA for Yugoslavia (*) (***)
3	31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus III. Containing the two fertilizing substances: nitrogen and potassium: b) Other IV. Other B. Goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg	50 % of a ceiling of 4 496 730 EUA, reduced to 15 %, or 674 510 EUA for Yugoslavia (*) (***)
4	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre: B. Other: I. Regenerated cellulose	50 % of a ceiling of 2 453 000 EUA reduced to 418 000 EUA for Yugoslavia (*) (***)
5	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre: B. Other: II. Cellulose nitrates	50 % of a ceiling of 577 000 EUA reduced to 92 000 EUA for Yugoslavia (*) (***)

(a) Manufactured and semi-finished industrial products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

Order No	CC1 heading No ⁽¹⁾	Description (2)	Level of the maximum amounts (3)
6	48.01 a	Paper and paperboard (including cellulose wadding), in rolls or sheets: C. Kraft paper and kraft board: II. Other	50 % of a ceiling of 42 136 000 EUA reduced to 15 %, or 6 320 400 EUA for Yugoslavia (**)(***)
7	67.04 a	Wigs, false beards, eyebrows and eye lashes, switches and the like, of human or animal hair or of textiles; other articles of human hair (including hair nets)	30 % of a ceiling of 35 346 000 EUA reduced to 6 147 000 EUA for South Korea (**)(***)
8	69.02 a	Refractory bricks, blocks, tiles and similar refractory constructional goods, other than goods falling within heading No 69.01	50 % of a ceiling of 9 736 000 EUA reduced to 1 693 000 EUA for Yugoslavia (***)
9	69.08	Glazed sets, flags and paving, hearth and wall tiles	50 % of a ceiling of 6 526 575 EUA, reduced to 15 %, or 978 986 EUA for South Korea (***)
10	70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	50 % of a ceiling of 2 366 000 EUA reduced to 411 000 EUA for Yugoslavia (**)(***)
11	70.13	Glassware other than articles falling within heading No 70.19, of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	30 % of a ceiling of 5 861 000 EUA, reduced to 15 %, or 879 150 EUA for Yugoslavia (***)
12	71.16	Imitation jewellery	50 % of a ceiling of 16 082 000 EUA, reduced to 15 %, or 2 412 300 EUA for Hong Kong (**)(***)
13	73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits	50 % of a ceiling of 13 039 000 EUA, reduced to 2 289 000 EUA for Yugoslavia (*) (***)
14	74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire	50 % of a ceiling of 6 294 000 EUA reduced to 1 095 000 EUA for Yugoslavia (***)
15	79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes: A. Plates, sheets, strip and foil	50 % of a ceiling of 4 285 000 EUA, reduced to 743 000 EUA for Yugoslavia (***)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
16	85.01	Electrical goods of the following descriptions: generators, motors converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: II. Other	40 % of a ceiling of 19 784 000 EUA, reduced to 15 %, or 2 967 600 EUA for Yugoslavia (**) (***)
17	85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09: B. Other	50 % of a ceiling of 6 703 000 EUA, reduced to 15 %, or 1 005 450 EUA for Hong Kong (**) (***)
18	85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors	20 % of a ceiling of 12 852 000 EUA, reduced to 15 %, or 1 927 800 EUA for Yugoslavia (**) (***)
19	87.14 (a)	Other vehicles (including trailers), not mechanically propelled, and parts thereof: B. Trailers and semi-trailers: II. Other	50 % of a ceiling of 13 787 000 EUA reduced to 15 %, or 2 068 050 EUA for Yugoslavia (*) (***)
20	90.05 (a)	Refracting telescopes (monocular and binocular), prismatic or not	30 % of a ceiling of 6 724 000 EUA, reduced to 15 %, or 1 008 600 EUA for South Korea (***) and Hong Kong (***)
21	92.11 (a)	Gramophones, dictating machines and other sound recorders or reproducers, including record players and tape decks, with or without sound heads; television image and sound recorders or reproducers: A. Sound recorders or reproducers	20 % of a ceiling of 26 133 187 EUA, reduced to 15 %, or 3 919 978 EUA for South Korea (***) and Hong Kong (***)
22	97.02 (a)	Dolls	20 % of a ceiling of 24 619 600 EUA, reduced to 15 %, or 3 692 940 EUA for Hong Kong (**) (***) and South Korea (**) (***)
23	97.03	Other toys; working models of a kind used for recreational purposes	20 % of a ceiling of 60 475 000 EUA, reduced to 15 %, or 9 071 250 EUA for Hong Kong (**) (***) and South Korea (**) (***)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCI heading No (1)	Description (2)	Level of the maximum amounts (3)
24	97.05 a	Carnival articles; entertainment articles (for example, conjuring tricks and novelty jokes); Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor)	20 % of a ceiling of 8 791 000 EUA, reduced to 15 %, or 1 318 650 EUA for Hong Kong (***)
25	98.15	Vacuum flasks and other vacuum vessels, complete with cases; parts thereof, other than glass inners	50 % of a ceiling of 1 249 000 EUA, reduced to 199 000 EUA for Hong Kong (***)

a Products originating in Romania and which fall within this tariff heading - excluding Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor), of glass - are also eligible for Community preferential tariff arrangements.

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 - OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 599 Falkland Islands and dependencies
- 832 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 487 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries to which Article 2 (1) and (2) does not apply

660	Afghanistan	386	Malawi
666	Bangladesh	667	Maldives
284	Benin	232	Mali
675	Bhutan	672	Nepal
391	Botswana	240	Niger
328	Burundi	652	North Yemen
306	Central African Empire	324	Rwanda
244	Chad	819	Samoa
334	Ethiopia	342	Somalia
252	Gambia	656	South Yemen
260	Guinea	224	Sudan
452	Haiti	352	Tanzania
684	Laos	350	Uganda
395	Lesotho	236	Upper Volta

COUNCIL REGULATION (EEC) No 3156/78

of 29 December 1978

opening preferential tariffs for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is

variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of the Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied throughout 1979; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1976; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear appropriate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 150 % of each of the preferential amounts open in 1978;

Whereas in practice the latest complete statistics available are those relating to the year 1976; whereas, however, for 1974, the statistics in question and

particularly those relating to the value of the Community's external trade are expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff or the European unit of account (EUA) applicable in respect of the Common Customs Tariff pursuant to Article 2 of Regulation (EEC) No 2779/78 ⁽¹⁾; whereas therefore it is necessary to define a conversion rate between these two units; whereas one EUR unit is equivalent in practice to one European unit of account and the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in European units of account of the Common Customs Tariff; whereas the European unit of account should remain the only unit to be used within the preference system, along with its rates for conversion into national currencies;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries and territories listed in Annex B, that the Community should allow, for each category of these products and throughout 1979, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽³⁾; whereas charges against each of these ceilings must, as a general rule, come within a Community maximum amount of 50 % in respect of the products originating in any of the abovementioned countries; whereas, however, in order in particular to safeguard access by all the abovementioned countries and territories to this preferential scheme, the Community maximum amount for certain products should be reduced to a lower percentage;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least

developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community ceiling or maximum amount;

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce the levying of customs duties either generally or individually when any of the ceilings or maximum amounts are reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Articles 2 and 4 (2) of this Regulation.
2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.
3. Subject to the provisions of Articles 2 and 4 (2) and with the exception of certain products the value of the ceilings for which is given in Annex A, this suspension

⁽¹⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 1.

shall be granted, in respect of each category of products, within a Community ceiling which shall be expressed in European units of account and which shall be equal to the amount obtained by adding together the value of cif imports in 1974 of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5 % of the value of cif imports in 1976 from other countries and from countries and territories already enjoying such arrangements. However, the ceiling resulting from the sum of this addition may in no case exceed 150 % of the preferential ceilings open for 1978.

For the particular purpose of the abovementioned calculations, all statistical data are to be considered as being expressed in European units of account of the Common Customs Tariff.

4. Subject to the provisions of Articles 2 and 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries listed in Annex B should not exceed a Community maximum amount equivalent to 50 % of this ceiling, with the exception of certain products for which the maximum amount shall be reduced to the percentage or value shown in Annex A.

5. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail corresponding adjustments to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings fixed or calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of customs duties on imports of the products in question from all the countries concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4), which are laid down for Community imports of products originating in each of the countries referred to in Article 1 (2), are reached for any one of these countries at Community level, the levying of customs duties on

imports of the products in question from the country concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

3. Paragraphs 1 and 2 shall not apply to the imports in question originating in the countries listed in Annex C.

Article 3

1. Imports of the products in question shall be charged against the Community ceilings and maximum amounts as and when the products are entered for home use, on the basis of the customs value of the said products, and provided that they are accompanied by a certificate of origin in accordance with the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is re-introduced.

3. The extent to which the ceilings and maximum amounts have been used shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall re-introduce the levying of customs duties in respect of all the countries referred to in Article 1 (2) or in respect of any one of them by means of a Regulation in accordance with the conditions laid down in Article 2 (1) and (2).

Article 5

Member States shall inform the Commission, on request or at least monthly, of imports of the products in question actually charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of products originating in developing countries and territories, enjoying generalized tariff preferences, in respect of which duties under the Common Customs Tariff are totally suspended (a) (b)

CHAPTER 25

- 25.19 A Magnesium oxide other than calcined natural magnesium carbonate
- 25.22 Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
- 25.23 Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
- 25.31 A Fluorspar

CHAPTER 27

- 27.03 B Agglomerated peat
- 27.04 Coke and semi-coke of coal, of lignite or of peat; whether or not agglomerated; retort carbon:
 - A. Coke and semi-coke of coal:
 - I. For the manufacture of electrodes
 - C. Other
- 27.06 Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
- 27.07 Oils and other products of the distillation of high temperature coal tar; similar products as defined in Note 2 to this Chapter
- 27.08 Pitch and pitch coke, obtained from coal tar or from other mineral tars
- 27.10 Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations ⁽¹⁾:
 - A. Light oils:
 - III. For other purposes
 - B. Medium oils:
 - III. For other purposes
 - C. Heavy oils:
 - I. Gas oil:
 - c) For other purposes
 - II. Fuel oil:
 - c) For other purposes

(a) Manufactured and semi-finished industrial products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

(b) Preferences are not to be granted in respect of the products, marked with an asterisk, originating in Romania.

⁽¹⁾ The Community ceiling as defined in Article 1 (3) is set at 703 500, 275 000 and 1 700 000 tonnes for products falling within subheadings 27.10 A III, B III, C I c), C II c) and C III c) and d) respectively; the Community maximum amount referred to in Article 1 (4) is reduced to 20 % for these products.

- 27.10 III. Lubricating oils; other oils:
(cont'd) c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27
d) For other purposes
- 27.11 Petroleum gases and other gaseous hydrocarbons
- 27.12 Petroleum jelly
- 27.13 Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
- 27.14 Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
- 27.16 Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)

CHAPTER 28

- ex 28.01 Halogens (fluorine, chlorine, bromine and iodine), excluding crude iodine
- 28.02 Sulphur, sublimed or precipitated; colloidal sulphur
- 28.03 Carbon (including carbon black)
- ex 28.04 Hydrogen, rare gases and other non-metals, but not including selenium and silicon
- 28.06 Hydrochloric acid and chlorosulphuric acid
- 28.08 Sulphuric acid; oleum
- 28.09 Nitric acid; sulphonitric acids
- 28.10 Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-) ⁽¹⁾
- 28.12 Boric oxide and boric acid
- 28.13 Other inorganic acids and oxygen compounds of non-metals (excluding water)
- 28.14 Halides, oxyhalides and other halogen compounds of non-metals
- 28.15 Sulphides of non-metals; phosphorus trisulphide
- 28.16 Ammonia, anhydrous or in aqueous solution ^(*) ⁽²⁾
- 28.17 Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
- 28.18 Hydroxide and peroxide of magnesium; oxides, hydroxides and peroxides, of strontium or barium
- 28.19 Zinc oxide and zinc peroxide ⁽³⁾
- 28.20 B Artificial corundum
- 28.21 Chromium oxides and hydroxides
- 28.22 Manganese oxides

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 655 000 EUA and 25 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 7 914 000 EUA.

⁽³⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 536 000 EUA.

- 28.23 Iron oxides and hydroxides; earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3
- 28.24 Cobalt oxides and hydroxides; commercial cobalt oxides
- 28.25 Titanium oxides
- 28.28 Hydrazine and hydroxylamine and their inorganic salts; other inorganic bases and metallic oxides, hydroxides and peroxides
- 28.29 Fluorides; fluorosilicates, fluoroborates and other complex fluorine salts
- 28.30 Chlorides, oxychlorides and hydroxychlorides; bromides and oxybromides; iodides and oxyiodides
- 28.31 Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites
- 28.32 Chlorates and perchlorates; bromates and perbromates; iodates and periodates
- 28.35 Sulphides; polysulphides
- 28.36 Dithionites, including those stabilized with organic substances; sulphonylates
- 28.37 Sulphites and thiosulphates
- 28.38 Sulphates (including alums) and persulphates
- 28.39 Nitrites and nitrates
- 28.40 Phosphites, hypophosphites and phosphates
- 28.42 Carbonates and percarbonates; commercial ammonium carbonate containing ammonium carbamate
- 28.43 Cyanides and complex cyanides
- 28.44 Fulminates, cyanates and thiocyanates
- 28.45 Silicates; commercial sodium and potassium silicates
- 28.46 Borates and perborates
- 28.47 Salts of metallic acids (for example, chromates, permanganates, stannates)
- 28.48 Other salts and peroxy salts of inorganic acids, but not including azides
- 28.49 Colloidal precious metals; amalgams of precious metals; salts and other compounds, inorganic or organic, of precious metals including albuminates, proteinates, tannates and similar compounds, whether or not chemically defined
- 28.50 Fissile chemical elements and isotopes; other radio-active chemical elements and radio-active isotopes; compounds, inorganic or organic, of such elements or isotopes, whether or not chemically defined; alloys, dispersions and cermets, containing any of these elements, isotopes or compounds:

B. Other (a)

(a) Ex B: Artificial radio-active isotopes and their compounds (EURATOM).

- 28.51 Isotopes and their compounds, inorganic or organic, whether or not chemically defined, other than isotopes and compounds falling within heading No 28.50:
B. Other
- 28.52 Compounds, inorganic or organic, of thorium, of uranium depleted in U 235, of rare earth metals, of yttrium or of scandium, whether or not mixed together
- 28.54 Hydrogen peroxide (including solid hydrogen peroxide)
- 28.55 Phosphides, whether or not chemically defined
- 28.56 Carbides, whether or not chemically defined:
A. Of silicon
B. Of boron
D. Of aluminium; of chromium; of molybdenum; of tungsten; of vanadium; of tantalum; of titanium
E. Other
- 28.57 Hydrides, nitrides and azides, silicides and borides, whether or not chemically defined
- 28.58 Other inorganic compounds (including distilled and conductivity water and water of similar purity); liquid air (whether or not rare gases have been removed); compressed air; amalgams, other than amalgams of precious metals

CHAPTER 29

- 29.01 Hydrocarbons
- 29.02 Halogenated derivatives of hydrocarbons
- 29.03 Sulphonated, nitrated or nitrosated derivatives of hydrocarbons
- 29.04 Acyclic alcohols and their halogenated, sulphonated, nitrated and nitrosated derivatives:
A. Saturated monohydric alcohols ⁽¹⁾
B. Unsaturated monohydric alcohols
C. Polyhydric alcohols:
I. Diols, triols and tetraols
IV. Other polyhydric alcohols
V. Halogenated, sulphonated, nitrated or nitrosated derivatives of polyhydric alcohols
- 29.05 Cyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.06 Phenols and phenol-alcohols (*) (a)
- 29.07 Halogenated, sulphonated, nitrated or nitrosated derivatives of phenols or phenol-alcohols
- 29.08 Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides and ether peroxides and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.09 Epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three or four member ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives

(a) The asterisk covers only subheading 29.06 A I.

⁽¹⁾ For products falling within subheading 29.04 A I, the Community ceiling referred to in Article 1 (3) is set at 466 000 EUA.

- 29.10 Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.11 Aldehydes, aldehyde-alcohols, aldehyde-ethers, aldehyde-phenols and other single or complex oxygen-function aldehydes; cyclic polymers of aldehydes; paraformaldehyde (*) (a)
- 29.12 Halogenated, sulphonated, nitrated or nitrosated derivatives of products falling within heading No 29.11
- 29.13 Ketones, ketone-alcohols, ketone-phenols, ketone-aldehydes, quinones, quinone-alcohols, quinone-phenols, quinone-aldehydes and other single or complex oxygen-function ketones and quinones, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (b)
- 29.14 Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (c)
- 29.15 Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (d)
- 29.16 Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives ⁽¹⁾⁽²⁾
- 29.19 Phosphoric esters and their salts, including lactophosphates, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.21 Other esters of mineral acids (excluding halides) and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.22 Amine-function compounds
- ex 29.23 Single or complex oxygen-function amino-compounds, excluding glutamic acid and its salts
- 29.24 Quaternary ammonium salts and hydroxides; lecithins and other phosphoaminolipins
- 29.25 Carboxamide-function compounds; amide-function compounds of carbonic acid
- 29.26 Carboxyimide-function compounds (including ortho-benzoisulphimide and its salts) and imine-function compounds (including hexamethylenetetramine and trimethylenetrinitramine)
- 29.27 Nitrile-function compounds (*) (e)
- 29.28 Diazo-, azo- and azoxy-compounds
- 29.29 Organic derivatives of hydrazine or of hydroxylamine
- 29.30 Compounds with other nitrogen-functions
- 29.31 Organo-sulphur compounds

(a) The asterisk covers only subheading 29.11 E ex I (4-hydroxy-3-methoxybenzaldehyde).

(b) The asterisk covers only subheading 29.13 A ex I (acetone).

(c) The asterisk covers only subheading 29.14 D I.

(d) The asterisk covers only subheading 29.15 C I.

(e) The asterisk covers only heading No ex 29.27 (acrylonitrile).

⁽¹⁾ For citric acid falling within subheading 29.16 A IV a), the Community ceiling and maximum amount referred to in Article 1 (3) and

⁽⁴⁾ are set at 434 280 EUA and 30 % respectively.

⁽²⁾ For salicylic acid falling within subheading 29.16 B I (a), the Community ceiling and maximum amount referred to in Article 1 (3) and

⁽⁴⁾ are set at 308 000 EUA and 40 % respectively.

