

Convention
ACP-EEC of Lomé

COLLECTED ACTS

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

COLLECTED ACTS - ACP - EEC CONVENTION

Directions for use

1. Acts listed in the compilation

In addition to the text of the Convention signed in Lomé on 28.2.1975, the collected Acts pertaining to the ACP-EEC Convention of Lomé between the African, Caribbean and Pacific States and the European Economic Community contain all the acts adopted pursuant to that Convention by the various Institutions of the Convention between the African, Caribbean and Pacific States (ACP) and the European Economic Community (EEC) as well as the acts adopted by the EEC with regard to the ACP States.

The African, Caribbean and Pacific States signatory to the ACP-EEC Convention of Lomé are:

The Bahamas, Barbados, Benin, Botswana, Burundi, Cameroon, Central African Republic, Chad, People's Republic of the Congo, Ethiopia, Fiji, Gabon, the Gambia, Ghana, Grenada, Equatorial Guinea, Guinea, Guinea-Bissau, Guyana, Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, the Niger, Nigeria, Rwanda, Western Samoa, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo, Tonga, Trinidad and Tobago, Uganda, Upper Volta, Zaire, Zambia.

Some acts of the Institutions of the ACP-EEC Convention of Lomé are not given because of their nature, e.g. budgets, individual acts (**such as appointments**), etc.

2. General structure of the compilation

The acts are classified in 7 basic series with the following abbreviations and titles in order of classification:

| | |
|---------|---|
| GEN | - General matters |
| TRADE | - Trade co-operation |
| EXP | - Export earnings |
| IND | - Industrial co-operation |
| FINTECH | - Financial and technical co-operation |
| ESTAB | - Establishment, services, payments and capital movements |
| INST | - Institutions |

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

In some series the acts are subdivided into headings with Roman numerals and a list is given on the 1st page of each series.

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In each heading and each series which is not subdivided into headings the acts of the compilation are classified in chronological order of the dates of adoption of the acts.

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General table of the series and headings in the compilation
pertaining to the
ACP-EEC CONVENTION OF LOME

| Series | Headings |
|---|---|
| General matters (GEN) | O - General I - Convention and related texts II - Internal Community provisions relating to the Convention |
| Trade co-operation (TRADE) | I - Trade II - Trade promotion III - Customs co-operation |
| Export earnings (EXP) | I - Stabilization of export earnings II - Sugar |
| Industrial co-operation (IND) | |
| Financial and technical co-operation (FINTECH) | |
| Establishment, services, payments and capital movements (ESTAB) | |
| Institutions (INST) | I - Council of Ministers and Committee of Ambassadors II - Consultative Assembly III - Institutional questions peculiar to the Community and the Member States IV - Questions peculiar to the ACP States |

3. Pagination

So that 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: an abbreviation indicating the series, a Roman numeral indicating the heading (where applicable) and consecutive Arabic numerals indicating the page number under each heading.

Example: GEN I 6

GEN indicates the "General matters" series;

I indicates the heading "I Convention and related texts";

6 indicates page 6 of that heading.

Where it becomes necessary to amend a page as a result of an alteration a replacement leaf will be supplied. This will be marked at the bottom right-hand corner, so that it can be distinguished from the page which is to be removed which previously appeared in the compilation.

References to show that an act is related to another are given in footnote form.

4. Tables

At the beginning of each heading or each series which is not subdivided into headings there is a table listing the titles of the acts recorded in it. This table will be updated 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 Turkey, the collected acts of the Association between the European Economic Community and the Tunisian 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 Cyprus and the OCT/FOD collected acts.

General matters

Subdivision:

0. Convention and related texts

I. Internal Community provisions relating to
the Convention (removed)

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30. 1. 76

Official Journal of the European Communities

No L 25/1

COUNCIL REGULATION (EEC) No 199/76
of 30 January 1976
on the conclusion of the ACP-EEC Convention of Lomé

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 opinion of the European
Parliament,

Whereas the ACP-EEC Convention of Lomé signed
at Lomé on 28 February 1975 between the African,
Caribbean and Pacific States of the one part and the
European Economic Community of the other part
should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The ACP-EEC Convention of Lomé, the Protocols
and the declaration attached thereto, and the

declarations annexed to the Final Act are concluded,
approved and confirmed on behalf of the
Community.

The texts of the Convention, the Protocols and the
declaration and of the Final Act are annexed to this
Regulation.

Article 2

The President of the Council shall, as regards the
Community, deposit the act of notification of the
conclusion of the Convention as provided for in
Article 87 thereof.

Article 3

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

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

Done at Brussels, 30 January 1976.

For the Council

The President

G. THORN

ACP-EEC CONVENTION OF LOMÉ

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Economic Community signed at Rome on 25 March 1957 (hereinafter called the 'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE HEAD OF STATE OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO,

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST,

THE PRESIDENT OF THE REPUBLIC OF DAHOMEY,

THE PRESIDENT OF THE PROVISIONAL ADMINISTRATIVE MILITARY COUNCIL,
PRESIDENT OF THE GOVERNMENT OF ETHIOPIA,

HER MAJESTY THE QUEEN OF FIJI,

THE PRESIDENT OF THE GABONESE REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA,

THE PRESIDENT OF THE NATIONAL REDEMPTION COUNCIL OF THE
REPUBLIC OF GHANA,

THE HEAD OF STATE OF GRENADA,

THE PRESIDENT OF THE REPUBLIC OF GUINEA,

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA BISSAU,

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA,

THE PRESIDENT OF THE COOPERATIVE REPUBLIC OF GUYANA,

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA,

THE HEAD OF STATE OF JAMAICA,

THE PRESIDENT OF THE REPUBLIC OF KENYA,

THE KING OF THE KINGDOM OF LESOTHO,

THE PRESIDENT OF THE REPUBLIC OF LIBERIA,

THE PRESIDENT OF THE REPUBLIC OF MALAWI,

THE HEAD OF STATE AND OF GOVERNMENT OF THE MALAGASY REPUBLIC,

THE PRESIDENT OF THE MILITARY COMMITTEE OF NATIONAL LIBERATION
OF MALI, HEAD OF STATE, PRESIDENT OF THE GOVERNMENT,

HER MAJESTY THE QUEEN OF MAURITIUS,

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,

THE PRESIDENT OF THE REPUBLIC OF NIGER,

THE HEAD OF THE FEDERAL MILITARY GOVERNMENT OF NIGERIA,

THE PRESIDENT OF THE REPUBLIC OF RWANDA,

THE PRESIDENT OF THE REPUBLIC OF SENEGAL,

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC, PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN,

THE KING OF THE KINGDOM OF SWAZILAND,

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,

THE PRESIDENT OF THE REPUBLIC OF CHAD,

THE PRESIDENT OF THE REPUBLIC OF TOGO,

THE HEAD OF STATE OF TONGA,

THE HEAD OF STATE OF TRINIDAD AND TOBAGO,

THE PRESIDENT OF THE REPUBLIC OF UGANDA,

THE HEAD OF STATE OF WESTERN SAMOA,

THE PRESIDENT OF THE REPUBLIC OF ZAÏRE,

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,

whose States are hereinafter called the 'ACP States',

of the other part,

HAVING REGARD to the Treaty establishing the European Economic Community;

ANXIOUS to establish, on the basis of complete equality between partners, close and continuing co-operation, in a spirit of international solidarity;

RESOLVED to intensify their efforts together for the economic development and social progress of the ACP States;

WISHING to demonstrate their common desire to maintain and develop the friendly relations existing between their countries, according to the principles of the United Nations Charter;

RESOLVED to promote, having regard to their respective levels of development, trade co-operation between the ACP States and the Community and to provide a sound basis therefor in conformity with their international obligations;