- 29.33 Organo-mercury compounds
- 29.34 Other organo-inorganic compounds
- 29.35 Heterocyclic compounds; nucleic acids ⁽¹⁾
- 29.36 Sulphonamides
- 29.37 Sultones and sultams
- 29.38 Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent (*) (a)
- 29.39 Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones
- 29.41 Glycosides, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives
- 29.42 Vegetable alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives
- 29.43 Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
- 29.44 Antibiotics(*) (b)
- 29.45 Other organic compounds

CHAPTER 30

- 30.01 Organo-therapeutic glands or other organs, dried, whether or not powdered; organo-therapeutic extracts of glands or other organs or of their secretions; other animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included
- 30.02 Antisera; microbial vaccines, toxins, microbial cultures (including ferments but excluding yeasts) and similar products
- 30.03 Medicaments (including veterinary medicaments)
- 30.04 Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 of this Chapter
- 30.05 Other pharmaceutical goods

CHAPTER 31

- 31.02 Mineral or chemical fertilizers, nitrogenous:
 - B. Urea, containing more than 45% by weight of nitrogen on the dry anhydrous product ⁽²⁾ (*)
 - C. Other ⁽³⁾ (*)

(a) The asterisk covers only subheading 29.38 B ex II (vitamins B 12)

(b) The asterisk covers only subheading 29.44 A (penicillins) and ex C (tetracycline)

⁽¹⁾ For melamine falling within subheading 29.35 ex Q, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 632 000 EUA and 40 % respectively.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 315 000 EUA and 20 % respectively.

⁽³⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 418 800 EUA and 20 % respectively.

- 31.03 Mineral or chemical fertilizers, phosphatic ⁽¹⁾
- 31.04 B Mineral or chemical fertilizers, potassic, mentioned in Note 3 (B) to this Chapter
- 31.05 Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg:
- A. Other fertilizers:
- III. Containing the two fertilizing substances: nitrogen and potassium:
- a) Natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44%), of a total nitrogen content not exceeding 16.3% by weight

CHAPTER 32

- 32.01 Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives:
- B. Other
- 32.03 Synthetic organic tanning substances and inorganic tanning substances; tanning preparations, whether or not containing natural tanning materials; enzymatic preparations for pre-tanning (for example, of enzymatic, pancreatic or bacterial origin)
- 32.04 Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin
- 32.05 Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre; natural indigo ⁽¹⁾
- 32.06 Colour lakes
- 32.07 Other colouring matter; inorganic products of a kind used as luminophores
- 32.08 Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
- 32.09 Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments in linseed oil, white spirit, spirits of turpentine, varnish or other paint or enamel media; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined in Note 4 to this chapter
- 32.10 Artists', students' and signboard painters' colours, modifying tints, amusement colours and the like, in tables, tubes, jars, bottles, pans or in similar forms or packings, including such colours in sets or outfits, with or without brushes, palettes or other accessories
- 32.11 Prepared driers
- 32.12 Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
- 32.13 Writing ink, printing ink and other inks

CHAPTER 33 ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETICS AND TOILET PREPARATIONS

⁽¹⁾ For products falling within subheading 32.05 A, the Community ceiling referred to in Article 1 (3) is set at 9 429 000 EUA.

CHAPTER 34 SOAP, ORGANIC SURFACE-ACTIVE AGENTS, WASHING PREPARATIONS, LUBRICATING PREPARATIONS, ARTIFICIAL WAXES, PREPARED WAXES, POLISHING AND SCOURING PREPARATIONS, CANDLES AND SIMILAR ARTICLES, MODELLING PASTES AND 'DENTAL WAXES'

CHAPTER 35

- 35.02 B Albuminates and other albumin derivatives
- 35.03 Gelatin (including gelatin in rectangles, whether or not coloured or surface-worked) and gelatin derivatives; glues derived from bones, hides, nerves, tendons or from similar products and fish glues; isinglass ⁽¹⁾
- 35.04 Peptones and other protein substances (excluding enzymes of heading No 35.07) and their derivatives; hide powder, whether or not chromed
- 35.06 Prepared glues not elsewhere specified or included; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg
- 35.07 Enzymes; prepared enzymes not elsewhere specified or included

CHAPTER 36 EXPLOSIVES; PYROTECHNIC PRODUCTS; MATCHES; PYROPHORIC ALLOYS; CERTAIN COMBUSTIBLE PREPARATIONS (*) (a)

CHAPTER 37 PHOTOGRAPHIC AND CINEMATOGRAPHIC GOODS

CHAPTER 38

- 38.01 Artificial graphite; colloidal graphite, other than suspensions in oil
- 38.03 Activated carbon; activated natural mineral products; animal black, including spent animal black
- 38.05 Tall oil
- 38.06 Concentrated sulphite lye
- 38.07 Spirits of turpentine (gum, wood and sulphate) and other terpenic solvents produced by the distillation or other treatment of coniferous woods; crude dipentene; sulphite turpentine; pine oil (excluding 'pine oils' not rich in terpineol)
- 38.08 Rosin and resin acids, and derivatives thereof other than ester gums included in heading No 39.05; rosin spirit and rosin oils
- 38.09 Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
- 38.11 Disinfectants, insecticides, fungicides, rat poisons, herbicides, anti-sprouting products, plant-growth regulators and similar products, put up in forms or packings for sale by retail or as preparations or articles (for example, sulphur-treated bands, wicks and candles, flypapers)
- 38.12 Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:
 - A. Prepared glazings and prepared dressings:
 - II. Other
 - B. Prepared mordants

(a) The asterisk covers only heading No 36.06.

⁽¹⁾ For gelatin and gelatin derivatives falling within subheading 35.03 ex B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 860 000 EUA and 30 % respectively.

- 38.13 Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes
- 38.14 Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils
- 38.15 Prepared rubber accelerators
- 38.16 Prepared culture media for development of micro-organisms
- 38.17 Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades
- 38.18 Composite solvents and thinners for varnishes and similar products
- ex 38.19 Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding D-glucitol (sorbitol), other than that falling within subheading 29.04 C III ..

CHAPTER 39

- 39.01 Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters, and other unsaturated polyesters, silicones)
- 39.02 Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins) (*) (a)
- 39.03 Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre (*):
 - A. Adhesive strips of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber
 - B. Other:
 - III. Cellulose acetates
 - IV. Other cellulose esters
 - V. Cellulose ethers and other chemical derivatives of cellulose
 - VI. Vulcanized fibre
- 39.04 Hardened proteins (for example, hardened casein and hardened gelatin)
- 39.05 Natural resins modified by fusion (run gums); artificial resins obtained by esterification of natural resins or of resinic acids (ester gums); chemical derivatives of natural rubber (for example, chlorinated rubber, rubber hydrochloride, oxidized rubber, cyclized rubber)
- 39.06 Other high polymers, artificial resins and artificial plastic materials, including alginic acid, its salts and esters; linoxyn
- 39.07 Articles of materials of the kinds described in heading Nos 39.01 to 39.06

CHAPTER 40

- 40.02 Synthetic rubber latex; pre-vulcanized synthetic rubber latex; synthetic rubber; factice derived from oils

(a) The asterisk covers only subheadings 39.02 C I, C IV and C VII a).

- 40.03 Reclaimed rubber
- 40.05 Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch
- 40.06 Unvulcanized natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized natural or synthetic rubber (for example, coated or impregnated textile threads, rings and discs)
- 40.07 Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber
- 40.08 Plates, sheets, strip, rods and profile shapes, of unhardened vulcanized rubber
- 40.09 Piping and tubing, of unhardened vulcanized rubber
- 40.10 Transmission, conveyor or elevator belts or belting, of vulcanized rubber
- 40.11 Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds (*):
 — Inner tubes and tyre cases (new or used) of the kind used on bicycles, cycles with an auxiliary motor, motor-cycles or motor-scooters (1)
 — Other (including tyre cases with sewn-in inner tubes, for racing bicycles, and tyre flaps) (2)
- 40.12 Hygienic and pharmaceutical articles (including teats), of unhardened vulcanized rubber, with or without fittings of hardened rubber
- 40.13 Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanized rubber
- 40.14 Other articles of unhardened vulcanized rubber
- 40.15 Hardened rubber (ebonite and vulcanite), in bulk, plates, sheets, strip, rods, profile shapes or tubes; scrap, waste and powder, of hardened rubber
- 40.16 Articles of hardened rubber (ebonite and vulcanite)

CHAPTER 41

- 41.03 Sheep and lambskin leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other (3)
- 41.04 Goat and kidskin leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other (4)
- 41.05 Other kinds of leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other (5)

(1) For these products, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 579 000 EUA and 20 % respectively.

(2) For these products, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 11 901 000 EUA and 20 % respectively.

(3) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 095 000 EUA and 45 % respectively.

(4) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 999 000 EUA and 45 % respectively.

(5) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 540 000 EUA and 20 % respectively.

- 41.06 Chamoirs-dressed leather ⁽¹⁾
- 41.08 Patent leather and imitation patent leather; metallized leather
- 41.10 Composition leather with a basis of leather or leather fibre, in slabs, in sheets or in rolls

CHAPTER 42

- 42.01 Saddlery and harness, of any material (for example, saddles, harness, collars, traces, knee-pads and boots), for any kind of animal
- 42.03 Articles of apparel and clothing accessories, of leather or of composition leather:
 - B. Gloves, including mittens and mitts:
 - I. Protective, for all trades ⁽²⁾ (*)
- 42.04 Articles of leather or of composition leather of a kind used in machinery or mechanical appliances or for industrial purposes
- 42.05 Other articles of leather or of composition leather
- 42.06 Articles made from gut (other than silk-worm gut), from goldbeater's skin, from bladders or from tendons

CHAPTER 43

- 43.02 Furskins, tanned or dressed, including furskins assembled in plates, crosses and similar forms; pieces or cuttings, of furskin, tanned or dressed, including heads, paws, tails and the like (not being fabricated)
- 43.03 Articles of furskin (*) (a)
- 43.04 Artificial fur and articles made thereof

CHAPTER 44

- ex 44.02 Coconut charcoal
- 44.05 Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm
- 44.07 Railway or tramway sleepers of wood
- ex 44.09 Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; chipwood; drawn wood; wood shavings of a kind suitable for use in the manufacture of vinegar or for the clarification of liquids; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrella handles, tool handles or the like
- 44.11 Fibre building board of wood or other vegetable material, whether or not bonded with natural or artificial resins or with other organic binders ⁽³⁾ (*)
- 44.12 Wood wool and wood flour
- 44.13 Wood (including blocks, strips and friezes for parquet or wood block flooring, not assembled), planed, tongued, grooved, rebated, chamfered, V-jointed, centre V-jointed, beaded, centre-beaded or the like, but not further manufactured ⁽⁴⁾

(a) The asterisk covers only subheading 43.03 ex B (gloves).

⁽¹⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 418 000 EUA.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 17 369 000 EUA and 15 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 10 882 000 EUA and 30 % respectively.

⁽⁴⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 9 724 000 EUA.

- 44.14 Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm:
- A. Small boards for the manufacture of pencils
 - B. Other ⁽¹⁾ (*)
- 44.16 Cellular wood panels, whether or not faced with base metal
- 44.17 'Improved' wood, in sheets, blocks or the like
- 44.18 Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like ⁽²⁾ (*)
- 44.19 Wooden beadings and mouldings, including moulded skirting and other moulded boards
- 44.20 Wooden picture frames, photograph frames, mirror frames and the like
- 44.21 Complete wooden packing cases, boxes, crates, drums and similar packings
- 44.22 Casks, barrels, vats, tubs, buckets and other coopers' products and parts thereof, of wood, including staves
- 44.23 Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels) ⁽³⁾
- 44.24 Household utensils of wood (*) (a) ⁽⁴⁾
- 44.25 Wooden tools, tool bodies, tool handles, broom and brush bodies and handles; boot and shoe lasts and trees, of wood ⁽⁵⁾
- 44.26 Spools, cops, bobbins, sewing thread reel and the like, of turned wood
- 44.27 Standard lamps, table lamps and other lighting fittings, of wood; articles of furniture, of wood, not falling within Chapter 94; caskets, cigarette boxes, trays, fruit bowls, ornaments and other fancy articles, of wood; cases for cutlery, for drawing instruments or for violins, and similar receptacles, of wood; articles of wood for personal use or adornment, of a kind normally carried in the pocket, in the handbag or on the person; parts of the foregoing articles, of wood
- 44.28 Other articles of wood

CHAPTER 45

- 45.02 Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)
- 45.03 Articles of natural cork
- 45.04 Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork

(a) The asterisk covers only heading No 44.24 (clothes-pegs).

(1) For products falling within this subheading, the Community maximum amount referred to in Article 1 (4) is set at 40 %.

(2) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 5 937 000 EUA and 40 % respectively.

(3) For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 40 %.

(4) For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 3 542 000 EUA.

(5) For products falling within subheading 44.25 ex B (broom and brush bodies and handles), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 164 000 EUA and 30 % respectively.

CHAPTER 46

- ex 46.02 Plats and similar products of plating materials, for all uses, whether or not assembled into strips, other than those of unspun vegetable materials; plating materials bound together in parallel strands or woven in sheet form, including matting, mats and screens; straw envelopes for bottles ⁽¹⁾
- 46.03 Basketwork, wickerwork and other articles of plating materials, made directly to shape; articles made up from goods falling within heading No 46.02; articles of loofah ⁽²⁾ (*)

CHAPTER 47

- 47.01 Pulp derived by mechanical or chemical means from any fibrous vegetable material
- 47.02 Waste paper and paperboard; scrap articles of paper or of paperboard, fit only for use in paper-making:
A. Waste paper and paperboard

CHAPTER 48

- 48.01 Paper and paperboard (including cellulose wadding), in rolls or sheets:
A. Newsprint
B. Cigarette paper
C. Kraft paper and kraft board:
I. For the manufacture of paper yarn of heading No 57.07 or of paper yarn reinforced with metal of heading No 59.04
D. Paper weighing not more than 15 g/m² for use in stencil making
E. Hand-made paper and paperboard
F. Other
- 48.03 Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
- 48.04 Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
- 48.05 Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets
- 48.07 Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets
- 48.08 Filter blocks, slabs and plates, of paper pulp
- 48.10 Cigarette paper, cut to size, whether or not in the form of booklets or tubes
- 48.11 Wallpaper and lincrusta; window transparencies of paper
- 48.12 Floor coverings prepared on a base of paper or of paperboard, whether or not cut to size, with or without a coating of linoleum compound

⁽¹⁾ For plating materials bound together in parallel strands or woven in sheet form, including matting, mats and screens, and straw envelopes for bottles, falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 511 000 EUA and 30 % respectively.

⁽²⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 20 %.

- 48.13 Carbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes
- 48.14 Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery
- 48.15 Other paper and paperboard, cut size or shape
- 48.16 Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
- 48.18 Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting-pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard, sample and other albums and book covers, of paper or paperboard
- 48.19 Paper or paperboard labels, whether or not printed or gummed
- 48.20 Bobbins, spools, cops and similar supports of paper pulp, paper or paperboard (whether or not perforated or hardened)
- 48.21 Other articles of paper pulp, paper, paperboard or cellulose wadding

CHAPTER 49 PRINTED BOOKS, NEWSPAPERS, PICTURES AND OTHER PRODUCTS OF THE PRINTING INDUSTRY; MANUSCRIPTS, TYPESCRIPTS AND PLANS

CHAPTER 64

- 64.03 Footwear with outer soles of wood or cork (*)
- 64.04 Footwear with outer soles of other materials (*)
- 64.05 Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal (*)
- 64.06 Gaiters, spats, leggings, puttees, cricket pads, shin-guards and similar articles, and parts thereof (*)

CHAPTER 65 HEADGEAR AND PARTS THEREOF

CHAPTER 66

- 66.01 Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas) ⁽¹⁾ (*)
- 66.02 Walking-sticks (including climbing-sticks and seat-sticks), canes, whips, riding-crops and the like
- 66.03 Parts, fittings, trimmings and accessories of articles falling within heading No 66.01 or 66.02

CHAPTER 67

- 67.01 Skins and other parts of birds with their feathers or down, feathers, parts of feathers, down, and articles thereof (other than goods falling within heading No 05.07 and worked quills and scapes)

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 027 000 ECU and 15 % respectively.

- 67.02 Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit ⁽¹⁾
- 67.03 Human hair, dressed, thinned, bleached or otherwise worked; wool, other animal hair and other textile materials prepared for use in making wigs and the like

CHAPTER 68 ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS ⁽²⁾ ⁽³⁾ ⁽⁴⁾ (a) ^(*)

CHAPTER 69

- 69.01 Heat-insulating bricks, blocks, tiles and other heat-insulating goods of siliceous fossil meals or of similar siliceous earths (for example, kieselguhr, tripolite or diatomite)
- 69.03 Other refractory goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than goods falling within heading No 69.01
- 69.04 Building bricks (including flooring blocks, support or filler tiles and the like)
- 69.05 Roofing tiles; chimney-pots, cowls, chimney-liners, cornices and other constructional goods, including architectural ornaments
- 69.06 Piping, conduits and guttering (including angles, bends and similar fittings)
- 69.07 Unglazed setts, flags and paving, hearth and wall tiles ⁽⁵⁾
- 69.09 Laboratory, chemical or industrial wares; troughs, tubs and similar receptacles of a kind used in agriculture; pots, jars and similar articles of a kind commonly used for the conveyance or packing of goods
- 69.10 Sinks, washbasins, bidets, water closet pans, urinals, baths and like sanitary fixtures
- 69.11 Tableware and other articles of a kind commonly used for domestic or toilet purposes ⁽⁶⁾ ^(*)
- 69.12 Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery ^(*) (b)
- 69.13 Statuettes and other ornaments, and articles of personal adornment; articles of furniture
- 69.14 Other articles

CHAPTER 70

- 70.01 B Glass in the mass (excluding optical glass)
- 70.03 Glass in balls, rods and tubes, unworked (not being optical glass)
- 70.04 Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles

(a) The asterisk covers only heading No 68.01.

(b) The asterisk covers only subheading 69.12 C.

(1) For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 40 %.

(2) For products falling within heading No 68.12, the Community amount referred to in Article 1 (4) is set at 40 %.

(3) For products falling within subheading 68.13 B I, the Community maximum amount referred to in Article 1 (4) is reduced to 40 %.

(4) For products falling within subheading 68.13 B II and III, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 983 000 EUA and 40 % respectively.

(5) For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 20 %.

(6) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) are set at 1 781 000 EUA and 20 % respectively.

- 70.06 Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked
- 70.07 Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; multiple-walled insulating glass; leaded lights and the like
- 70.08 Safety glass consisting of toughened or laminated glass, shaped or not
- 70.09 Glass mirrors (including rear-view mirrors), unframed, framed or backed
- 70.10 Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass (*) (a)
- 70.11 Glass envelopes (including bulbs and tubes) for electric lamps, electronic valves or the like
- 70.12 Glass inners for vacuum flasks or for other vacuum vessels (1)
- 70.14 Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass:
- A. Articles for electrical lighting fittings:
- I. Facetted glass, plates, balls, pear-shaped drops, flower-shaped pieces, pendants and similar articles for trimming chandeliers
- II. Other (for example, diffusers, ceiling lights, bowls, cups, lampshades, globes, tulip-shaped pieces) (2)
- B. Other (3)
- 70.15 Clock and watch glasses and similar glasses (including glass of a kind used for sunglasses but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like; glass spheres and segments of spheres, of a kind used for the manufacture of clock and watch glasses and the like
- 70.16 Bricks, tiles, slabs, paving blocks, squares and other articles of pressed or moulded glass, of a kind commonly used in buildings; multi-cellular glass in blocks, slabs, plates, panels and similar forms
- 70.17 Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated; glass ampoules
- 70.18 Optical glass and elements of optical glass, other than optically worked elements; blanks for corrective spectacle lenses
- 70.19 Glass beads, imitation pearls, imitation precious and semi-precious stones, fragments and chippings, and similar fancy or decorative glass smallwares, and articles of glassware made therefrom; glass cubes and small glass plates, whether or not on a backing, for mosaics and similar decorative purposes; artificial eyes of glass, including those for toys but excluding those for wear by humans; ornaments and other fancy articles of lamp-worked glass; grains (ballotini)
- 70.20 Glass fibre (including wool), yarns, fabrics, and articles made therefrom
- 70.21 Other articles of glass

CHAPTER 71

- 71.01 Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport)

(a) The asterisk covers only heading No ex 70.10 (carboys, bottles and jars, of unworked glass, of a capacity exceeding 0.25 litre but not exceeding 2.5 litres).