CONSCIOUS of the importance of developing co-operation and trade among the ACP States;

RESOLVED to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order;

DESIROUS of safeguarding the interests of the ACP States whose economies depend to a considerable extent on the exportation of commodities;

ANXIOUS to promote the industrial development of the ACP States by wider co-operation between these States and the Member States of the Community;

HAVE DECIDED TO CONCLUDE THIS CONVENTION, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Renaat VAN ELSLANDE,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF DENMARK:

Jens CHRISTENSEN,
State Secretary for Foreign Affairs, Ambassador;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Hans-Jürgen WISCHNEWSKI,
Minister of State for Foreign Affairs;

THE PRESIDENT OF FRENCH REPUBLIC:

Pierre ABELIN,
Minister for Co-operation;

THE PRESIDENT OF IRELAND:

Garret FITZGERALD, TD,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Francesco CATTANEI,
State Secretary for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Laurens Jan BRINKHORST,
State Secretary for Foreign Affairs;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND:

The Rt. Hon. Judith HART, MP,
Minister for Overseas Development;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Garret FITZGERALD,
President-in-Office of the Council of the European Communities;

François-Xavier ORTOLI,
President of the Commission of the European Communities;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE HEAD OF STATE OF THE BAHAMAS:

A. R. BRAYNEN,
High Commissioner for the Bahamas;

THE HEAD OF STATE OF BARBADOS:

Stanley Leon TAYLOR,
Permanent Secretary of the Ministry of Trade, Industry and Commerce;

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA:

The Hon. Dr. GAOSITWE KEAGAKWA TIBE CHIEPE,
Minister of Commerce and Industry;

THE PRESIDENT OF THE REPUBLIC OF BURUNDI:

Gilles BIMAZUBUTE,
Minister for Foreign Affairs and Co-operation;

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON:

Maikano ABDOULAYE,
Minister for Planning and Regional Development;

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC:

Jean Paul MOKODOPO,
Minister for Planning;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO:

Commandant Alfred RAOUL,
Ambassador Extraordinary and Plenipotentiary,
Representative of the Congo to the European Economic Community;

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST:

Henri KONAN BEDIE,
Minister of Economic Affairs and Finance;

THE PRESIDENT OF THE REPUBLIC OF DAHOMEY:

Captain André ATCHADE,
Minister for Industry, Trade and Tourism;

THE PRESIDENT OF THE PROVISIONAL ADMINISTRATIVE MILITARY COUNCIL,
PRESIDENT OF THE GOVERNMENT OF ETHIOPIA:

Ato Gebre Kidan ALULA,
Trade Representative of Ethiopia to the European Economic Community;

HER MAJESTY THE QUEEN OF FIJI:

The Rt. Hon. Ratu Sir K. K. T. MARA, KBE,
Prime Minister and Minister for Foreign Affairs;

THE PRESIDENT OF THE GABONESE REPUBLIC:

Emile Kassa MAPSI,
Minister of State;

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA:

ALHAJI THE HONOURABLE IBRAHIMA MUHAMMADOU GARBA-JAHUMPA,
Minister of Finance and Trade;

THE PRESIDENT OF THE NATIONAL REDEMPTION COUNCIL OF THE REPUBLIC
OF GHANA:

Lieutenant Colonel FELLI,
Minister Commissioner for Economic Planning;

THE HEAD OF STATE OF GRENADA:

Senator Derek KNIGHT,
Minister without Portfolio;

THE PRESIDENT OF THE REPUBLIC OF GUINEA:

Seydou KEITA,
Ambassador Extraordinary of the Republic of Guinea for Western Europe;

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA BISSAU:

Dr. VASCO CABRAL,
State Commissioner for Economic and Financial Affairs;

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA:

Agelmasie NTUMU,
State Secretary;

THE PRESIDENT OF THE COOPERATIVE REPUBLIC OF GUYANA:

The Hon. S. S. RAMPHAL, SC, MP,
Minister of Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA:

Leonard KALMOGO,
State Secretary for Planning;

THE HEAD OF STATE OF JAMAICA:

Perceval J. PATTERSON,
Minister of Industry, Tourism and Foreign Trade;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

Dr. J. G. KIANO,
Minister of Trade and Industry;

THE KING OF THE KINGDOM OF LESOTHO:

E. R. SEKHONYANA,
Minister of Finance;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA:

The Hon. D. Franklin NEAL,
Minister of Planning and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF MALAWI:

The Hon. D. T. MATENJE,
Minister of Trade, Industry and Tourism,
Minister of Finance;

THE HEAD OF STATE AND OF GOVERNMENT OF THE MALAGASY REPUBLIC:

Jules RAZAFIMBAHINY,
Ambassador Extraordinary and Plenipotentiary,
Representative to the European Economic Community;

THE PRESIDENT OF THE MILITARY COMMITTEE OF NATIONAL LIBERATION
OF MALI, HEAD OF STATE, PRESIDENT OF THE GOVERNMENT:

Lieutenant-Colonel Charles SAMBA CISSOKHO,
Minister for Foreign Affairs and Co-operation;

HER MAJESTY THE QUEEN OF MAURITIUS:

The Rt. Hon. Sir Seewoosagur RAMGOOLAM, PC, Kt,
Prime Minister;

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA:

Sidi Ould CHEIKH ABDALLAH,
Minister for Planning and Industrial Development;

THE PRESIDENT OF THE REPUBLIC OF NIGER:

Captain Moumouni DJERMAKOYE ADAMOU,
Minister for Foreign Affairs and Co-operation;

THE HEAD OF THE FEDERAL MILITARY GOVERNMENT OF NIGERIA:

Gabriel Chukwuemeka AKWAEZE,
Federal Commissioner for Trade;

THE PRESIDENT OF THE REPUBLIC OF RWANDA:

NDUHUNGIREHE,
Minister for Finance and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF SENEGAL:

Babacar BA,
Minister for Finance and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE:

The Hon. Francis M. MINAH,
Minister for Trade and Industry;

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL:

Jaalle Mohamed WARSAMA ALI,
Advisor to the Economic Committee of the Supreme Revolutionary Council;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN:

Sharif el KHATIM,
Deputy Minister of Finance and National Economy;

THE KING OF THE KINGDOM OF SWAZILAND:

The Hon. Simon SISHAYI NXUMALO,
Minister of Industry and Mines;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Daniel Narcis Mtonga MLOKA,
Ambassador to the Federal Republic of Germany;

THE PRESIDENT OF THE REPUBLIC OF CHAD:

Ngarhodjina Adoum MOUNDARI,
State Secretary for Modern Economy;

THE PRESIDENT OF THE REPUBLIC OF TOGO:

Benissan TETE-TEVI,
Minister for Trade and Industry;

THE HEAD OF STATE OF TONGA:

His Royal Highness Prince TUPOUTOA;

THE HEAD OF STATE OF TRINIDAD AND TOBAGO:

The Hon. Dr. Cuthbert JOSEPH,
Minister in the Ministry of External and West Indian Affairs;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

The Hon. Edward ATHIYO,
Minister of Trade;

THE HEAD OF STATE OF WESTERN SAMOA:

The Hon. Falesa P. S. SAILI,
Minister of Finance;

THE PRESIDENT OF THE REPUBLIC OF ZAIRE:

Kanyinda TSHIMPUMPU,
State Commissioner for Trade;

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA:

Rajah KUNDA,
Minister of Commerce;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

TITLE I

TRADE CO-OPERATION

Article 1

In the field of trade co-operation, the object of this Convention is to promote trade between the Contracting Parties, taking account of their respective levels of development, and, in particular, of the need to secure additional benefits for the trade of ACP States, in order to accelerate the rate of growth of their trade and improve the conditions of access of their products to the market of the European Economic Community (hereinafter called the 'Community'), so as to ensure a better balance in the trade of the Contracting Parties.