(1) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 318 000 EUA and 40 % respectively.

(2) For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 971 000 EUA and 20 % respectively.

(3) For products falling within this subheading, the Community maximum amount referred to in Article 1 (4) is reduced to 25 %.

- 71.02 Precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)
- 71.03 Synthetic or reconstructed precious or semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)
- ex 71.05 Silver, including silver gilt and platinum-plated silver, semi-manufactured
- 71.06 Rolled silver, unworked or semi-manufactured
- ex 71.07 Gold, including platinum-plated gold, semi-manufactured
- 71.08 Rolled gold on base metal or silver, unworked or semi-manufactured
- ex 71.09 Platinum and other metals of the platinum group, semi-manufactured
- 71.10 Rolled platinum or other platinum group metals, on base metal or precious metal, unworked or semi-manufactured
- 71.12 Articles of jewellery and parts thereof, of precious metal or rolled precious metal
- 71.13 Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
- 71.14 Other articles of precious metal or rolled precious metal
- 71.15 Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)

CHAPTER 73

- 73.04 Shot and angular grit, of iron or steel, whether or not graded; wire pellets of iron or steel
- 73.05 A Iron or steel powders
- 73.07 Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:
 - A. Blooms and billets:
 - II. Forged
 - B. Slabs and sheet bars (including tinplate bars):
 - II. Forged
 - C. Pieces roughly shaped by forging
- 73.10 Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:
 - B. Not further worked than forged
 - C. Not further worked than cold-formed or cold-finished
 - D. Clad or surface-worked (for example, polished, coated):
 - I. Not further worked than clad:
 - b) Cold-formed or cold-finished
 - II. Other
- 73.11 Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron and steel, whether or not drilled, punched or made from assembled elements:

- 73.11 (cont'd)
- A. Angles, shapes and sections:
 - II. Not further worked than forged
 - III. Not further worked than cold-formed or cold-finished
 - IV. Clad or surface-worked (for example, polished, coated):
 - a) Not further worked than clad:
 - 1. Cold-formed or cold-finished
 - b) Other
- 73.12 Hoop and strip, of iron or steel, hot-rolled or cold-rolled:
- B. Not further worked than cold-rolled:
 - II. Other
 - C. Clad, coated or otherwise surface-treated:
 - I. Silvered, gilded or platinum-plated
 - II. Enamelled
 - III. Tinned:
 - b) Other
 - IV. Zinc-coated or lead-coated
 - V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):
 - a) Not further worked than clad:
 - 1. Cold-rolled
 - b) Other
 - D. Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)
- 73.13 Sheets and plates, of iron or steel, hot-rolled or cold-rolled:
- B. Other sheets and plates:
 - II. Not further worked than cold-rolled, of a thickness of:
 - a) 3 mm or more
 - IV. Clad, coated or otherwise surface-treated:
 - a) Silvered, gilded, platinum-plated or enamelled
 - V. Otherwise shaped or worked:
 - a) Cut into shapes other than rectangular shapes, but not further worked:
 - 1. Silvered, gilded, platinum-plated or enamelled
 - b) Other, excluding sheets and plates shaped by rolling
- 73.14 Iron or steel wire, whether or not coated, but not insulated
- 73.15 Alloy steel and high carbon steel in the form mentioned in heading Nos 73.06 to 73.14:
- A. High carbon steel:
 - I. Ingots, blooms, billets, slabs and sheet bars:
 - a) Forged
 - II. Pieces roughly shaped by forging
 - V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:
 - a) Not further worked than forged
 - c) Not further worked than cold-formed or cold-finished
 - d) Clad or surface-worked (for example, polished, coated):
 - 1. Not further worked than clad:
 - bb) Cold-formed or cold-finished
 - 2. Other
 - VI. Hoop and strip:
 - b) Not further worked than cold-rolled

73.15
(cont'd)

- c) Clad, coated or otherwise surface-treated:
 - 1. Not further worked than clad:
 - bb) Cold-rolled
 - 2. Other
- d) Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)

VII. Sheets and plates:

- b) Not further worked than cold-rolled, of a thickness of:
 - 1. 3 mm or more
- d) Otherwise shaped or worked:
 - 2. Other, excluding sheets and plates shaped by rolling

VIII. Wire, whether or not coated, but not insulated

B. Alloy steel:

I. Ingots, blooms, billets, slabs and sheet bars:

- a) Forged

II. Pieces roughly shaped by forging

V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:

- a) Not further worked than forged
- c) Not further worked than cold-formed or cold-finished
- d) Clad or surface-worked (for example, polished, coated):
 - 1. Not further worked than clad:
 - bb) Cold-formed or cold-finished
 - 2. Other

VI. Hoop and strip:

- b) Not further worked than cold-rolled
- c) Clad, coated or otherwise surface-treated:
 - 1. Not further worked than clad:
 - bb) Cold-rolled
 - 2. Other
- d) Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)

VII. Sheets and plates:

- b) Other sheets and plates:
 - 2. Not further worked than cold-rolled, of a thickness of:
 - aa) 3 mm or more
 - 4. Otherwise shaped or worked:
 - bb) Other, excluding sheets and plates shaped by rolling

VIII. Wire, whether or not coated, but not insulated

73.16 Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates, (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:

A. Rails:

I. Current-conducting, with parts of non-ferrous metal

D. Fish-plates and sole plates:

II. Other

E. Other

73.17 Tubes and pipes, of cast iron (*)

73.19 High-pressure hydro-electric conduits of steel, whether or not reinforced

73.20 Tube and pipe fittings (for example, joints, elbows, unions and flanges), of iron or steel (*)

- 73.21 Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame-works, door and window frames, shutters, balustrades, pillars and columns), of iron or steel; plates, strip, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel
- 73.22 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 litres, whether or not lined or head-insulated, but not fitted with mechanical or thermal equipment
- 73.23 Casks, drums, cans, boxes and similar containers, or sheet or plate iron or steel, of a description commonly used for the conveyance or packing of goods
- 73.24 Containers, of iron or steel, for compressed or liquefied gas
- 73.25 Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables
- 73.26 Barbed iron or steel wire; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of kinds used for fencing, of iron or steel
- 73.27 Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire; expanded metal, of iron or steel
- 73.29 Chain and parts thereof, of iron or steel
- 73.30 Anchors and grapnels and parts thereof, of iron or steel
- 73.31 Nails, tacks, staples, hook-nails, corrugated nails, spiked cramps, studs, spikes and drawing pins, of iron or steel, whether or not with heads of other materials, but not including such articles with heads of copper
- 73.32 Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of iron or steel; rivets, cotters, cotter-pins, washers and spring washers, of iron or steel ⁽¹⁾
- 73.33 Needles for hand sewing (including embroidery), hand carpet needles and hand knitting needles, bodkins, crochet hooks, and the like, and embroidery stiletos, of iron or steel
- 73.34 Pins (excluding hatpins and other ornamental pins and drawing pins), hairpins and curling grips, of iron or steel
- 73.35 Springs and leaves for springs, of iron or steel
- 73.36 Stoves (including stoves with subsidiary boilers for central heatings), ranges, cookers, grates, fires and other space heaters, gas-rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel
- 73.37 Boilers (excluding boilers of heading No 84.01) and radiators, for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel

⁽¹⁾ For wood screws falling within subheading 73.32 ex B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 993 000 EUA and 30 % respectively.

- 73.38 Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring and polishing pads, gloves and the like, of iron or steel
- 73.40 Other articles of iron or steel ⁽¹⁾ ⁽²⁾ (a)

CHAPTER 74

- 74.02 Master alloys
- 74.04 Wrought plates, sheets and strip, of copper ⁽²⁾
- 74.05 Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm
- 74.06 Copper powders and flakes
- 74.07 Tubes and pipes and blanks therefor, of copper; hollow bars of copper ⁽³⁾
- 74.08 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper
- 74.10 Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables
- 74.11 Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire; expanded metal, of copper
- 74.15 Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper; bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper
- 74.16 Springs, of copper
- 74.17 Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper
- 74.18 Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper
- 74.19 Other articles of copper

CHAPTER 75

- 75.02 Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire
- 75.03 Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes
- 75.04 Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel
- 75.05 Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis
- 75.06 Other articles of nickel

(a) The asterisk only covers products other than parts of box pallets (with mesh products).

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 850 200 ECU and 30 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 963 000 ECU and 25 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 489 000 ECU and 25 %, respectively.

CHAPTER 76

- 76.02 Wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire ⁽¹⁾ ^(*)
- 76.03 Wrought plates, sheets and strip, of aluminium ⁽²⁾ ^(*)
- 76.04 Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm
- 76.05 Aluminium powders and flakes
- 76.06 Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium
- 76.07 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium
- 76.08 Structures, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium
- 76.09 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment
- 76.10 Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods
- 76.11 Containers, of aluminium, for compressed or liquefied gas
- 76.12 Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables
- 76.15 Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium
- 76.16 Other articles of aluminium

CHAPTER 77

- 77.02 Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium; other articles of magnesium
- 77.04 Beryllium, unwrought or wrought, and articles of beryllium

CHAPTER 78

- 78.02 Wrought bars, rods, angles, shapes and sections, of lead; lead wire
- 78.03 Wrought plates, sheets and strip, of lead
- 78.04 Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m²; lead powders and flakes

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 692 000 EUA and 20 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 8 719 000 EUA and 20 % respectively.

78.05 Tubes and pipes and blanks, therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead

78.06 Other articles of lead

CHAPTER 79

79.02 Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire

79.04 Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc

79.06 Other articles of zinc

CHAPTER 80

80.02 Wrought bars, rods, angles, shapes and sections, of tin; tin wire

80.03 Wrought plates, sheets and strip, of tin

80.04 Tin foil (whether or not embossed, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m²; tin powders and flakes

80.05 Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin

80.06 Other articles of tin

CHAPTER 81

81.01 Tungsten (wolfram), unwrought or wrought, and articles thereof:

B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil

C. Other

81.02 Molybdenum, unwrought or wrought, and articles thereof:

B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil

C. Other

81.03 Tantalum, unwrought or wrought, and articles thereof:

B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil

C. Other

81.04 Other base metals, unwrought or wrought, and articles thereof; cermets, unwrought or wrought, and articles thereof:

A. Bismuth:

II. Other

B. Cadmium:

II. Other

C. Cobalt:

II. Other

D. Chromium:

II. Other

E. Germanium:

II. Other

- 81.04 F. Hafnium (celtium):
(cont'd) II. Other
- G. Manganese:
II. Other
- H. Niobium (columbium):
II. Other
- IJ. Antimony:
II. Other
- K. Titanium:
II. Other
- L. Vanadium:
II. Other
- N. Thorium:
II. Other:
b) Other (EURATOM)
- O. Zirconium:
II. Other
- P. Rhenium:
II. Other
- Q. Gallium; indium; thallium:
II. Other
- R. Cermets:
II. Other

CHAPTER 82

- 82.01 Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
- 82.02 Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
- 82.03 Hand tools, the following: pliers (including cutting pliers), pincers, tweezers, tinmen's snips, bolt croppers and the like; perforating punches; pipe cutters; spanners and wrenches (but not including tap wrenches); files and rasps
- 82.04 Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated)
- 82.05 Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits
- 82.06 Knives and cutting blades, for machines or for mechanical appliances
- 82.07 Tool-tips and plates, sticks and the like for tool-tips, unmounted, of sintered metal carbides (for example, carbides of tungsten, molybdenum or vanadium)
- 82.08 Coffee-mills, mincers, juice-extractors and other mechanical appliances, of a weight not exceeding 10 kg and of a kind used for domestic purposes in the preparation, serving or conditioning of food or drink

- 82.09 Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor (1)
- 82.11 Razors and razor blades (including razor blade blanks, whether or not in strips)
- 82.12 Scissors (including tailors' shears), and blades therefor
- 82.13 Other articles of cutlery (for example, secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files)
- 82.14 Spoons, forks, fish-eaters, butter-knives, ladles and similar kitchen or tableware (2)
- 82.15 Handles of base metal for articles falling within heading No 82.09, 82.13 or 82.14

CHAPTER 83

- 83.01 Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and part of such frames, of base metal; keys for any of the foregoing articles of base metal (3)
- 83.02 Base metal fittings and mountings of a kind suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers); base metal hat-racks, hat-pegs, brackets and the like
- 83.03 Safes, strong-boxes, armoured or reinforced strong-rooms, strong-room linings and strong-room doors, and cash and deed boxes and the like, of base metal
- 83.04 Filing cabinets, racks, sorting boxes, paper trays, paper rests and similar office equipment, of base metal, other than office furniture falling within heading No 94.03
- 83.05 Fittings for loose-leaf binders, for files or for stationery books, of base metal; letter clips, paper clips, staples, indexing tags, and similar stationery goods, of base metal
- 83.06 Statuettes and other ornaments of a kind used indoors, of base metal; photograph, picture and similar frames, of base metal; mirrors of base metal
- 83.07 Lamps and lighting fittings, of base metal, and parts thereof, of base metal (excluding switches, electric lamp holders, electric lamps for vehicles, electric battery or magneto lamps, and other articles falling within Chapter 85 except heading No 85.22) (4)
- 83.08 Flexible tubing and piping, of base metal
- 83.09 Clasps, frames with clasps for handbags and the like, buckles, buckle-clasps, hooks, eyes, eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods, handbags or other textile or leather goods; tubular rivets and bifurcated rivets, of base metal; beads and spangles, of base metal
- 83.11 Bells and gongs; non-electric, of base metal, and parts thereof of base metal

(1) For products falling within this heading, excluding blades therefor, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 473 000 ECU and 15 % respectively.

(2) For products falling within subheading 82.14 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 437 000 ECU and 15 % respectively.

(3) For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 914 000 ECU and 15 % respectively.

(4) For products falling within this heading, the Community maximum amount referred to in Article 1 (3) is set at 40 %.

- 83.13 Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal
- 83.14 Sign-plates, name-plates, numbers, letters and other signs, of base metal
- 83.15 Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbides, coated or cored with flux material, of a kind used for soldering, brazing, welding or deposition of metal or of metal carbides; wire and rods, of agglomerated base metal powder, used for metal spraying

CHAPTER 84

- 84.01 Steam and other vapour generating boilers (excluding central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers
- 84.02 Auxiliary plant for use with boilers falling within heading No 84.01 (for example, economizers, superheaters, soot removers, gas recoverers and the like); condensers for vapour engines and power units
- 84.03 Producer gas and water gas generators, with or without purifiers; acetylene gas generators (water process) and similar gas generators, with or without purifiers
- 84.05 Steam or other vapour power units, whether or not incorporating boilers
- 84.06 Internal combustion piston engines
- 84.07 Hydraulic engines and motors (including water wheels and water turbines)
- 84.08 Other engines and motors
- 84.09 Mechanically propelled road rollers
- 84.10 Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds (*) (a)
- 84.11 Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like
- 84.12 Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air
- 84.13 Furnace burners for liquid fuel (atomizers), for pulverized solid fuel or for gas; mechanical stokers, mechanical grates, mechanical ash dischargers and similar appliances
- 84.14 Industrial and laboratory furnaces and ovens, non-electric
- 84.15 Refrigerators and refrigerating equipment (electrical and other)
- 84.16 Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass-working machines) and cylinders therefor

(a) The asterisk covers only subheading 84.10 B II.

- 84.17 Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vapourizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical
- 84.18 Centrifuges filtering and purifying machinery and apparatus (other than filter funnels, milk strainers and the like), for liquids or gases
- 84.19 Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing, capsuling or labelling bottles, cans, boxes, bags or other containers; other packing or wrapping machinery; machinery for aerating beverages; dish washing machines
- 84.20 Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
- 84.21 Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers (charged or not); spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines
- 84.22 Lifting, handling, loading or unloading machinery, telfers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not being machinery falling within heading No 84.23
- 84.23 Excavating, levelling, tamping, boring and extracting machinery, stationary or mobile, for earth, minerals or ores (for example, mechanical shovels, coal-cutters, excavators, scrapers, levellers and bulldozers); pile-drivers; snow-ploughs, not self-propelled (including snow-plough attachments)
- 84.24 Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors); lawn and sports ground rollers
- 84.25 Harvesting and threshing machinery; straw and fodder presses; hay or grass mowers; winnowing and similar cleaning machines for seed, grain or leguminous vegetables and egg-grading and other grading machines for agricultural produce (other than those of a kind used in the bread grain milling industry falling within heading No 84.29)
- 84.26 Dairy machinery (including milking machines)
- 84.27 Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like
- 84.28 Other agricultural, horticultural, poultry-keeping and bee-keeping machinery; germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders
- 84.29 Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
- 84.30 Machinery, not falling within any other heading of this Chapter, of a kind used in the following food or drink industries: bakery, confectionery, chocolate manufacture, macaroni, ravioli or similar cereal food manufacture, the preparation of meat, fish, fruit or vegetables (including mincing or slicing machines), sugar manufacture or brewing
- 84.31 Machinery for making or finishing cellulosic pulp, paper or paperboard
- 84.32 Book-binding machinery, including book-sewing machines
- 84.33 Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard

- 84.34 Machinery, apparatus and accessories for type-founding or type-setting; machinery, other than the machine-tools of heading No 84.45, 84.46 or 84.47, for preparing or working printing blocks, plates, or cylinders; printing type, impressed slugs and matrices printing blocks, plates and cylinders; blocks, plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)
- 84.35 Other printing machinery; machines for use ancillary to printing
- 84.36 Machines for extruding man-made textiles; machines of a kind used for processing natural or man-made textile fibres; textile spinning and twisting machines; textile doubling, throwing and reeling (including weft-winding) machines
- 84.37 Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net; machines for preparing yarns for use on such machines, including warping and warp sizing machines
- 84.38 Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles)
- 84.39 Machinery for the manufacture or finishing of felt in the piece or in shapes, including felt-hat making machines and hat-making blocks
- 84.40 Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor covering for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor
- 84.41 Sewing machines; furniture specially designed for sewing machines; sewing machine needles:
- A. Sewing machines; furniture specially designed for sewing machines:
- I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor:
- a) Sewing machines having a value (not including frames, tables or furniture) or more than 65 EUA each
- b) Other ⁽¹⁾
- II. Other sewing machines and other sewing machine heads ⁽²⁾
- III. Parts, furniture specially designed for sewing machines ⁽²⁾
- B. Sewing machine needles :
- 84.42 Machinery (other than sewing machines) for preparing, tanning or working hides, skins or leather (including boot and shoe machinery)
- 84.43 Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy and in metal foundries
- 84.44 Rolling mills and rolls therefor

⁽¹⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 983 000 EUA and 15 % respectively.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 426 000 EUA and 40 % respectively.