To this end the Contracting Parties shall apply Chapters 1 and 2 of this Title.

Chapter 1

Trade arrangements

Article 2

1. Products originating in the ACP States shall be imported into the Community free of customs duties and charges having equivalent effect, but the treatment applied to these products may not be more favourable than that applied by the Member States among themselves.

For the purposes of the first subparagraph the transitional provisions in force relating to the residual customs duties and charges having equivalent effect resulting from the application of Articles 32, 36 and 59 of the Act concerning the conditions of accession and the adjustments to the Treaties shall have no application.

2. (a) Products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty; or

— subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy;

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at the time of importation do not provide, apart from customs duties, for the application of any other measure relating to their importation;
- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure, as a general rule, more favourable treatment than the general treatment applicable to the same products originating in third countries to which the most-favoured-nation clause applies.

(b) These arrangements shall enter into force at the same time as this Convention and shall remain applicable for its duration.

If, however, during the application of this Convention, the Community:

- subjects one or more products to common organization of the market or to specific rules introduced as a result of the implementation of the common agricultural policy, it reserves the right to adapt the import treatment for these products originating in the ACP States, following consultations within the Council of Ministers. In such cases, paragraph 2 (a) shall be applicable;
- modifies the common organization of the market in a particular product or the specific rules introduced as a result of the implementation of the common agricultural policy, it reserves the right to modify the arrangements laid down for products originating in the ACP States, following consultations within the Council of Ministers. In such cases, the Community

undertakes to ensure that products originating in the ACP States continue to enjoy an advantage comparable to that previously enjoyed in relation to products originating in third countries benefiting from the most-favoured-nation clause.

Article 3

1. The Community shall not apply to imports of products originating in the ACP States any quantitative restrictions or measures having equivalent effect other than those which the Member States apply among themselves.

2. Paragraph 1, however, shall not prejudice the import treatment applied to the products referred to in the first indent of Article 2 (2) (a).

The Community shall inform the ACP States when residual quantitative restrictions are eliminated in respect of any of these products.

3. This Article shall not prejudice the treatment that the Community applies to certain products in implementation of world commodity agreements to which the Community and the ACP States concerned are signatory.

Article 4

Nothing in this Convention shall preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals and plants; the protection of national treasures possessing artistic, historic or archaeological value or the protection of industrial and commercial property.

Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade.

Article 5

Where new measures or measures stipulated in programmes adopted by the Community for the approximation of laws and regulations in order to facilitate the movement of goods are likely to affect the interests of one or more ACP States the Community shall, prior to adopting such measures, inform the ACP States thereof through the Council of Ministers.

In order to enable the Community to take into consideration the interests of the ACP States concerned, consultations shall be held at the request of the latter with a view to reaching a satisfactory solution.

Article 6

1. Where existing rules or regulations of the Community adopted in order to facilitate the movement of goods or where the interpretation, application or administration thereof affect the interests of one or more ACP States, consultations shall be held at the request of the latter with a view to reaching a satisfactory solution.

2. With a view to finding a satisfactory solution, the ACP States may also bring up within the Council of Ministers any other problems relating to the movement of goods which might result from measures taken or to be taken by the Member States.

The competent institutions of the Community shall to the greatest possible extent inform the Council of Ministers of such measures.

Article 7

1. In view of their present development needs, the ACP States shall not be required, for the duration of this Convention, to assume, in respect of imports of products originating in the Community, obligations corresponding to the commitments entered into by the Community in respect of imports of the products originating in the ACP States, under this Chapter.

2. (a) In their trade with the Community, the ACP States shall not discriminate among the Member States, and shall grant to the Community treatment no less favourable than the most-favoured-nation treatment.

(b) The most-favoured-nation treatment referred to in subparagraph (a) shall not apply in respect of trade or economic relations between ACP States or between one or more ACP States and other developing countries.

Article 8

Each Contracting Party shall communicate its customs tariff to the Council of Ministers within a period of three months following the entry into force of this Convention. It shall also communicate any subsequent amendments to that tariff as and when they occur.

Article 9

1. The concept of 'originating products' for the purposes of implementing this Chapter, and the methods of administrative co-operation relating thereto, are laid down in Protocol No 1.

2. The Council of Ministers may adopt any amendment to Protocol No 1.

3. Where the concept of 'originating products' has not been defined for a given product in implementation of paragraph 1 or 2, each Contracting Party shall continue to apply its own rules.

Article 10

1. If, as a result of applying the provisions of this Chapter, serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or jeopardize their external financial stability, or if difficulties arise which may result in a deterioration in a sector of the economy of a region of the Community, the latter may take, or may authorize the Member State concerned to take, the necessary safeguard measures. These measures and the methods of applying them shall be notified immediately to the Council of Ministers.

2. For the purpose of implementing paragraph 1, priority shall be given to such measures as would least disturb the trade relations between the Contracting Parties and the attainment of the objectives of this Convention. These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

Article 11

In order to ensure effective implementation of the provisions of this Convention in the field of trade co-operation, the Contracting Parties agree to inform and consult each other.

Consultations shall take place, at the request of the Community or of the ACP States, in accordance with the conditions provided for in the rules of procedure in Article 74, particularly in the following cases:

1. Where Contracting Parties envisage taking any trade measures affecting the interests of one or more Contracting Parties under this Convention, they shall inform the Council of Ministers thereof. Consultations shall take place, where the Contracting Parties concerned so request, in order to take into account their respective interests.
2. Where the Community envisages concluding a preferential trade agreement it shall inform the ACP States thereof. Consultations shall take place, where the ACP States so request, in order to safeguard their interests.

3. Where the Community or the Member States take safeguard measures in accordance with Article 10, consultations on these measures may take place within the Council of Ministers, where the Contracting Parties concerned so request, notably with a view to ensuring compliance with Article 10 (2).

4. If, during the application of this Convention, the ACP States consider that agricultural products covered by Article 2 (2) (a), other than those subject to special treatment, call for special treatment, consultations may take place within the Council of Ministers.

Chapter 2

Trade promotion

Article 12

With a view to attaining the objectives they have set themselves as regards trade and industrial co-operation the Contracting Parties shall carry out trade promotion activities which will be aimed at helping the ACP States to derive maximum benefit from Title I, Chapter 1, and Title III and to participate under the most favourable conditions in the Community, regional and international markets.

Article 13

The trade promotion activities provided for in Article 12 shall include:

- (a) improving the structure and working methods of organizations, departments or firms contributing to the development of the foreign trade of ACP States, or setting up such organizations, departments or firms;
- (b) basic training or advanced vocational training of staff in foreign trade and trade promotion;
- (c) participation by the ACP States in fairs, exhibitions, specialized international shows and the organization of trade events;
- (d) improving co-operation between economic operators in the Member States and the ACP States and establishing links to promote such co-operation;

- (e) carrying out and making use of market research and marketing studies;
- (f) producing and distributing trade information in various forms within the Community and the ACP States with a view to developing trade.

Article 14

Applications for financing of trade promotion activities shall be presented to the Community by the

ACP State or ACP States concerned under the conditions laid down in Title IV.

Article 15

The Community shall participate, under the conditions laid down in Title IV and in Protocol No 2, in financing trade promotion activities for promoting the development of exports of ACP States.

TITLE II

EXPORT EARNINGS FROM COMMODITIES

Chapter 1

Stabilization of export earnings

Article 16

With the aim of remedying the harmful effects of the instability of export earnings and of thereby enabling the ACP States to achieve the stability, profitability and sustained growth of their economies, the Community shall implement a system for guaranteeing the stabilization of earnings from exports by the ACP States to the Community of certain products on which their economies are dependent and which are affected by fluctuations in price and/or quantity.