⁽³⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 366 000 EUA and 40 % respectively.

- 84.45 Machine-tools for working metal or metal carbides, not being machines falling within heading No 84.49 or 84.50
- 84.46 Machine-tools for working stone, ceramics, concrete, asbestos-cement and like mineral materials or for working glass in the cold, other than machines falling within heading No 84.49
- 84.47 Machine-tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
- 84.48 Accessories and parts suitable for use solely or principally with the machines falling within heading Nos 84.45 to 84.47, including work and tool holders, self-opening dieheads, dividing heads and other appliances for machine-tools; tool holders for any type of tool or machine-tool for working in the hand
- 84.49 Tools for working in the hand, pneumatic or with self-contained non-electric motor
- 84.50 Gas-operated welding, brazing, cutting and surface tempering appliances
- 84.51 Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines
- 84.52 Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device ⁽¹⁾
- 84.53 Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data on to data media in coded form and machines for processing such data, not elsewhere specified or included
- 84.54 Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines)
- 84.55 Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54
- 84.56 Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand
- 84.57 Glass-working machines (other than machines for working glass in the cold); machines for assembling electric filament and discharge lamps and electronic and similar tubes and valves
- 84.58 Automatic vending machines (for example, stamp, cigarette, chocolate and food machines), not being games of skill or chance
- 84.59 Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:
- A. For the manufacture of the products mentioned in subheading 28.51 A (EURATOM)
 - B. Nuclear reactors (EURATOM)
 - C. Specially designed for the recycling of irradiated nuclear fuels (for example, sintering of radioactive metal oxides, sheathing) (EURATOM)

⁽¹⁾ For machines falling within subheading 84.52 A, other than those with a print-out, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 28 840 000 ECU and 25 % respectively.

- 84.59 D. Rope or cable-making machinery, including electric wire and cable-making machines
(cont'd)
- E. Other
- 84.60 Moulding boxes for metal foundry; moulds of a type used for metal (other than ingot moulds), for metal carbides, for glass, for mineral materials (for example, ceramic pastes, concrete or cement) or for rubber or artificial plastic materials
- 84.61 Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure-reducing valves and thermostatically controlled valves ^(*) (a)
- 84.62 Ball, roller or needle roller bearings ^(*)
- ex 84.63 Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gearboxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings, but not including forged or roughly shaped shafts, of a weight exceeding 150 tonnes, for generators or turbines
- 84.64 Gaskets and similar joints of metal sheeting combined with other material (for example, asbestos, felt and paperboard) or of laminated metal foil; sets or assortments of gaskets and similar joints, dissimilar in composition, for engines, pipes, tubes and the like, put up in pouches, envelopes or similar packings
- 84.65 Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features and not falling within any other heading in this Chapter

CHAPTER 85

- 85.01 Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus; inductors:
- A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:
- I. Synchronous motors of an output of not more than 18 watts ⁽¹⁾
- B. Transformers, static converters, rectifiers and rectifying apparatus; inductors
- C. Parts ⁽²⁾
- 85.02 Electro-magnets; permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets; electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders; electro-magnetic clutches and couplings; electro-magnetic brakes; electro-magnetic lifting heads
- 85.03 Primary cells and primary batteries ⁽³⁾ ^(*)
- 85.04 Electric accumulators ⁽⁴⁾
- 85.05 Tools for working in the hand, with self-contained electric motor

(a) The asterisk covers only subheading 84.61 ex B (taps, cocks, valves and similar appliances of pig iron or cast iron).

⁽¹⁾ For products falling within subheading 85.01 A.1, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 344 000 EUA and 20 % respectively.

⁽²⁾ For products falling within subheading 85.01 C, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 279 000 EUA and 25 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 441 000 EUA and 30 % respectively.

⁽⁴⁾ For products falling within subheading 85.04 A (lead-acid accumulators), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 652 000 EUA and 20 % respectively.

- 85.06 Electro-mechanical domestic appliances, with self-contained electric motor
- 85.07 Shavers and hair clippers, with self-contained electric motor
- 85.08 Electrical starting and ignition equipment for internal combustion engines (including ignition magnetos, magneto-dynamos, ignition coils, starter motors, sparking plugs and glow plugs); generators (dynamos and alternators) and cut-outs for use in conjunction with such engines
- 85.09 Electrical lighting and signalling equipment and electrical windscreen wipers, defrosters and demisters, for cycles or motor vehicles
- 85.10 Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09:
A. Miners' safety lamps
- 85.11 Industrial and laboratory electric furnaces, ovens and inductions and dielectric heating equipment; electric or laser-operated welding, brazing, soldering or cutting machines and apparatus
- 85.12 Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hairdressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
- 85.13 Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)
- 85.14 Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers
- 85.15 Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus⁽¹⁾:
A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras:
I. Transmitters
II. Transmitter-receivers
IV. Television cameras
B. Other apparatus
C. Parts of the goods of subheadings A and B above:
I. Cabinets and cases
II. Parts of base metal, obtained by turning bars, angles, shapes, sections or wire, of solid section, the greatest diameter of which does not exceed 25 mm
- 85.16 Electric traffic control equipment for railways, roads or inland waterways and equipment used for similar purposes in port installations or upon airfields
- 85.17 Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16

⁽¹⁾ For products falling within subheadings 85.15 A I, II, IV; B; C I, II, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 18 423 000 EUA and 25 % respectively.

- 85.18 Electrical capacitors, fixed or variable ⁽¹⁾
- 85.19 Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels ⁽²⁾ ⁽³⁾
- 85.20 Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc-lamps ⁽⁴⁾
- 85.21 Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light-emitting diodes; electronic micro-circuits ⁽⁵⁾:
- A. Valves and tubes
- B. Photocells, including photo-transistors
- C. Mounted piezo-electric crystals
- 85.22 Electrical appliances and apparatus, having individual functions, not falling within any other heading of this Chapter
- 85.24 Carbon brushes, arc-lamp carbons, battery carbons, carbon electrodes and other carbon articles of a kind used for electrical purposes
- 85.25 Insulators of any material
- 85.26 Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
- 85.27 Electrical conduit tubing and joints therefor, of base metal lined with insulating material
- 85.28 Electrical parts of machinery and apparatus, not being goods falling within any of the preceding headings of this Chapter

CHAPTER 86 RAILWAY AND TRAMWAY LOCOMOTIVES, ROLLING-STOCK AND PARTS THEREOF; RAILWAY AND TRAMWAY TRACK FIXTURES AND FITTINGS; TRAFFIC SIGNALLING EQUIPMENT OF ALL KINDS (NOT ELECTRICALLY POWERED)

CHAPTER 87

- 87.01 Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys
- 87.02 Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those falling within heading No 87.09)

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 587 000 ECU and 20 % respectively.

⁽²⁾ For products falling within subheading 85.19 A, the Community maximum amount referred to in Article 1 (4) is set at 25 %.

⁽³⁾ For products falling within subheading 85.19 B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 209 000 ECU and 40 % respectively.

⁽⁴⁾ For products falling within subheading 85.20 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 027 000 ECU and 20 % respectively.

⁽⁵⁾ For products falling within subheadings 85.21 A, B and C, the Community ceiling referred to in Article 1 (3) is set at 12 800 000 ECU.

- 87.03 Special purpose motor lorries and vans (such as breakdown lorries, fire-engines, fire-escapes, road-sweeper lorries, snow-ploughs, spraying lorries, crane lorries, searchlight lorries, mobile workshops and mobile radiological units), but not including the motor vehicles falling within heading No 87.02)
- 87.04 Chassis fitted with engines, for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.05 Bodies (including cabs) for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.06 Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.07 Works trucks, mechanically propelled, of the type used in factories, warehouses, dock areas or airports for short distance transport or handling of goods (for example, platform trucks, fork-lift trucks and straddle carriers); tractors of the type used on railway station platforms; parts of the foregoing vehicles
- 87.08 Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles
- 87.09 Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds
- 87.10 Cycles (including delivery tricycles), not motorized ⁽¹⁾ (*)
- 87.11 Invalid carriages, whether or not motorized or otherwise mechanically propelled
- 87.12 Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11 ⁽²⁾ (*) (a)
- 87.13 Baby carriages and parts thereof
- 87.14 Other vehicles (including trailers), not mechanically propelled, and parts thereof:
- A. Animal-drawn vehicles
 - B. Trailers and semi-trailers:
 - 1. Specially designed for the transport of highly radio-active materials (EURATOM)
 - C. Other vehicles
 - D. Parts

CHAPTER 88 AIRCRAFT AND PARTS THEREOF; PARACHUTES; CATAPULTS AND SIMILAR AIRCRAFT LAUNCHING GEAR; GROUND FLYING TRAINERS

CHAPTER 89 SHIPS, BOATS AND FLOATING STRUCTURES

CHAPTER 90

- 90.01 Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material
- 90.02 Lenses, prisms, mirrors and other optical elements of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked

(a) The asterisk covers only subheading 87.12 B.

(1) For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 20 %.

(2) For products falling within subheading 87.12 B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 901 000 ECU and 30 % respectively.

- 90.03 Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
- 90.04 Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
- 90.06 Astronomical instruments (for example, reflecting telescopes, transit instruments and equatorial telescopes), and mountings therefor, but not including instruments for radio-astronomy
- 90.07 Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20
- 90.08 Cinematographic cameras, projectors, sound recorders and sound reproducers but not including re-recorders or film editing apparatus; any combination of these articles
- 90.09 Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers ⁽¹⁾
- 90.10 Apparatus and equipment of a kind used in photographic or cinematographic laboratories, not falling within any other heading in this Chapter; photocopying apparatus (whether incorporating an optical system or of the contact type) and thermocopying apparatus; screens for projectors
- 90.11 Microscopes and diffraction apparatus, electron and proton
- 90.12 Compound optical microscopes, whether or not provided with means for photographing or projecting the image
- 90.13 Optical appliances and instruments (but not including lighting appliances other than searchlights or spotlights), not falling within any other heading of this Chapter; lasers, other than laser diodes
- 90.14 Surveying (including photogrammetrical surveying), hydrographic, navigational meteorological, hydrological and geophysical instruments; compasses; rangefinders
- 90.15 Balances of a sensitivity of 5 cg or better, with or without their weights
- 90.16 Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors
- 90.17 Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments) ⁽²⁾
- 90.18 Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; artificial respiration, ozone therapy, oxygen therapy, aerosol therapy or similar apparatus; breathing appliances (including gas masks and similar respirators)
- 90.19 Orthopaedic appliances, surgical belts, trusses and the like; splints and other fracture appliances; artificial limbs, eyes, teeth and other artificial parts of the body; hearing-aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 868 000 EUA and 45 % respectively.

- 90.20 Apparatus based on the use of X-rays or of the radiations from radioactive substances (including radiography and radiotherapy apparatus); X-ray generators; X-ray tubes; X-ray screens; X-ray high tension generators; X-ray control panels and desks; X-ray examination or treatment tables, chairs and the like
- 90.21 Instruments, apparatus or models, designed solely for demonstrational purposes (for example, in education or exhibition), unsuitable for other uses
- 90.22 Machines and appliances for testing mechanically the hardness, strength, compressibility, elasticity and the like properties of industrial materials (for example, metals, wood, textiles, paper or plastics)
- 90.23 Hydrometers and similar instruments; thermometers, pyrometers, barometers, hygrometers, psychrometers, recording or not; any combination of these instruments
- 90.24 Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats, level gauges, flow meters, heat meters, automatic oven-draught regulators), not being articles falling within heading No 90.14
- 90.25 Instruments and apparatus for physical or chemical analysis (such as polarimeters, refractometers, spectrometers, gas analysis apparatus), instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like (such as viscometers, porosimeters, expansion meters); instruments and apparatus for measuring or checking quantities of heat, light or sound (such as photometers (including exposure meters), calorimeters); microtomes
- 90.26 Gas, liquid and electricity supply or production meters; calibrating meters therefor
- 90.27 Revolution counters, production counters, taximeters, mileometers, pedometers, and the like, speed indicators (including magnetic speed indicators) and tachometers (other than articles falling within heading No 90.14); stroboscopes
- 90.28 Electrical measuring, checking, analysing or automatically controlling instruments and apparatus
- 90.29 Parts or accessories suitable for use solely or principally with one or more of the articles falling within heading No 90.23, 90.24, 90.26, 90.27 or 90.28

CHAPTER 91

- 91.01 Pocket-watches, wrist-watches, and other watches, including stop-watches
- 91.02 Clocks with watch movements (excluding clocks of heading No 91.03)
- 91.03 Instrument panel clocks and clocks of a similar type, for vehicles, aircraft or vessels
- 91.04 Other clocks
- 91.05 Time of day recording apparatus; apparatus with clock or watch movement (including secondary movement) or with synchronous motor, for measuring, recording or otherwise indicating intervals of time
- 91.06 Time switches with clock or watch movement (including secondary movement) or with synchronous motor
- 91.07 Watch movements (including stop-watch movements), assembled
- 91.08 Clock movements, assembled
- 91.09 Watch cases and parts of watch cases ⁽¹⁾

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 741 000 EUA and 25 % respectively.

- 91.10 Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof
- 91.11 Other clock and watch parts

CHAPTER 92

- 92.01 Pianos (including automatic pianos, whether or not with keyboards); harpsichords and other keyboard stringed instruments; harps but not including aeolian harps
- 92.02 Other string musical instruments
- 92.03 Pipe and reed organs, including harmoniums and the like
- 92.04 Accordions, concertinas and similar musical instruments; mouth organs
- 92.05 Other wind musical instruments
- 92.06 Percussion musical instruments (for example, drums, xylophones, cymbals, castanets)
- 92.07 Electro-magnetic, electrostatic, electronic and similar musical instruments (for example, pianos, organs, accordions)
- 92.08 Musical instruments not falling within any other heading of this Chapter (for example, fairground organs, mechanical street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effects of all kinds; mouthblown sound-signalling instruments (for example, whistles and boatswains' pipes)
- 92.10 Parts and accessories of musical instruments, including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds
- 92.11 Gramophones, dictating machines and other sound recorders or reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders or reproducers:
 - B. Television image and sound recorders or reproducers
- 92.12 Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording ⁽¹⁾
- 92.13 Other parts and accessories of apparatus falling within heading No 92.11

CHAPTER 93 ARMS AND AMMUNITIONS; PARTS THEREOF (*) (a)

CHAPTER 94

- 94.01 Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof:
 - A. Specially designed for aircraft
- 94.02 Medical, dental, surgical or veterinary furniture (for example, operating tables, hospital beds with mechanical fittings); dentists' and similar chairs with mechanical elevating, rotating or reclining movements; parts of the foregoing articles

(a) The asterisk covers only subheading 93.07 B.

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 741 000 EUA and 30 % respectively.

- 94.04 Mattress supports; articles of bedding or similar furnishing fitted with springs or stuffed or internally fitted with any material or of expanded, foam or sponge rubber or expanded, foam or sponge artificial plastic material, whether or not covered (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows)

CHAPTER 95 ARTICLES AND MANUFACTURES OF CARVING OR MOULDING MATERIAL

CHAPTER 96 BROOMS, BRUSHES, POWDER-PUFFS AND SIEVES (*) (a)

CHAPTER 97

- 97.01 Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles and pedal motorcars); dolls' prams and dolls' pushchairs
- 97.04 Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites ⁽¹⁾ (*) (b)
- 97.06 Appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04):
- B. Tennis rackets
- C. Other
- 97.07 Fish-hooks, line fishing rods and tackle; fish landing nets and butterfly nets; decoy 'birds', lark mirrors and similar hunting or shooting requisites
- 97.08 Roundabouts, swings, shooting galleries and other fairground amusements; travelling circuses, travelling menageries and travelling theatres

CHAPTER 98

- 98.01 Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs; blanks and parts of such articles
- 98.02 Slide fasteners and parts thereof
- 98.03 Fountain pens, stylograph pens and pencils (including ballpoint pens and pencils and other pens), pen-holders, pencil-holders and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No 98.04 or 98.05
- 98.04 Pen nibs and nib points
- 98.05 Pencils (other than pencils of heading No 98.03), pencil leads, slate pencils, crayons and pastels, drawing charcoals and writing and drawing chalks; tailors' and billiard chalks
- 98.06 Slates and boards, with writing or drawing surfaces, whether framed or not
- 98.07 Date, sealing or numbering stamps, and the like (including devices for printing or embossing labels), designed for operating in the hand; hand-operated composing sticks and hand printing sets incorporating such composing sticks
- 98.08 Typewriter and similar ribbons, whether or not on spools; ink-pads with or without boxes
- 98.09 Sealing wax (including bottle-sealing wax) in sticks, cakes or similar forms; copying pastes with a basis of gelatin, whether or not with a paper or textile backing

(a) The asterisk covers only subheadings 96.01 B I and III.

(b) The asterisk covers only subheading 97.04 A.

(1) For products falling within heading No 97.04, the Community maximum amount referred to in Article 1 (4) is set at 25 %.

- 98 10 Mechanical lighters and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks
 - 98 11 Smoking pipes; pipe bowls, stems and other parts of smoking pipes (including roughly shaped blocks of wood or root); cigar and cigarette holders and parts thereof
 - 98 12 Combs, hair-slides and the like
 - 98 14 Scent and similar sprays of a kind used for toilet purposes, and mounts and heads therefor
 - 98 16 Tailors' dummies and other lay figures; automata and other animated displays of a kind used for shop window dressing
-

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78 - OJ No L 339, 5.12.1978, p. 5)

⁽²⁾ This country is also included in Annex C

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunel
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swan's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries to which Article 2 (1) and (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3157/78

of 29 December 1978

opening, allocating and providing for the administration of Community tariff preferences
for textile products originating in developing countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas, in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50% of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 of cif imports from the

countries benefiting from this scheme excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5% of the value of cif imports from other countries, and from the countries already enjoying such arrangements (additional amount);

Whereas, however, in respect of cotton textile products formerly covered by the long-term arrangement regarding international trade in cotton textiles, the offer in question laid down that the preferences in the form of duty-free ceilings normally calculated according to the formula set out in the preceding recital would be granted to the countries enjoying generalized preferences which are signatories to the long-term arrangement, or possibly to those countries which undertook *vis-à-vis* the Community commitments similar to those existing under that arrangement, and that they would be accorded for the duration of the said arrangement; whereas the arrangement was due to expire on 30 September 1973 and was extended to 31 December 1973; whereas, provisionally for the period 1 January 1974 to 30 June 1978, it was considered that the countries concerned would adopt measures with equivalent aims, for both cotton textile and like products, pending the implementation of the arrangement regarding international trade in textiles⁽¹⁾; whereas the latter expired on 31 December 1977 and whereas the Community has participated in negotiations for its renewal and has accepted its prolongation, subject to the conditions and rules set out in a protocol to which have been attached the conclusions adopted by the Textiles Committee on 14 December 1977; whereas, within the framework of the said arrangement regarding international trade in textiles, bilateral agreements have been negotiated between the Community and certain supplier countries and territories which enjoy generalized preferences covering trade in textiles for the period 1 January 1978 to 31 December 1982; whereas under these agreements these countries and territories have accepted a quantitative limitation of their exports of certain textile products to the Community during the said period; whereas it would therefore be sufficient under this Regulation to limit the benefit of preferences in the textile sector to products originating in the said countries and territories and in those which were to give the Community similar undertakings;

(¹) OJ No L 118, 30. 4. 1974, p. 1.