Article 17

1. Export earnings to which the stabilization system applies shall be those accruing from the exportation by the ACP States to the Community of the products on the following list, drawn up taking account of factors such as employment, deterioration of the terms of trade between the Community and the ACP State concerned, the level of development of the State concerned and the particular difficulties of the least developed, landlocked or island ACP States listed in Article 24:

a. Groundnut products

- (aa) groundnuts, shelled or not
- (ab) groundnut oil
- (ac) groundnut oilcake

b. Cocoa products

- (ba) cocoa beans
- (bb) cocoa paste
- (bc) cocoa butter

c. Coffee products

- (ca) raw or roasted coffee
- (cb) extracts, essences or concentrates of coffee

d. Cotton products

- (da) cotton, not carded or combed
- (db) cotton linters

e. Coconut products

- (ea) coconuts
- (eb) copra
- (ec) coconut oil
- (ed) coconut oilcake

f. Palm, palm nut and kernel products

- (fa) palm oil
- (fb) palm nut and kernel oil
- (fc) palm nut and kernel oilcake
- (fd) palm nuts and kernels

g. Raw hides, skins and leather

- (ga) raw hides and skins
- (gb) bovine cattle leather
- (gc) sheep and lamb skin leather
- (gd) goat and kid skin leather

h. Wood products

- (ha) wood in the rough
- (hb) wood roughly squared or half-squared, but not further manufactured
- (hc) wood sawn lengthwise, but not further prepared

- i. Fresh bananas
- k. Tea
- l. Raw sisal
- m. Iron ore
 - iron ores and concentrates and roasted iron pyrites

The statistics used for implementation of the system shall be those obtained by cross-checking the statistics of the ACP States and of the Community, account being taken of the fob values.

The system shall be implemented in respect of the products listed above where they are:

- (a) released for home use in the Community;
- (b) brought under the inward processing arrangements there in order to be processed.

2. The system shall apply to an ACP State's export earnings from the products listed above if, during the year preceding the year of application, earnings from the export of the product or products to all destinations represented at least 7.5% of its total earnings from merchandise exports: for sisal, however, the percentage shall be 5%. For the least developed, landlocked or island ACP States listed in Article 24 the percentage shall be 2.5%.

3. Nonetheless if, not sooner than 12 months following the entry into force of this Convention, one or more products not contained in this list, but upon which the economies of one or more ACP States depend to a considerable extent, are affected by sharp fluctuations, the Council of Ministers may decide whether the product or products should be included in the list, without prejudice to Article 18 (1).

4. For certain special cases the system shall apply to exports of the products in question irrespective of destination.

5. The ACP States concerned shall certify that the products to which the stabilization system applies have originated in their territory.

Article 18

1. For the purposes specified in Article 16 and for the duration of this Convention, the Community shall allocate to the stabilization system a total amount of 375 million units of account to cover all its commit-

ments under the said system. This amount shall be managed by the Commission of the European Communities (hereinafter called the 'Commission').

2. This total amount shall be divided into five equal annual instalments. Every year except the last, the Council of Ministers may authorize, where required, the use in advance of a maximum of 20% of the following year's instalment.

3. Whatever balance remains at the end of each year of the first four years of the application of this Convention shall be carried forward automatically to the following year.

4. On the basis of a report submitted to it by the Commission, the Council of Ministers may reduce the amount of the transfers to be made under the stabilization system.

5. Before the expiry of this Convention, the Council of Ministers shall decide on the use to which any balance remaining from the total amount referred to in paragraph 1 is to be put and also on the terms to be laid down for the further use of amounts still to be paid by the ACP States, under Article 21, after the expiry of this Convention.

Article 19

1. In order to implement the stabilization system a reference level shall be calculated for each ACP State and for each product.

This reference level shall correspond to the average of export earnings during the four years preceding each year of application.