Whereas, however, the implementation of a system of tariff preferences for textile products which will take due account of the results of the textile policy pursued under the arrangement regarding international trade in textiles constitutes a fairly complex operation necessitating an intensive study of the specific rules to be put into effect and of their impact on trade in textile products in general and preferential imports in particular; whereas, furthermore, this study cannot be carried out without certain information being known relating to the application of this arrangement, particularly as regards the functioning of the system of surveillance introduced to ensure the proper working of the agreements;

Whereas it was therefore desirable to extend, on exactly the same basis and for a further period of six months beginning 1 July 1978, the arrangements laid down in Regulation (EEC) No 2706/77⁽¹⁾, which was applicable during the first half of 1978;

Whereas the arrangements laid down in Regulation (EEC) No 2706/77 should be extended for a further period of six months, with the volumes concerned being increased by 5%,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 30 June 1979, the Common Customs Tariff duties on the products listed in Annexes A, B and C shall be totally suspended within the framework of Community tariff quotas or within the limits of Community ceilings.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex D, subject to the details given in Annexes A, B and C.

However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the tariff quotas or ceilings referred to in paragraph 1. For the purposes of this Regulation, the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

With regard to carpets, carpeting and rugs of wool or fine animal hair, falling within heading No 58.01 and

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 67.

mentioned in Annexes A and C, the certificates of origin for these products shall state the number of knots per metre of warp.

3. The ceilings shall be administered and the quotas allocated and administered in accordance with the following provisions.

SECTION I

Provisions relating to the administration of the Community tariff ceilings

Article 2

1. Subject to the provisions of Articles 3 and 4, this suspension shall be granted, in respect of each category of products, within the limits of a Community ceiling expressed in tonnes:

— indicated, for each of the products listed in Annex B, under (a) in column 5,

— equal, as regards the products listed in Annex C, to 91.5% of the amount obtained by adding together imports into the Community in 1968, expressed in tonnes, of the products concerned from the independent countries listed in Annex D, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5% of the tonnage of imports in 1970 from other countries and from countries already enjoying such arrangements.

2. Only the products originating in the countries and territories listed in Annex D, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against the ceilings fixed under (a) in column 5 of the said Annex B.

3. Subject to the provisions of Articles 3 and 4, within each ceiling thus indicated or calculated, charges of products originating in any one of the countries and territories listed in Annex D must not exceed a Community maximum amount equivalent to 50% of this ceiling with the exception of certain products for which the maximum amount shall be reduced to the percentage shown in Annex C.

Article 3

1. As soon as the ceilings indicated or calculated in accordance with Article 2 (1), which are laid down for Community imports of products originating in all the countries and territories referred to in Article 1 (2) —

account being taken of Article 2 (2) — are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with Article 2 (3) — account being taken of Article 2 (2) — for Community imports of products originating in each of the countries and territories referred to in Article 1 (2) are reached for any one of these countries or territories at Community level, the levying of customs duties on imports of the products in question from the country or territory concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

However, the first subparagraph shall not apply to the imports in question originating in the countries listed in Annex E.

Article 4

The Commission shall reintroduce the levying of customs duties in respect of all the countries or territories referred to in Article 1 (2) or in respect of any one of them by means of a Regulation according to the conditions laid down in Article 3 (1) and (2).

SECTION II

Provisions relating to the allocation and administration of the Community tariff quotas

Article 5

1. The total suspension of customs duties within the framework of the Community tariff quotas referred to in Article 1 (1) concerns the products in Annex A and the products in Annex B for each of which the quota amount, expressed in tonnes, is indicated in column 3 of Annex A under (a) in column 4 of Annex B.

2. The amount to be charged in respect of each independent country referred to in Article 1 (2) against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given under (a) in column 4 of Annex A against each category of products.

For the products listed in Annex A, charges of the products originating in each of the countries listed

under (b) in column 4 of the said Annex shall be limited in each Member State to 10 % of its share. Each Member State shall reintroduce the levying of normal customs duties in respect of the country concerned as soon as it records that the said percentage has been reached. The Member State in question shall immediately notify the Commission, which shall inform the other Member States without delay.

This limitation of the amount charged shall not apply to the tariff quotas given under (a) in column 4 of Annex B, such quotas being available only to the countries and territories mentioned opposite, under (b) in column 4 of the said Annex, considered as a group.

Article 6

1. For the products listed in Annexes A and B, the Community tariff quotas referred to in Article 5 (1) shall be allocated in shares which shall be, for each Member State, the amounts corresponding to the tonnages shown in column 5 of Annex A and under (c) in column 4 of Annex B against each category of products.

2. The shares allocated to Denmark for certain products falling within heading Nos and subheadings 51.04, ex 55.05, ex 55.09, 56.05 A, 56.07 A and ex 59.04 shall be increased by an amount determined in a footnote to Annex A.

The first and second subparagraphs of Article 5 (2) shall not apply to such an increase.

Article 7

Member States shall take all measures necessary to ensure that importers of the products concerned established in their territory have free access to the shares allocated to them.

Article 8

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 5 (2) is observed. When the charges, at Community level, of products originating in each of the independent countries listed in Annex D against any one of the Community tariff quotas reach the maximum amount laid down under (a) in column 4 of Annex A, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be reintroduced in respect of the independent country in question. This notification shall be published in the *Official Journal of the European Communities*.

SECTION III

General provisions

Article 9

1. Imports of the products in question shall be actually charged against the Community ceilings, shares and maximum amounts as and when these products are entered for home use and are accompanied by a certificate of origin pursuant to the rules referred to in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount or admitted under a tariff quota only if the certificate of origin referred to in paragraph 1 is presented before the date on which the levying of duties is reintroduced.

3. The extent to which the ceilings, shares and maximum amounts have been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

4. Any amendment to Annex D, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the amounts of the Community ceilings, quotas and maximum amounts referred to in Articles 2 (1) and (3), and 5 (1) and (2).

Article 10

On receipt of a request from the Commission, and in any case at least monthly, Member States shall inform it of imports of the products concerned charged against their shares and the Community ceilings and maximum amounts.

Article 11

Member States and the Commission shall cooperate closely to ensure that the preceding provisions are observed.

Article 12

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of textile products subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
1	51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	201	30	10 for — Colombia — Korea (South)	Germany 54.27 Benelux 20.10 France 38.19 Italy 28.14 Denmark ⁽¹⁾ 14.07 Ireland 2.01 United Kingdom 44.22
2	55.05	Cotton yarn, not put up for retail sale: B. Other: II. Other: Measuring, per single yarn, per kg: — 14 000 m or less	732	30	10 for Brazil	Germany 197.64 Benelux 73.20 France 139.08 Italy 102.48 Denmark 51.24 Ireland 7.32 United Kingdom 161.04

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 6.73 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
3	55.05 (cont'd)	— More than 14 000 m but not more than 40 000 m	3 377	30	10 for — Brazil — Mexico	Germany 911.79 Benelux 337.70 France 641.63 Italy 472.78 Denmark (1) 236.39 Ireland 33.77 United Kingdom 742.94
4		— More than 40 000 m but not more than 80 000 m	1 161	30	10 for — Brazil — Colombia — Mexico	Germany 313.47 Benelux 116.10 France 220.59 Italy 162.54 Denmark (2) 81.27 Ireland 11.61 United Kingdom 255.42
5		— More than 80 000 m but less than 120 000 m	167.50	20		Germany 45.22 Benelux 16.75 France 31.82 Italy 23.45 Denmark 11.73 Ireland 1.68 United Kingdom 36.85

(1) Pursuant to Article 6 (2) this share is increased by 275.21 tonnes

(2) Pursuant to Article 6 (2) this share is increased by 149.25 tonnes

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
6	55.09	Other woven fabrics of cotton: A. Containing 85% or more by weight of cotton: I. Of a width of less than 85 cm: — Unbleached	488	40		Germany 131.76 Benelux 48.80 France 92.72 Italy 68.32 Denmark 34.16 Ireland 4.88 United Kingdom 107.36
7		— Other	298	40	10 for — Colombia — Mexico	Germany 80.46 Benelux 29.80 France 56.62 Italy 41.72 Denmark 20.86 Ireland 2.98 United Kingdom 65.56
8		II. Other: — Unbleached, of a width of: — 85 cm or more but not more than 115 cm	3 024	30	10 for Brazil	Germany 816.48 Benelux 302.40 France 574.56 Italy 423.36 Denmark 211.68 Ireland 30.24 United Kingdom 665.28

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
9	55.09 (cont'd)	— More than 115 cm but not more than 165 cm	1 837.50	40	10 for — Brazil — Colombia — Korea (South)	Germany 496.12 Benelux 183.75 France 349.12 Italy 257.25 Denmark (1) 128.63 Ireland 18.38 United Kingdom 404.25
10		— More than 165 cm	593	40	10 for — Brazil — Korea (South) — Singapore — Yugoslavia	Germany 160.11 Benelux 59.30 France 112.67 Italy 83.02 Denmark 41.51 Ireland 5.93 United Kingdom 130.46
11		— Other	287	40	10 for — Brazil — Colombia — Mexico	Germany 77.49 Benelux 28.70 France 54.53 Italy 40.18 Denmark (2) 20.09 Ireland 2.87 United Kingdom 63.14
12		B. Other	164.50	40	10 for Yugoslavia	Germany 44.42 Benelux 16.45 France 31.25 Italy 23.03 Denmark 11.52 Ireland 1.65 United Kingdom 36.18

(1) Pursuant to Article 6 (2) this share is increased by 196.8 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 294.47 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
13	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: A. Of synthetic textile fibres	333	30	10 for — Korea (South) — Singapore	Germany 89.91 Benelux 33.30 France 63.27 Italy 46.62 Denmark (1) 23.31 Ireland 3.33 United Kingdom 73.26
14	56.07	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres	310	30	10 for Korea (South)	Germany 83.70 Benelux 31.00 France 58.90 Italy 43.40 Denmark (2) 21.70 Ireland 3.10 United Kingdom 68.20
15	58.01	Carpets, carpeting and rugs, knotted (made up or not): ex A. Of wool or of fine animal hair, containing per metre of warp not more than 500 rows of knots	2 839	40		Germany 766.53 Benelux 283.90 France 539.41 Italy 397.46 Denmark 198.73 Ireland 28.39 United Kingdom 624.58

(1) Pursuant to Article 6 (2) this share is increased by 15.41 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 116.03 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
16	ex 59.04	Twine, cordage, ropes and cables plaited or not: — Of hemp	1 459	40		Germany 393.93 Benelux 145.90 France 277.21 Italy 204.26 Denmark 102.13 Ireland 14.59 United Kingdom 320.98
17		— Of sisal (<i>Agave sisalana</i>)	365.50	30		Germany 98.68 Benelux 36.55 France 69.45 Italy 51.17 Denmark (1) 25.59 Ireland 3.66 United Kingdom 80.40
18		— Of synthetic textile fibres	351	20		Germany 94.77 Benelux 35.10 France 66.69 Italy 49.14 Denmark 24.57 Ireland 3.51 United Kingdom 77.22
19		— Other, other than of jute or of other textile bast fibres of heading No 57.03 or of coir	274	30		Germany 73.98 Benelux 27.40 France 52.06 Italy 38.36 Denmark 19.18 Ireland 2.74 United Kingdom 60.28

(1) Pursuant to Article 6 (2) this share is increased by 39.5 tonnes

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
20	60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: B. Of synthetic textile fibres	60	30	10 for Korea (South)	Germany 16.20 Benelux 6.00 France 11.40 Italy 8.40 Denmark 4.20 Ireland 0.60 United Kingdom 13.20
21		A. Of wool or of fine animal hair C. Of cotton D. Of other textile materials	210	30	10 for — Korea (South) — Yugoslavia	Germany 56.70 Benelux 21.00 France 39.90 Italy 29.40 Denmark 14.70 Ireland 2.10 United Kingdom 46.20
22	60.04	Under garments, knitted or crocheted, not elastic or rubberized	1 288	30	10 for — Korea (South) — Yugoslavia	Germany 347.76 Benelux 128.80 France 244.72 Italy 180.32 Denmark 90.16 Ireland 12.88 United Kingdom 283.36

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
23	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	422	30	10 for — Korea (South) — Yugoslavia	Germany 113.94 Benelux 42.20 France 80.18 Italy 59.08 Denmark 29.54 Ireland 4.22 United Kingdom 92.84
24	61.01	Men's and boys' outer garments	443	30	10 for — Korea (South) — Yugoslavia	Germany 119.61 Benelux 44.30 France 84.17 Italy 62.02 Denmark 31.01 Ireland 4.43 United Kingdom 97.46
25	61.02	Women's, girls' and infants' outer garments	347	30	10 for — Korea (South) — Yugoslavia	Germany 93.69 Benelux 34.70 France 65.93 Italy 48.58 Denmark 24.29 Ireland 3.47 United Kingdom 76.34
26	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	391	30	10 for — Korea (South) — Yugoslavia	Germany 105.57 Benelux 39.10 France 74.29 Italy 54.74 Denmark 27.37 Ireland 3.91 United Kingdom 86.02

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States in tonnes (5)
				(a) general	b) special	
27	61.04	Women's, girls' and infants' under garments	155.50	30	10 for -- Korea South -- Yugoslavia	Germany 41.98 Benelux 15.55 France 29.55 Italy 21.77 Denmark 10.89 Ireland 1.55 United Kingdom 34.21
28	61.05	Handkerchiefs	82	30		Germany 22.14 Benelux 8.20 France 15.58 Italy 11.48 Denmark 5.74 Ireland 0.82 United Kingdom 18.04
29	61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like including such articles of knitted or crocheted fabric, whether or not elastic	52.50	30		Germany 14.17 Benelux 5.25 France 9.98 Italy 7.35 Denmark 3.68 Ireland 0.52 United Kingdom 11.55
30	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles	189	30	10 for Brazil	Germany 51.03 Benelux 18.90 France 35.91 Italy 26.46 Denmark 13.23 Ireland 1.89 United Kingdom 41.58

ANNEX B

List of textile products referred to in Articles 2 and 5 which are subject to zero-duty Community ceilings and tariff quotas under the generalized tariff preferences for developing countries and territories

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
1	50.09	Woven fabrics of silk, of noil or other waste silk	102	30.50	Brazil Korea (South)	Germany 8.24 Benelux 3.05 France 5.80 Italy 4.27 Denmark 2.14 Ireland 0.30 United Kingdom 6.70	71.50	50	35.75
2	53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale	210.50	63	Brazil Uruguay	Germany 17.01 Benelux 6.30 France 11.97 Italy 8.82 Denmark 4.41 Ireland 0.63 United Kingdom 13.86	147.50	50	73.75
3	54.03	Flax or ramie yarn, not put up for retail sale	128	25.50	Brazil	Germany 6.88 Benelux 2.55 France 4.85 Italy 3.57 Denmark 1.79 Ireland 0.25 United Kingdom 5.61	102.50	50	51.25
4	55.05	Cotton yarn, not put up for retail sale: A. Multiple or cabled, finished in balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding 900 g	28	8.50	Brazil Hong Kong	Germany 2.30 Benelux 0.85 France 1.62 Italy 1.19 Denmark 0.60 Ireland 0.08 United Kingdom 1.86	19.50	50	9.75

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
5	55.05 (cont'd)	B. Other: 1. Measuring, per single yarn, 120 000 m or more per kg	26.50	5.50	Brazil	Germany 1.49 Benelux 0.55 France 1.05 Italy 0.76 Denmark 0.39 Ireland 0.05 United Kingdom 1.21	21	50	10.50
6	55.08	Terry towelling and similar terry fabrics of cotton	54.50	11	Brazil	Germany 2.97 Benelux 1.10 France 2.09 Italy 1.54 Denmark 0.77 Ireland 0.11 United Kingdom 2.42	43.50	50	21.75
7	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres	346.50	104	Brazil Yugoslavia	Germany 28.08 Benelux 10.40 France 19.76 Italy 14.56 Denmark 7.28 Ireland 1.04 United Kingdom 22.88	242.50	50	121.25

Order No	OCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
8	58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)	247.50	74.50	Colombia Korea (South) Hong Kong	Germany 20.12 Benelux 7.45 France 14.15 Italy 10.43 Denmark 5.22 Ireland 0.74 United Kingdom 16.39	173	50	86.50
9	58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than of jute or other textile bast fibres of heading No 57.03, other than goods falling within heading No 58.06	52.50	10.50	Hong Kong	Germany 2.84 Benelux 1.05 France 2.00 Italy 1.47 Denmark 0.74 Ireland 0.10 United Kingdom 2.30	42	50	21
10	58.10	Embroidery, in the piece, in strips or in motifs	86	17	Korea (South)	Germany 4.59 Benelux 1.70 France 3.23 Italy 2.38 Denmark 1.19 Ireland 0.17 United Kingdom 3.74	69	50	34.50

Order No	CCT heading No	Description	Total preferential amount (in tonnes)	Quota (4)			Ceiling (5)		
				Amount (in tonnes)	Beneficiary countries and territories	Volume of shares allocated to Member States (in tonnes)	Amount (in tonnes)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
(1)	(2)	(3)	(a)	(b)	(c)	(a)	(1)	(2)	
11	60.01	Knitted or crocheted fabrics, not elastic or rubberized	413	124	Brazil Uruguay Yugoslavia	Germany 33.48 Benelux 12.40 France 23.56 Italy 17.36 Denmark 8.68 Ireland 1.24 United Kingdom 27.28	289	50	144.50
12	60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized	52.50	16.00	Korea (South) Hong Kong	Germany 4.32 Benelux 1.60 France 3.04 Italy 2.24 Denmark 1.12 Ireland 0.16 United Kingdom 3.52	36.50	50	18.25
13	62.03	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: I. Used: a) Of flax or of sisal ex b) Other (excluding coir fibres) ex II. Other (excluding coir fibres)	266.50	80	Korea (South) Hong Kong	Germany 21.60 Benelux 8.00 France 15.20 Italy 11.20 Denmark 5.60 Ireland 0.80 United Kingdom 17.60	186.50	50	93.25

ANNEX C

List of products originating in developing countries and territories to which the generalized tariff preferences for certain textile products will apply (a)

Order No	CCT heading No	Description
	CHAPTER 50	
1	50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale
2	50.05	Yarn spun from noil or other waste silk, not put up for retail sale
3	50.07	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale; silk-worm gut; imitation catgut of silk
	CHAPTER 51	
4	51.01	Yarn of man-made fibres (continuous), not put up for retail sale ⁽¹⁾
5	51.02	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials
6	51.03	Yarn of man-made fibres (continuous), put up for retail sale
7	CHAPTER 52	METALLIZED TEXTILES
	CHAPTER 53	
8	53.06	Yarn of carded sheep's or lambs' wool (wollen yarn), not put up for retail sale
9	53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale
10	53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale
11	53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale
12	53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair ⁽²⁾
13	53.12	Woven fabrics of horsehair or of other coarse animal hair

(a) Products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

⁽¹⁾ For products falling within subheading 51.01 A and B II, the maximum Community amount referred to in Article 2 (3) is reduced to 30 %.

⁽²⁾ For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 20 %.

Order No	CCT heading No	Description
	CHAPTER 54	
14	54.04	Flax or ramie yarn, put up for retail sale
15	54.05	Woven fabrics of flax or of ramie
	CHAPTER 55	
16	55.06	Cotton yarn, put up for retail sale
17	55.07	Cotton gauze
	CHAPTER 56	
18	56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾
19	56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous) ⁽¹⁾
20	56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾
21	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning
22	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres
23	56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale
	CHAPTER 57	
24	ex 57.07	Yarn of other vegetable textile fibres, other than coir yarn; paper yarn
25	ex 57.11	Woven fabrics of other vegetable textile fibres, other than those of coir; woven fabrics of paper yarn
	CHAPTER 58	
26	ex 58.01	Carpets, carpeting and rugs, knotted (made up or not), other than of jute or of other textile bast fibres of heading No 57.03 or of coir or wool or fine animal hair, containing per metre of warp not more than 500 rows of knots
27	58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not):

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 30%.

Order No	CCF heading No	Description
27	58.02 <i>(cont'd)</i>	ex A. Carpets, whether tufted or not other than of jute or other textile bast fibres of heading No 57.03 or coir
28		B. 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like
29	58.03	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point and cross stitch) made in panels and the like by hand
30	58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size
31	58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horseshair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like
32	58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain
33	58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs
	CHAPTER 59	
34	59.01	Wadding and articles of wadding; textile flock and dust and mill neps
35	59.02	Felt and articles of felt, whether or not impregnated or coated
36	59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated
37	59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope
38	59.06	Other articles made from yarn, twine, cordage, rope or cables other than textile fabrics and articles made from such fabrics
39	59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses
40	59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials
41	59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not
42	59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods
43	59.12	Textile fabrics otherwise impregnated or coated; painting canvas being theatrical scenery, studio back-cloths or the like

Order No	CCT heading No	Description
44	59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads
45	59.14	Wicks, of woven, plaited or knitted textile materials, for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles
46	59.15	Textile hose-piping and similar tubing, with or without lining, armour or accessories of other materials
47	59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material
48	59.17	Textile fabrics and textile articles of a kind commonly used in machinery or plant
CHAPTER 60		
49	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings)
CHAPTER 61		
50	61.06	Shawls, scarves, mufflers, mantillas, veils and the like
51	61.07	Ties, bow ties and cravats
52	61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods
53	61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)
CHAPTER 62		
54	62.01	Travelling rugs and blankets
55	62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods
56	ex 62.05	Other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir
CHAPTER 63		
57	ex 63.01	Clothing, clothing accessories, travelling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No 58.01, 58.02 or 58.03), of textile materials; footwear and headgear of any material, showing signs of appreciable wear and imported in bulk or in bales, sacks or similar bulk packings other than of jute, other than textile bast fibres of heading No 57.03 or coir

ANNEX D

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex E.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands)

ANNEX E

List of least developed developing countries to which the first subparagraph of Article 3 (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3159/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured Virginia type tobaccos originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent, on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore (1), the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas, on the one hand, for several Asian countries of the Commonwealth and particularly India, the types of unmanufactured tobaccos concerned are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community and, on the other hand, these countries are among the worst hit by the present economic crisis; whereas the system of generalized tariff preferences may constitute a solution to the problems of this nature; whereas these types of tobaccos should be included in the generalized preferences scheme;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that

Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the tobacco sector generally and of the need to safeguard the interests of the associated countries and of the ACP States in this field, to lay down for raw or unmanufactured Virginia type tobacco special conditions consisting in a reduction of the customs duty applicable to these products within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972, invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied as from the second half of 1971; whereas, however, for the flue-cured Virginia type tobacco, the said system of tariff preferences has been made applicable from 1974 and it is appropriate to apply this system henceforth for all Virginia type tobaccos;

Whereas it is expedient, therefore, that the Community should open for 1979 for these raw or unmanufactured tobaccos, originating in the countries and territories listed in the Annex, a Community tariff quota limited to

(1) OJ No L 73, 27. 3. 1972, p. 195.

60 000 tonnes, at a customs duty rate of 7% with a minimum charge of 15 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheading 24.01 ex B and with a maximum charge of 45 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community ceiling, arrangements should be made for the customs duties on imports originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (E.E.C.) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first

being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might be fixed at a relatively high level, in this case 98% of the full quota;

Whereas, on the basis of the available statistical data which cover only a relatively brief period and whereas they should be weighted on the basis of the estimates which may be made in respect of the quota year, the shares in the first tranche may be set out as follows:

Germany	10 315 tonnes,
Benelux	5 586 tonnes,
France	980 tonnes,
Italy	3 920 tonnes,
Denmark	1 862 tonnes,
Ireland	1 935 tonnes,
United Kingdom	34 202 tonnes;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 % of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 178.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

2. The second tranche of 1 200 tonnes shall constitute the reserve.

Article 3

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, a Community tariff quota of 60 000 tonnes shall be opened in the Community for the imports of raw or unmanufactured Virginia type tobaccos falling within subheadings 24.01 A ex I, 24.01 A ex II and 24.01 ex B of the Common Customs Tariff. Within this tariff quota the customs duty shall be suspended at 7% with a minimum charge of 15 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheading 24.01 ex B and a maximum charge of 45 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II.

However, in the context of this tariff quota, the customs duty on imports originating in the countries listed in Annex B shall be totally suspended.

2. This tariff quota shall apply solely to products originating in the countries and territories listed in Annex A. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against this tariff quota.

For the purposes of the application of this Regulation the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Entry to this tariff quota shall be subject to the production of a certificate of authenticity appearing in the certificate of origin and made out in accordance with the procedure referred to in the second subparagraph.

Article 2

1. A first tranche of 58 800 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1979, shall for each Member State be as follows:

Germany	10 315 tonnes,
Benelux	5 586 tonnes,
France	980 tonnes,
Italy	3 920 tonnes,
Denmark	1 862 tonnes,
Ireland	1 935 tonnes,
United Kingdom	34 202 tonnes.

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 25 October 1979 has not exhausted one of its initial shares shall, not later than 7 November 1979 return to the reserve any unused portion in excess of 15 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 7 November 1979, notify the Commission of the total quantities of the product in question imported up to and including 25 October 1979 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 21 November 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

Should imports of the products benefiting under the arrangements provided for in Article 1 be imported into the Community at prices such as to put or be likely to put Community producers of similar or directly competitive products at a serious disadvantage or create an unfavourable situation in the ACP States, the customs duties applied within the Community may be re-introduced in part or in full for imports of the products in question from the country or countries or territory or territories which are the cause of such disadvantage. Such measures may also be taken in the event of a serious disadvantage, either actual or foreseeable, which is confined to a single region of the Community.

Article 10

1. In order to ensure that Article 9 is applied, the Commission may, by way of a Regulation, re-introduce normal duties for a fixed period.

2. If the Commission has acted at the request of a Member State, the former shall give its decision within a maximum period of 10 working days from the date of receipt of the request and shall inform the Member State of the action it has taken.

3. Each Member State may refer the measure taken by the Commission to the Council within a period of 10 working days following the date it was notified. The fact that the matter has been referred to the Council shall not constitute the suspension of the measure. The Council shall meet without delay. Acting on a qualified majority, it may amend or repeal the measure in question.

Article 11

Articles 9 and 10 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall cooperate closely to ensure that the above Articles are observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences (1)

I. INDEPENDENT COUNTRIES

660 Afghanistan (2)	488 Guyana	520 Paraguay
208 Algeria	452 Haiti (2)	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh (2)	612 Iraq	324 Rwanda (2)
469 Barbados	272 Ivory Coast	819 Samoa (2)
284 Benin (2)	464 Jamaica	311 Sao Tome and Principe
675 Bhutan (2)	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana (2)	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi (2)	684 Laos (2)	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia (2)
306 Central African Empire (2)	395 Lesotho (2)	728 South Korea
244 Chad (2)	268 Liberia	656 South Yemen (2)
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan (2)
375 Comoros	386 Malawi (2)	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives (2)	608 Syria
448 Cuba	232 Mali (2)	352 Tanzania (2)
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia (2)	672 Nepal (2)	350 Uganda (2)
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger (2)	236 Upper Volta (2)
252 Gambia (2)	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen (2)	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea (2)	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

(1) The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339; 5. 12. 1978, p. 5).

(2) This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunel
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3160/78

of 29 December 1978

opening preferential tariffs for developing countries for raw or unmanufactured tobaccos falling within subheading 24.01 A ex II 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 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore (1), the Community declared its readiness to seek solutions to the problems which may arise in the field of trade for the countries referred to as well as for developing countries situated in the same geographical region;

Whereas, particularly for Indonesia, raw or unmanufactured tobaccos, other than Virginia type, falling within subheading 24.01 A ex II, represent an important export product; whereas the generalized preferences scheme may constitute a solution for problems arising in this connection; whereas these types of tobaccos should therefore be included in the generalized preferences scheme;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas, it appears appropriate however, in

view of the sensitiveness of the tobacco sector generally and of the need to safeguard the interests of the associated countries and of the ACP States in this field, to lay down for these raw or unmanufactured tobaccos special conditions consisting in a reduction of the customs duty applicable to these products within the limits of a Community tariff ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas tariff preferences have been applied as from the second half of 1971; whereas, however, for certain types of tobacco the said system of tariff preferences has been made applicable from 1974; whereas it is appropriate to extend this system also for tobaccos falling within subheading 24.01 A ex II;

Whereas it is expedient, therefore, that the Community should open for 1979 for the said raw or unmanufactured tobaccos, other than Virginia type, originating in the countries and territories listed in the Annex, a Community ceiling of 2 500 tonnes, at a customs duty rate of 7 % with a minimum charge of 33 European units of account and a maximum charge of 45 European units of account per 100 kilograms net weight;

(1) OJ No L 73, 27. 3. 1972, p. 195.

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community ceiling, provision should be made for the customs duties on imports originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession (1), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is essential to reserve the benefit of this tariff suspension for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (2); whereas the charging of imports against a ceiling must be carried out as and when the tobaccos concerned are presented for customs clearance under cover of declarations that they are intended for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of customs duties as soon as the ceiling is reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceiling and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce customs duties either generally or individually, when the ceiling is reached;

Whereas measures should be provided for which will enable any serious disruption in any sector of the economic activity of the Community to be avoided; whereas to this end, the Commission should be empowered to re-introduce partially or wholly the levying of customs duties in order that such disruption may be avoided,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the duties under the Common Customs Tariff relating to raw or

(1) OJ No L 73, 27. 3. 1972, p. 14.

(2) OJ No L 148, 28. 6. 1968, p. 1.

unmanufactured tobacco, other than Virginia type, falling within subheading 24.01 A ex II shall be suspended at 7% with a minimum charge of 33 European units of account per 100 kilograms net weight and a maximum charge of 45 European units of account per 100 kilograms net weight.

However, as part of the Community ceiling referred to in paragraph 3, Common Customs Tariff duties on imports originating in the developing countries listed in Annex B shall be totally suspended.

2. This tariff suspension shall apply solely to products originating in the countries and territories listed in Annex A.

However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against the ceiling referred to in paragraph 3.

For the purposes of the application of this Regulation the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to Articles 2 and 4 this suspension shall be granted for the tobaccos in question up to a Community ceiling of 2 500 tonnes.

Article 2

As soon as the ceiling calculated in accordance with the provisions of Article 1 (3), which is laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2), is reached at Community level, the levying of customs duties on imports of the tobaccos from all the countries and territories listed in Annex A may at any time be re-introduced until the end of the period referred to in Article 1 (1).

Article 3

1. Imports of the products in question shall be charged against the Community ceiling as and when the tobaccos in question are entered for home use, and provided that they are accompanied by a certificate of origin pursuant to the rules laid down in Article 1 (2).

2. Goods may be charged against the ceiling only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is re-introduced.

3. The extent to which the ceiling has been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall issue a Regulation to re-introduce the levying of customs duties in respect of all the countries and territories referred to in Article 1 (2) in accordance with Article 2.

Article 5

Member States shall inform the Commission periodically of imports of the products in question charged against the Community ceiling laid down in Article 1 (3). This information shall show both the value, expressed in European units of account, and the quantities expressed in tonnes.

Article 6

When products benefiting from the treatment provided for in Article 1 are imported into the Community at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

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

Done at Brussels, 29 December 1978.

Article 7

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 6 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 8

Articles 6 and 7 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 9

This Regulation shall enter into force on 1 January 1979.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3161/78

of 29 December 1978

establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalized preferences in favour of developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned should be effected without quantitative restrictions;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a

binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, moreover, the conference of the Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas, in accordance with Protocol 23 to the Act of Accession⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, that the Community should authorize the importation of the products referred to in Annex A, originating in the countries and territories listed in Annex B, subject to the customs duties given in respect of each of them, throughout 1979; whereas the benefit of such preferential terms should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽³⁾;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, the products listed in Annex A originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 should not be subject to customs duties;

(¹) OJ No L 141, 12. 6. 1969, p. 1.

(²) OJ No L 73, 27. 3. 1972, p. 14.

(³) OJ No L 148, 28. 6. 1968, p. 1.

Whereas measures should be provided for which will enable any serious disruption in any sector of the economic activity of the Community to be avoided; whereas, to this end, the Commission should be empowered to re-introduce partially or wholly the levying of customs duties in order that such disruption may be avoided;

Whereas the Commission must be able to have access to information concerning imports effected within the framework of generalized preferences; whereas, to this end, Member States shall inform the Commission every three months of imports actually effected, classified by origin,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Community imports of the products listed in Annex A shall benefit from the customs duties specified for each product.

2. The treatment provided for in paragraph 1 shall be enjoyed solely by products originating in the countries and territories listed in Annex B.

For the purpose of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. The products listed in Annex A originating in the countries listed in Annex C shall be imported into the Community free of customs duties.

'Tequila' falling within subheading 22.09 C V ex a) shall qualify for the preferential system subject to the production of a certificate of authenticity appearing in the certificate of origin and drawn up according to the procedure referred to in the second subparagraph of paragraph 2.

Article 2

When products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community

producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 2 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 4

Articles 2 and 3 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 5

Member States shall inform the Commission every three months of imports effected under this Regulation, classified by origin.

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of products falling within Chapters 1 to 24 originating in developing countries and territories to which the generalized tariff preferences will apply (a)

CCT heading No	Description	Rate of duty
01.01	Live horses, asses, mules and hinnies:	
	A. Horses:	
	II. For slaughter (b)	2%
	III. Other	12%
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:	
	A. Meat:	
	III. Of swine:	
	b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen:	
	ex A. Of domestic pigeons	7%
	ex B. Furred game, frozen	Free
	C. Other:	
	ex I. Frogs' legs	Free
	II. Other	Free
03.01	Fish, fresh (live or dead), chilled or frozen:	
	B. Saltwater fish:	
	I. Whole, headless or in pieces:	
	e) Sharks	4%
	g) Halibut (<i>Hippoglossus vulgaris</i> , <i>Hippoglossus reinhardtius</i>)	4%
	ex q) Other:	
	— Aquarium fish	Free
	II. Fillets:	
	b) Frozen:	
	ex 7. Other:	
	— Of sharks and of halibut	10%
	C. Livers and roes	5%
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:	
	A. Dried, salted or in brine:	
	I. Whole, headless or in pieces:	
	d) Common halibut (<i>Hippoglossus vulgaris</i>)	10%
	e) Salmon, salted or in brine	2%
	ex f) Hilsa spp, in brine	8%

Note: The terms expressed in the 'Rate of duty' column are explained under 'Abbreviations' on page 135

(a) Agricultural products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

(b) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
03.02 (cont'd)	II. Fillets: ex d) Other: — Hilsa spp, in brine	10%
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water: A Crustaceans: I Crawfish 7% II. Lobsters (Homarus spp): a) Live 7% b) Other: 1. Whole 7% 2. Other 7% III. Crabs and freshwater crayfish 7% IV. Shrimps and prawns: a) Prawns (Pandalidae spp) 6% ex c) Other: — Prawns (Palaeomonidae spp) 6% — Prawns (Penaeidae spp) 6% ex V. Other (for example Norway lobsters): — Peurullus spp 7% B. Molluscs: II. Mussels 7% IV. Other: a) Frozen: 1. Squid: aa) Ommastrephes sagittatus and Loligo spp 4% 2. Cuttle-fish of the species Sepia officinalis, Rossia macrosoma and Sepiola rondeleti 6% 3. Octopus 4% 4. Other 4% b) Other: 1. Squid (Ommastrephes sagittatus and Loligo spp) 4% 2. Other 4%	
04.06	Natural honey	22%
04.07	Edible products of animal origin, not elsewhere specified or included	6%
05.03	Horsehair and horsehair waste, whether or not put up on a layer or between two layers of other material: B. Other	Free

CCT heading No	Description	Rate of duty
05.07	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers: A. Bed feathers; down: II. Other B. Other	Free Free
05.13	Natural sponges: B. Other	Free
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: A. Fresh: ex I. From 1 June to 31 October: — Orchids (family Orchidaceae) and Anthurium ex II. From 1 November to 31 May: — Orchids (family Orchidaceae) and Anthurium	15% 15%
07.01	Vegetables, fresh or chilled: ex T. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks) — Pumpkins, courges and courgettes, from 1 December to last day of February — Other, excluding celery sticks and parsley, from 1 January to 31 March	Free 9% 9%
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: ex E. Other vegetables: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Mushrooms, excluding cultivated mushrooms — Horse-radish (<i>Cochlearia armoracia</i>)	8% Free
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: B. Other: I. Peas (including chick peas) and beans (of the species <i>Phaseolus</i>):	

CCT heading No	Description	Rate of duty
07.05 (cont'd)	— Beans of the genus 'Phaseolus mungo' — Chick peas of the genus 'Cicer arietinum' — Other III. Other: — Cajan peas of the genus 'Cajanus cajan' — Other	Free Free 3% Free 3%
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: B. Other	Free Free
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guaves and mangosteens, fresh or dried, shelled or not: ex B. Bananas: — Dried D. Avocados E. Coconuts H. Other: — Mangosteens, guavas — Mangoes	10% 6% Free Free 5%
08.02	Citrus fruit, fresh or dried: ex E. Other: — Limes and limettes (Citrus aurantifolia var. Lumio and var. Limetta)	9.6%
08.04	Grapes, fresh or dried : B. Dried: I. In immediate containers of a net capacity of 15 kg or less II. Other	Free (1) Free (1)
08.05	Nuts, other than those falling within heading No 08.01, fresh or dried, shelled or not: D. Pistachios E. Pecans F. Areca (or betel) and cola ex G. Other (excluding hazelnuts)	Free Free Free Free
08.07	Stone fruit, fresh: E. Other	7%
08.08	Berries, fresh: F. Other	6%

(1) This exemption applies only to the developing countries listed in Annex C.

CCT heading No	Description	Rate of duty
ex 08.09	Other fruit, fresh: — Rose-hips fruit — Watermelons, from 1 November to 30 April — Other, excluding melons and watermelons	Free 6.5% 6%
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex A. Bilberries (fruit of the species <i>Vaccinium myrtillus</i>), blackberries (brambleberries), mulberries and cloudberries ex B. Other: — Quinces — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	9% 11% 8%
08.11	Fruit 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): C. Papaws D. Bilberries (fruit of the species <i>Vaccinium myrtillus</i>) ex E. Other: — Quinces — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B and F and 08.09, excluding pineapples, melons and watermelons	Free 4% 4% Free
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: A. Apricots E. Papaws ex G. Other: — Tamarind (pods, pulp)	5.5% Free Free
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free
09.01	Coffee, whether or not roasted or free of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion: A. Coffee: I. Unroasted: a) Not free of caffeine b) Free of caffeine II. Roasted: a) Not free of caffeine b) Free of caffeine B. Husks and skins C. Coffee substitutes containing coffee in any proportion	Free (1) 10% 12% 15% 10% 15%

(1) This exemption applies only to the developing countries listed in Annex C.

CCT heading No	Description	Rate of duty
09 02	Tea: A. In immediate packings of a net capacity not exceeding 3 kg	Free
09 04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta': A. Neither crushed nor ground: I. Pepper: a) Other II. Pimento: c) Other B. Crushed or ground: I. Pimento of the genus 'Capsicum' II. Other	5% 5% 7% 7%
09.06	Cinnamon and cinnamon-tree flowers: A. Ground B. Other	5% 4%
09.07	Cloves (whole fruit, cloves and stems)	12%
09.08	Nutmeg, mace and cardamoms: A. Neither crushed nor ground: II. Other: a) Nutmeg B. Crushed or ground: I. Nutmeg II. Mace	2% 3% Free
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper: A. Neither crushed nor ground: I. Aniseed II. Badian seed III. Seeds of fennel, coriander, cumin, caraway and juniper: b) Other: 2. Other B. Crushed or ground: I. Badian seed III. Other	Free 11% Free 12% Free
09.10	Thyme, saffron and bay leaves; other spices: F. Other spices, including the mixtures referred to in Note 1 (b) to this Chapter: I. Neither crushed nor ground II. Crushed or ground: b) Other	4% 5%

CCT heading No	Description	Rate of duty
11.04	<p>Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8; flour and meal of sago and of roots and tubers falling within heading No 07.06:</p> <p>A. Flour of the dried leguminous vegetables falling within heading No 07.05</p> <p>B. Flour of the fruits falling within any heading in Chapter 8:</p> <p> I. Of bananas:</p> <p> — Denatured(a)</p> <p> — Other</p> <p> II. Other:</p> <p> — Chestnuts</p> <p> — Not specified</p>	<p>5%</p> <p>Free</p> <p>6%</p> <p>7.5%</p> <p>5%</p>
12.07	<p>Plants and parts (including seeds and fruits) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered:</p> <p>B. Liquorice roots</p> <p>C. Tonquin beans</p>	<p>Free</p> <p>Free</p>
12.08	<p>Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading:</p> <p>C. Locust bean seeds:</p> <p> I. Not decorticated, crushed or ground</p> <p> II. Other</p> <p>D. Apricot, peach and plum stones, and kernels thereof</p>	<p>Free</p> <p>6%</p> <p>Free</p>
13.02	<p>Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams:</p> <p>A. Conifer resins</p>	<p>Free</p>
13.03	<p>Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products:</p> <p>A. Vegetable saps and extracts:</p> <p> III. Of quassia amara</p> <p> IV. Of liquorice</p> <p> V. Of pyrethrum and of the roots of plants containing rotenone</p> <p> VII. Intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations</p> <p> VIII. Other:</p> <p> a) Medicinal</p>	<p>Free</p> <p>Free</p> <p>Free</p> <p>Free</p> <p>Free</p>

(a) Duty under this subheading is subject to conditions to be determined by the competent authorities

CCT heading No	Description	Rate of duty
13.03 (cont'd)	B. Pectic substances, pectinates and pectates: ex I. Dry, excluding apple, pear and quince pectic substances ex II. Other, excluding apple, pear and quince pectic substances C. Agar-agar and other mucilages and thickeners derived from vegetable products: I. Agar-agar II. Mucilages and thickeners extracted from locust beans or locust bean seeds	12% 7% Free Free
14.01	Vegetable materials of a kind used primarily for plaiting (for example, cereal straw, cleaned, bleached or dyed, osier, reeds, rushes, rattans, bamböos, raffia and lime bark): A. Osier: II. Other B. Cereal straw, cleaned, bleached or dyed	Free Free
15.03	Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way: A. Lard stearin and oleostearin: II. Other B. Tallow oil for industrial uses other than the manufacture of foodstuffs for human consumption (a) C. Other	3% Free 5%
15.04	Fats and oils, of fish and marine mammals, whether or not refined: A. Fish-liver oil: I. Of a vitamin A content not exceeding 2 500 international units per gram	Free
15.05	Wool grease and fatty substances derived therefrom (including lanolin): A. Wool grease, crude B. Other	Free Free
15.06	Other animal oils and fats (including neat's foot oils and fats from bones or waste)	Free
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: B. China-wood and oiticica oils; myrtle wax and Japan wax C. Castor oil: II. Other	Free 6%

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
15.15 (cont'd)	B. Beeswax and other insect waxes, whether or not coloured: II. Other	Free
15.16	Vegetable waxes, whether or not coloured: B. Other	Free
15.17	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes: A. Degras B. Residues resulting from the treatment of fatty substances or animal or vegetable waxes: II. Other: a) Oil foots and dregs; soapstocks b) Other	Free Free Free Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal: — Game — Rabbit III. Other: b) Other: 1. Containing bovine meat or offal: ex bb) Other: — Prepared or preserved bovine tongue 2. Other: aa) Ovine meat or offal bb) Other	14% 9% 14% 17% 18% 16%
16.03	Meat extracts, meat juices and fish extracts, in immediate packings of a net capacity of: B. More than 1 kg but less than 20 kg C. 1 kg or less	1% 9%
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes: I. Caviar (sturgeon roe) II. Other B. Salmonidae ex F. Bonito (<i>Sarda spp</i>) and mackerel G. Other: I. Fillets, raw, coated with batter or breadcrumbs, deep frozen II. Other	12% 16% 4% 19% 10% 10%

CCT heading No	Description	Rate of duty
16.05	Crustaceans and molluscs, prepared or preserved:	
	A. Crabs	6.5%
	ex B. Other, excluding shrimps of the Crangon spp type and snails	6%
17.04	Sugar confectionery, not containing cocoa:	
	A. Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	9%
	B. Chewing gum	3% + vc with a max. of 23%
	C. White chocolate	5% + vc with a max. of 27% + ads
	D. Other	7% + vc with a max. of 27% + ads
18.03	Cocoa paste (in bulk or in block), whether or not defatted	11%
18.05	Cocoa powder, unsweetened	11%
18.06	Chocolate and other food preparations containing cocoa:	
	A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	3% + vc
	C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	10% + vc with a max. of 27% + ads
19.02	Malt extract; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa:	
	B. Other:	
	I. Containing malt extract and not less than 30% by weight of reducing sugars (expressed as maltose)	3% + vc
	II. Other:	
	— Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
	— Other	3% + vc
ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	4% + vc
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereals products (puffed rice, corn flakes and similar products)	2% + vc

CCT heading No	Description	Rate of duty
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: A. Crispbread B. Matzos C. Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products D. Other	3% + vc with a maximum of 24% + adf Free + vc with a maximum of 20% + adf Free + vc 5% + vc
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: A. Gingerbread and the like	5% + vc
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salts, spices or mustard: ex B. Other, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers	15%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers ex H. Other, including mixtures: — Moringa oleifera (drumsticks)	14% 20% 16% 12% Free
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13% by weight: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex B. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	12% + (L) 12%
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13% by weight:	

CCT heading No	Description	Rate of duty
20.04 <i>(cont'd)</i>	<ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex II. Other: <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, F and F and 08.09, excluding pineapples melons and watermelons 	<ul style="list-style-type: none"> 8% + (L) 8%
20.05	<p>Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar:</p> <p>B. Jams and marmalades of citrus fruit:</p> <ul style="list-style-type: none"> ex I. With a sugar content exceeding 30% by weight, excluding orange jam and marmalade ex II. With a sugar content exceeding 13% but not exceeding 30% by weight, excluding orange jam and marmalade ex III. Other, excluding orange jam and marmalade <p>C. Other:</p> <ul style="list-style-type: none"> I. With a sugar content exceeding 30% by weight: <ul style="list-style-type: none"> ex b) Other: <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex II. With a sugar content exceeding 13% but not exceeding 30% by weight: <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex III. Other: <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 	<ul style="list-style-type: none"> 19% + (L) 19% + (L) 19% 12% + (L) 12% + (L) 12%
20.06	<p>Fruit, otherwise prepared or preserved, whether or not containing added sugar spirit:</p> <p>A. Nuts (including ground-nuts), roasted, in immediate packings of a net capacity:</p> <ul style="list-style-type: none"> I. Of more than 1 kg: <ul style="list-style-type: none"> — Almonds, walnuts and hazelnuts — Other II. Of 1 kg or less: <ul style="list-style-type: none"> — Almonds, walnuts and hazelnuts — Other <p>B. Other:</p> <ul style="list-style-type: none"> I. Containing added spirit: 	<ul style="list-style-type: none"> 12% 7% 14% 8%

CCT heading No	Description	Rate of duty
20.06 (cont'd)	a) Ginger	10%
	b) Pineapples, in immediate packings of a net capacity:	
	1. Of more than 1 kg:	
	aa) With a sugar content exceeding 17% by weight	10% + (L)
	bb) Other	10%
	2. Of 1 kg or less:	
	aa) With a sugar content exceeding 19% by weight	10% + (L)
	bb) Other	10%
	c) Grapes:	
	1. With a sugar content exceeding 13% by weight	25% + (L)
	2. Other	25%
	d) Peaches, pears and apricots, in immediate packings of a net capacity:	
	1. Of more than 1 kg:	
	aa) With a sugar content exceeding 13% by weight	25% + (L)
	bb) Other	25%
	2. Of 1 kg or less:	
	aa) With a sugar content exceeding 15% by weight	25% + (L)
	bb) Other	25%
	e) Other fruits:	
	ex 1. With a sugar content exceeding 9% by weight, excluding cherries	25% + (L)
	ex 2. Other, excluding cherries	25%
	f) Mixtures of fruit:	
	1. With a sugar content exceeding 9% by weight	25% + (L)
	2. Other	25%
II. Not containing added spirit:		
a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:		
2. Grapefruit segments	11% + (L)	
3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids	19% + (L)	
4. Grapes	18% + (L)	
ex 8. Other fruits:		
— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8% + (L)	
— Tamarind (pods, pulp)	8% + (L)	

CCT heading No	Description	Rate of duty
20.06 <i>(cont'd)</i>	<p>9 Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits:</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, F and F and 08.09, excluding melons and watermelons ..</p> <p>b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <p>2. Grapefruit segments</p> <p>3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids</p> <p>4. Grapes</p> <p>ex 8. Other fruits:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits:</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons ..</p> <p>c) Not containing added sugar, in immediate packings of a net capacity:</p> <p>1. Of 4.5 kg or more:</p> <p>ex dd) Other fruits:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex ee) Mixtures of fruit:</p> <p>— Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons, in which no single fruit exceeds 50% of the total weight of the fruits</p>	<p>12% + (L)</p> <p>11% + (L)</p> <p>20% + (L)</p> <p>19% + (L)</p> <p>8% + (L)</p> <p>12% + (L)</p> <p>8%</p> <p>12%</p>

CCT heading No	Description	Rate of duty
20.07 (cont'd)	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	10%
	— Other, excluding apricot and peach juices	17%
	ex bb) Other:	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	10%
	— Other, excluding apricot and peach juices	18%
	7. Mixtures:	
	ex bb) Other, excluding mixtures containing either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:	
	11. Containing added sugar	17%
	22. Other	18%
	b) Of a value of 30 EUA or less per 100 kg net weight:	
	2. Grapefruit juice:	
	aa) With an added sugar content exceeding 30% by weight:	8% + (L)
	bb) Other	8%
	4. Other citrus fruit juices:	
	aa) With an added sugar content exceeding 30% by weight:	14% + (L)
bb) With an added sugar content of 30% or less by weight	14%	
cc) Not containing added sugar	15%	
7. Other fruit and vegetable juices:		
ex aa) With an added sugar content exceeding 30% by weight:		
— Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	10% + (L)	
— Other, excluding apricot and peach juices	17% + (L)	
ex bb) With an added sugar content of 30% or less by weight:		
— Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	10%	

CCT heading No	Description	Rate of duty
20.07 (cont'd)	<p>— Other, excluding apricot and peach juices</p> <p>ex cc) Not containing added sugar:</p> <p>— Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>8. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing, either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. With an added sugar content exceeding 30% by weight:</p> <p>22. With an added sugar content of 30% or less by weight</p> <p>33. Not containing added sugar</p>	<p>17%</p> <p>10%</p> <p>18%</p> <p>17% + (L)</p> <p>17%</p> <p>18%</p>
21.02	<p>Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:</p> <p>ex A. Essences of concentrates of coffee</p> <p>B. Extracts, essences or concentrates of tea or maté and preparations with a basis of those extracts, essences or concentrates</p> <p>C. Roasted chicory and other roasted coffee substitutes:</p> <p>II. Other</p> <p>D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:</p> <p>II. Other</p>	<p>9%</p> <p>Free</p> <p>2% + vc</p> <p>6% + vc</p>
21.03	<p>Mustard flour and prepared mustard:</p> <p>A. Mustard flour, in immediate packings of a net capacity:</p> <p>I. Of 1 kg or less</p> <p>II. Of more than 1 kg</p> <p>B. Prepared mustard</p>	<p>Free</p> <p>Free</p> <p>9%</p>
21.04	<p>Sauces, mixed condiments and mixed seasonings:</p> <p>ex. B. Other:</p> <p>— Products with a tomato ketchup basis</p> <p>— Other, excluding sauces with a vegetable oil basis</p>	<p>8%</p> <p>6%</p>

CCT heading No	Description	Rate of duty
21.05	Soups and broths, in liquid, solid or powder form; homogenized composite food preparations: A. Soups and broths, in liquid, solid or powder form B. Homogenized composite food preparations	 11% 17%
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: I. Culture yeast II. Baker's yeast: a. Dried b. Other III. Other B. Inactive natural yeasts: I. In tablet, cube or similar form, or in immediate packings of a net capacity of 1 kg or less II. Other C. Prepared baking powders	 8% 3% + vc 5% + vc 10% 6% 3% 4%
21.07	Food preparations not elsewhere specified or included: A. Cereals in grain or ear form, pre-cooked or otherwise prepared C. Other: I. Containing no milkfats or containing less than 1.5% by weight of such fats: a. Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): ex I. Containing no starch or less than 5% by weight of starch: Palm tree cores	 4% + vc 9%
22.01	Waters, including spa waters and aerated waters; ice and snow: A. Spa waters, natural or artificial; aerated waters	 Free
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: A. Not containing milk or milkfats	 6%
22.03	Beer made from malt	14.5%

CC1 heading No	Description	Rate of duty
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages: C. Spirituous beverages: V. Other, in containers holding: ex. a) Two litres or less: Tequila	1.30 EUA per hl and per degree + 5 EUA per hl
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables: B. Of leguminous vegetables	3%
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: B. Other	Free
23.07	Sweetened forage; other preparations of a kind used in animal feeding: A. Fish or marine mammal solubles	Free
24.02	Manufactured tobacco; tobacco extracts and essences: A. Cigarettes	87%
	B. Cigars	42%
	C. Smoking tobacco	110%
	D. Chewing tobacco and snuff	45%
	E. Other, including agglomerated tobacco, in the form of sheets or strip	19%

Abbreviations

- (L): indicates that the goods referred to are subject to the levy system;
- vc: indicates that the goods referred to are subject to a charge based on a variable component which is specified under the regulations concerning trade in certain goods resulting from the processing of agricultural products;
- adf: indicates that additional duty may be levied on the flour content of the products concerned;
- ads: indicates that additional duty may be levied on the sugar content of the products concerned.
-

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78 - OJ No L 339, 5.12.1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Islands, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3162/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for cocoa butter and a tariff quota for soluble coffee originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament)

Having regard to the opinion of the Economic and Social Committee)

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the cocoa butter and soluble coffee sectors generally and of the need to safeguard the interests of the ACP States in this field, to lay down for those two products special conditions consisting in a reduction of the customs duty applicable to these two products within the limits of Community tariff quotas;

Whereas the offer by the Community includes a clause stating that it is made on the assumption that the main industrialized countries which are members of the OECD participate in granting preferences and make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date;

whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1979;

Whereas in respect of cocoa butter and soluble coffee originating in the countries and territories listed in Annex A the Community should therefore open for 1979 two Community tariff quotas within the limits of 21 600 tonnes and at a customs duty of 8 % for cocoa butter and of 18 750 tonnes and a duty of 9 % for soluble coffee;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries wherever this is possible; whereas, therefore, in respect of cocoa butter and soluble coffee originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975, the Community should totally suspend customs duties within the limits of the two abovementioned Community tariff quotas;

Whereas, in accordance with Protocol 23 to the Act of Accession (1), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of these tariff quotas should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (2);

Whereas it is necessary to ensure equal and continuous access for all Community importers to the said quotas and the uninterrupted application of the rates laid down

(1) OJ No L 73, 27. 3. 1972, p. 14.

(2) OJ No L 148, 28. 6. 1968, p. 1.

for these quotas to all imports of the products concerned into all Member States until these quotas are used up; whereas, having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might be fixed at a relatively high level, in this case at approximately 90 % of the full quotas;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the quota year; whereas the shares in the first tranche may be drawn up as follows:

	<i>(tonnes)</i>	
	<i>cocoa butter</i>	<i>soluble coffee</i>
Germany	720	810
Benelux	10 935	1 395
France	90	225
Italy	45	45
Denmark	45	45
Ireland	45	45
United Kingdom	7 560	14 310

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost

used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 % of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pay a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas provision should be made for measures enabling any serious disturbance within the sector of the Community's economic activity to be avoided, and to this end the Commission should be empowered to re-introduce in part or in full the normal duties in order to avoid such disturbance;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION

Article 1

1. From 1 January to 31 December 1979, Community tariff quotas shall be opened within the Community for imports of the products listed below and under the conditions stated:

CCT heading No	Description	Volume (in tonnes)	Rate of duty
18.04	Cocoa butter, including cocoa fat or oil	21 600	8 % ⁽¹⁾
21.02	Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof: ex A. Extracts, essences or concentrates of coffee and preparations with a basis of those extracts, essences or concentrates: — Extracts of coffee or 'soluble coffee' obtained by a water method of extraction from roasted coffee, put up in powder form, granulated, in grains, in tablets or in a similar solid form	18 750	9 % ⁽¹⁾

⁽¹⁾ For the countries listed in Annex B, customs duties shall be totally suspended.

2. These tariff quotas shall apply solely to products originating in the countries and territories listed in Annex A. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas.

For the purposes of this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 19 440 tonnes for cocoa butter and of 16 875 tonnes for soluble coffee of the Community tariff quotas referred to in Articles 1 shall be allocated, in respect of each Member State, in shares the amounts of which are set out below:

	(tonnes)	
	cocoa butter	soluble coffee
Germany	720	810
Benelux	10 935	1 395
France	90	225
Italy	45	45
Denmark	45	45
Ireland	45	45
United Kingdom	7 560	14 310

2. The second tranche of 2 160 tonnes for cocoa butter and 1 875 tonnes for soluble coffee shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share

minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 15 September 1979 has not exhausted one of its initial shares shall, not later than 1 October 1979, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1979 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to each of the shares which have been allocated to them for importers of the products concerned who are established on their territory.

2. The extent to which shares of Member States have been used up shall be determined on the basis of imports of the said goods which have been entered for home use, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is

submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

If the Community should find that the products benefiting under the arrangements provided for in Article 1 are being imported into the Community in quantities or at prices such as to put or be likely to put Community producers of similar or directly competitive products at a serious disadvantage or to create an unfavourable situation in the ACP States, the customs duties applied within the Community may be re-introduced in part or in full for imports of the products in question from the country or countries or territory or territories which are the cause of such disadvantage. Such measures may also be taken in the event of a serious disadvantage, either actual or foreseeable, which is confined to a single region of the Community.

Article 10

1. In order to ensure that Article 9 is applied, the Commission may, by way of a Regulation, re-introduce normal duties for a fixed period.

2. If the Commission has acted at the request of a Member State, the former shall give its decision within a maximum period of 10 working days from the date of receipt of the request and shall inform the Member State of the action it has taken.

3. Each Member State may refer the measure taken by the Commission to the Council within a period of 10 working days following the date it was notified. The fact that the matter has been referred to the Council shall not constitute the suspension of the measure. The Council shall meet without delay. Acting on a qualified majority, it may amend or repeal the measure in question.

Article 11

Articles 9 and 10 shall not prejudice the application of the protective clauses drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that the above Articles are observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHEK

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78 - OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands, Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 45 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands)

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3163/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, other than in slices, half slices or spirals, originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore (1), the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas in respect of several Asian countries of the Commonwealth and particularly as regards Malaysia, preserved pineapples are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community; whereas the system of generalized tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the system of generalized preferences;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are

subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the preserved fruit and vegetable sector generally and of the need to safeguard the interests of the ACP States in this field, to lay down for preserved pineapples, other than in slices, half slices or spirals, special conditions consisting in a reduction of the customs duty applicable to that product within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1979;

Whereas it is expedient, therefore, that the Community should open for 1979 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 45 000 tonnes and at a customs duty of 12 %, increased by the levy on sugar where the sugar content exceeds 17 % by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19 % by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa);

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community quota, arrangements should be made for the customs duties on imports

(1) OJ No L 73, 27. 3. 1972, p. 195.

originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession (1), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods (2);

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at 70 % of the full quota;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the

(1) OJ No L 73, 27. 3. 1972, p. 14.

(2) OJ No L 148, 28. 6. 1968, p. 1.

quota year; whereas the percentage of the shares in the first tranche may be drawn up as follows:

Germany	20.5%,
Benelux	4.9%,
France	0.5%,
Italy	2.0%,
Denmark	1.9%,
Ireland	1.0%,
United Kingdom	69.2%;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 % of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, a Community tariff quota of 45 000 tonnes shall be opened by the Community for the imports of preserved pineapples, other than in slices, half slices or spirals,

falling within the following subheadings of the Common Customs Tariff: ex 20.06 B II a) 5, ex 20.06 B II b) 5, ex 20.06 B II c) 1 dd) and ex 20.06 B II c) 2 bb). Within this tariff quota the customs duty shall be suspended at 12%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa).

However, the customs duty on imports originating in the developing countries listed in Annex B shall be totally suspended in the context of this tariff quota.

2. The benefit of this tariff quota shall be reserved for the products originating in the countries and territories listed in Annex A. However, the imports already benefiting from exemption of customs duties under another preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purposes of implementing this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 31 500 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1979, shall for each Member State be as follows:

Germany	6 458 tonnes,
Benelux	1 543 tonnes,
France	157 tonnes,
Italy	630 tonnes,
Denmark	599 tonnes,
Ireland	315 tonnes,
United Kingdom	21 798 tonnes.

2. The second tranche of 13 500 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial share, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 15 August 1979 has not exhausted its initial share shall, not later than 1 September 1979, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 September 1979, notify the Commission of the total quantities of the product in question imported up to and including 15 August 1979 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and

3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 September 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question actually charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

If the Community finds that products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in

direct competition with them suffer or are likely to suffer from serious disadvantage, or that an unfavourable situation is created in the ACP States, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 10

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 9 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 11

The provisions of Articles 9 and 10 shall not prejudice the application of the safeguard clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty or those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahran	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

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COUNCIL REGULATION (EEC) No 3164/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, in slices, half slices or spirals, originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore (1), the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas in respect of several Asian countries of the Commonwealth and particularly as regards Malaysia, preserved pineapples are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community; whereas the system of generalized tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the system of generalized preferences;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject

to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the preserved fruit and vegetable sector generally and of the need to safeguard the interests of the ACP States in this field, to lay down for preserved pineapples, in slices, half slices or spirals, special conditions consisting in a reduction of the customs duty applicable to that product within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1979;

Whereas it is expedient, therefore, that the Community should open for 1979 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 28 000 tonnes and at a customs duty of 15% increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa);

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community tariff quota, arrangements should be made for the customs duties on imports originating in the least developed developing countries

(1) OJ No L 73, 27. 3. 1978, p. 195.

appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at 90% of the full quota;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the

⁽¹⁾ OJ No L 73, 27. 3. 1973, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 178.

quota year; whereas the percentage of the shares in the first tranche may be drawn up as follows:

Germany	35.1%
Benelux	13.0%
France	1.0%
Italy	2.8%
Denmark	2.7%
Ireland	1.0%
United Kingdom	44.4%

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; whereas this method of administration calls for close cooperation between Member States and the Commission which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, a Community tariff quota of 28 000 tonnes shall be opened by the Community for the imports of preserved

pineapples, in slices, half slices or spirals, falling within the following subheadings of the Common Customs Tariff: ex 20.06 B II a) 5, ex 20.06 B II b) 5, ex 20.06 B II c) 1 dd) and ex 20.06 B II c) 2 bb). Within this tariff quota the customs duty shall be suspended at 15%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa).

However, the customs duty on imports originating in the developing countries listed in Annex B shall be totally suspended in the context of this tariff quota.

2. The benefit of this tariff quota shall be reserved for the products originating in the countries and territories listed in Annex A. However, the imports already benefiting from exemption of customs duties under another preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purposes of implementing this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 25 200 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1979, shall for each Member State be as follows:

Germany	8 846 tonnes,
Benelux	3 276 tonnes,
France	252 tonnes,
Italy	705 tonnes,
Denmark	681 tonnes,
Ireland	252 tonnes,
United Kingdom	11 188 tonnes.

2. The second tranche of 2 800 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial share, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90% or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 15 September 1979 has not exhausted its initial share shall, not later than 1 October 1979, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1979 and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and

3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods shall qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question actually charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

If the Community finds that products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in

direct competition with them suffer or are likely to suffer from serious disadvantage, or that an unfavourable situation is created in the ACP States, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 10

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 9 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 11

The provisions of Articles 9 and 10 shall not prejudice the application of the safeguard clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty or those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

of 29 December 1978

opening, allocating and providing for the administration of tariff quotas for certain steel
products originating in developing countries

(78/1037/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1979, the duties applicable in all customs areas of the Community to the products listed in Annex A shall be completely suspended within the framework of Community tariff quotas of amounts which shall be expressed in European units of account and which shall be indicated against each product in column 3 of that Annex.

2. These tariff quotas shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the nine Member States of the Community may not be charged against these tariff quotas. For the purposes of the application of this Decision, the concept of

originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾.

3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts indicated in column 5 of Annex A shall be limited to the maximum amount given as a percentage in column 4 of Annex A against each category of products.

4. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the maximum amounts expressed as percentages laid down in column 4 of Annex A and to the tariff ceilings and quotas laid down respectively in columns 3 and 5 of Annex A.

Article 2

1. The Member States shall administer their tariff quotas in accordance with their own provisions in this respect.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may be imported under the tariff quota only if the certificate of origin mentioned in paragraph 2 is presented before the date on which customs duties are re-introduced.

Article 3

Each Member State shall re-introduce the levying of duties which have been suspended in respect of a country or territory mentioned in Annex B as soon as it records that the charges against its national quota of the products concerned originating in such country or territory have reached the maximum amount laid down in column 4 of Annex A.

Such re-introduction shall be notified immediately to the Commission, which shall inform the other Member States forthwith. At the request of a Member State or of the Commission, the possible consequences of such a situation (with regard to the aggregate appearing in column 3 of Annex A) shall be jointly examined immediately.

After the quotas opened under this Decision have been used up, Common Customs Tariff duties on imports of the products in question originating in the countries listed in Annex C shall continue to be totally suspended.

Article 4

Member States shall inform the Commission at least monthly of imports of the products in question charged against their quotas.

Article 5

Member States, in close cooperation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

Article 6

The Member States shall take all measures necessary for the implementation of this Decision.

Article 7

For the purposes of applying this Decision, the preferential amounts expressed in European units of account (EUA) shall be converted into national currencies at the following rates:

1 EUA	=	3.6043955 DM
	=	49.508625 Bfrs/Lfrs
	=	5.5616255 FF
	=	3.5770435 Fl
	=	647.971 Lit
	=	7.4775175 Dkr
	=	0.42930445 l £
	=	0.4293044 £

The application of these rates may not result, in terms of national currency, in charges against each of the quotas concerned being lower than those resulting from the corresponding minimum obligations laid down for 1978.

Done at Brussels, 29 December 1978.

The President

H.-D. GENSCHER

ANNEX A

List of products subject to zero-duty tariff ceilings under the generalized tariff preferences granted to developing countries and territories

CCT heading No (1)	Description (2)	Aggregate of column 5 (in EUA) (3)	Maximum amount per country and territory (%) (4)	Volume of shares allocated to Member States (in EUA) (5)
73.08	Iron or steel coils for re-rolling	12 091 800	40	Germany 3 325 245 Benelux 1 269 640 France 2 297 440 Italy 1 813 770 Denmark 604 590 Ireland 120 920 United Kingdom 2 660 195
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: a) Hot-rolled or extruded	7 493 900	50	Germany 2 060 810 Benelux 786 860 France 1 423 840 Italy 1 124 090 Denmark 374 700 Ireland 74 940 United Kingdom 1 648 660
73.13	Sheets and plates of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: b) More than 1 mm but less than 3 mm c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: b) Tinned c) Zinc-coated or lead-coated d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other	23 440 200	30	Germany 6 446 055 Benelux 2 461 220 France 4 453 640 Italy 3 516 030 Denmark 1 172 010 Ireland 234 400 United Kingdom 5 156 845

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences (1)

I. INDEPENDENT COUNTRIES

660 Afghanistan (2)	488 Guyana	520 Paraguay
208 Algeria	452 Haiti (2)	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda (2)
666 Bangladesh (2)	612 Iraq	819 Samoa (2)
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin (2)	464 Jamaica	632 Saudi Arabia
675 Bhutan (2)	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana (2)	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi (2)	684 Laos (2)	342 Somalia (2)
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire (2)	395 Lesotho (2)	656 South Yemen (2)
244 Chad (2)	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan (2)
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi (2)	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives (2)	352 Tanzania (2)
448 Cuba	232 Mali (2)	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda (2)
334 Ethiopia (2)	672 Nepal (2)	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta (2)
314 Gabon	240 Niger (2)	524 Uruguay
252 Gambia (2)	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen (2)	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea (2)	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

(1) The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

(2) This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

of 29 December 1978

opening tariff preferences for certain steel products originating in developing countries

(78/1038/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1979, the duties applicable in the Community to the imports of the products listed in Annex A shall be completely suspended, subject to the provisions of Article 2.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. For the purposes of the application of this Decision the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾.

3. Subject to Article 2, this suspension shall be granted generally up to the limit of a ceiling equal to the amount obtained, in respect of each category of products, by adding together, in European units of account, the value for 1971 of cif imports of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the nine Member States of the Community, and 5% of the value of cif imports in 1974 from other countries and from the countries and territories already enjoying such arrangements. For the particular purpose of the abovementioned calculations, all statistical data are to be considered as being expressed in European units of account of the Common Customs Tariff.

Imports already enjoying exemption from customs duties under such arrangements shall not be charged against the aforementioned ceiling.

4. Subject to Article 2, within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a maximum amount equivalent to 50% of this ceiling, except for the specific cases indicated in Annex A.

5. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the ceilings and maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings calculated in accordance with the provisions of Article 1 (3) which are laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2) are reached at Community level, the Member States may at any time, at the request of any one of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from all the countries and territories listed in Annex B until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4) which are laid down for the Community imports of products originating in each of the countries and territories referred to in Article 1 (2) and (3) are reached for any one of these countries or territories and Community level, the Member States may at any time, at the request of any of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from the country or territory listed in Annex B until the end of the period referred to in Article 1 (1).

3. Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for re-introducing normal customs duties, in particular, by notifying the date common to the whole of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

Community and directly applicable in each Member State. This notification shall be published in the *Official Journal of the European Communities*.

4. However, paragraphs 1, 2 and 3 shall not apply to the imports in question originating in the countries listed in Annex C.

Article 3

1. Imports of the said goods shall be charged against the ceilings and maximum amounts as and when they are entered for home use, on the basis of the customs value of the said goods, and are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin mentioned in paragraph 1 is presented before the date on which the levying of duties is re-introduced.

3. The extent to which ceilings and maximum amounts have been used up shall be recorded at Community level on the basis of imports charged in the manner laid down in paragraphs 1 and 2.

Article 4

Member States, in close cooperation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

Article 5

Member States shall inform the Commission periodically of imports of the products in question charged against the ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

The Member States shall take all measures necessary for the implementation of this Decision.

Done at Brussels, 29 December 1978.

The President

H.-D. GENSCHER

ANNEX A

List of products in respect of which the Common Customs Tariff duties are completely suspended under the generalized tariff preferences granted to developing countries and territories

CCT heading No.	Description
73.07 ⁽¹⁾	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.09	Universal plates of iron or steel
73.11 ^{(2), (3)}	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): a) Not further worked than clad: I. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate C. Clad, coated or otherwise surface-treated: III. Tinned: a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): a) Not further worked than clad: I. Hot-rolled

⁽¹⁾ For products covered by heading No 73.07, the ceiling referred to in Article 1 (3) has been lowered to 6 899 000 ECU.

⁽²⁾ For products covered by heading No 73.11 and with respect to Yugoslavia, the maximum amount referred to in Article 1 (4) has been lowered to 594 150 ECU.

⁽³⁾ For products covered by heading No 73.11, the ceiling referred to in Article 1 (3) has been lowered to 3 961 000 ECU.

CCT heading No	Description
73.15 (1)	<p>Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14:</p> <p>A. High carbon steel:</p> <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other: <ul style="list-style-type: none"> 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled VII. Sheets and plates: <ul style="list-style-type: none"> a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: <ul style="list-style-type: none"> 1. Cut into shapes other than rectangular shapes, but not further worked <p>B. Alloy steel:</p> <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other: <ul style="list-style-type: none"> 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled VII. Sheets and plates: <ul style="list-style-type: none"> a) 'Electrical' sheets and plates

(1) For products covered by heading No 73.15, the ceiling referred to in Article 1 (3) has been lowered to 12 224 000 EUA.

CCT heading No	Description
73.15 (cont'd)	b) Other sheets and plates: <ol style="list-style-type: none"> 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: <ol style="list-style-type: none"> bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: <ol style="list-style-type: none"> aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair-wedges, sole plates (base plates), rail clips, bedplates, ties, and other material specialized for joining or fixing rails: <ol style="list-style-type: none"> A. Rails: <ol style="list-style-type: none"> II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: <ol style="list-style-type: none"> I. Rolled

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Nomenclature 1979' (Regulation (EEC) No 2843/78) (OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 575/79

of 26 March 1979

opening, allocating and providing for the administration of a Community tariff quota for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Article 2 of the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus provides, for the period of 1 April to 15 May 1979, for the opening of a Community tariff quota of 2 300 tonnes of carrots falling within subheading ex 07.01 G II of the Common Customs Tariff, originating in Cyprus, at a rate of customs duty equal to 40 % of the customs duty in the Common Customs Tariff; whereas the Community tariff quota should therefore be opened for this period;

Whereas it is necessary in particular to ensure to all Community importers equal and uninterrupted access to the abovementioned quota, and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, however, since the tariff quota involved is of a relatively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility of those Member States in which needs might arise drawing appropriate quantities from that reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period; whereas this method of management 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 quota is used up and inform the Member States thereof;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands, and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

Article 1

1. From 1 April to 15 May 1979, the Common Customs Tariff duty for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff, originating in Cyprus, shall be suspended at 6.8 % within the limits of a Community tariff quota of 2 300 tonnes.
2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.
3. If the need should arise for the products in question in a Member State, the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.
4. The shares drawn pursuant to paragraph 3 shall be valid until 15 May 1979.

Article 2

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 1 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.
2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.
3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with the customs authorities for home use.
4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with the conditions set out in paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure compliance with this Regulation.

Article 5

This Regulation shall enter into force on 1 April 1979.

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

Done at Brussels, 26 March 1979.

For the Council

The President

P. MEHAIGNERIE

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