2. An ACP State shall be entitled to request a financial transfer if, on the basis of the results of a calendar year, its actual earnings, as defined in Article 17, from each of the products considered individually, are at least 7.5% below the reference level. For the least developed, landlocked or island ACP States listed in Article 24 this percentage shall be 2.5%.

3. The request from the ACP State concerned shall be addressed to the Commission, which shall examine it in the light of the volume of resources available.

The difference between the reference level and actual earnings shall constitute the basis of the transfer.

4. However:

- (a) should examination of the request, to be undertaken by the Commission in conjunction with the ACP State concerned, show that the fall in earnings from exports to the Community of the products in question is the result of a trade policy measure of the ACP State concerned adversely affecting exports to the Community in particular, the request shall not be admissible;
- (b) should examination of the total exports of the requesting ACP State show a significant change, consultations shall take place between the Commission and the requesting State to determine whether such changes are likely to have an effect on the amount of the transfer, and if so to what extent.

5. Except in the case referred to in paragraph 4 (a) the Commission shall, in conjunction with the requesting ACP State, draw up a draft decision to make a transfer.

6. All necessary steps shall be taken to ensure that transfers are made rapidly, for example by means of advances, normally six-monthly.

Article 20

The recipient ACP State shall decide how the resources will be used. It shall inform the Commission annually of the use to which it has put the resources transferred.

Article 21

- 1. The amounts transferred shall not bear interest.
- 2. The ACP States which have received transfers shall contribute, in the five years following the allocation of each transfer, towards the reconstitution of the resources made available for the system by the Community.
- 3. Each ACP State shall help reconstitute the resources when it is found that the trend of its export earnings will so permit.

To this effect, the Commission shall determine, for each year and for each product, and on the conditions specified in Article 17 (1), whether:

- the unit value of the exports is higher than the reference unit value;
- the quantity actually exported to the Community is at least equal to the reference quantity.

If the two conditions are met at the same time, the recipient ACP State shall pay back into the system,

within the limit of the transfers it has received, an amount equal to the reference quantity multiplied by the difference between the reference unit value and the actual unit value.

4. If, on expiry of the five-year period referred to in paragraph 2, the resources have not been fully reconstituted, the Council of Ministers, taking into consideration in particular the situation of and prospects for the balance of payments, exchange reserves and foreign indebtedness of the ACP States concerned, may decide that:

- the sums outstanding are to be reconstituted wholly or in part, in one or more instalments;
- rights to repayment are to be waived.

5. Paragraphs 2, 3 and 4 shall not apply to the ACP States listed in Article 48 (2).

Article 22

For each transfer a 'transfer agreement' shall be drawn up and concluded between the Commission and the ACP State concerned.

Article 23

1. In order to ensure that the stabilization system functions efficiently and rapidly, statistical and customs co-operation shall be instituted between the Community and the ACP States. The detailed arrangements for such co-operation shall be established by the Council of Ministers.

2. The ACP States and the Commission shall adopt by mutual agreement any practical measures facilitating the exchange of necessary information and the submission of requests for transfers, for example by producing a form for requesting transfers.

Article 24

The least developed, landlocked or island ACP States referred to in Article 17 (1) and (2) and Article 19 (2) are as follows:

- the Bahamas
- Barbados
- Botswana
- Burundi
- Central African Republic
- Chad

| | |
|---------------------|-----------------------|
| — Dahomey | — Mauritius |
| — Equatorial Guinea | — Niger |
| — Ethiopia | — Rwanda |
| — Fiji | — Somalia |
| — the Gambia | — Sudan |
| — Grenada | — Swaziland |
| — Guinea | — Tanzania |
| — Guinea Bissau | — Togo |
| — Jamaica | — Tonga |
| — Lesotho | — Trinidad and Tobago |
| — Madagascar | — Uganda |
| — Malawi | — Upper Volta |
| — Mali | — Western Samoa |
| — Mauritania | — Zambia |

Chapter 2

Specific provisions concerning sugar

Article 25

1. Notwithstanding any other provisions of this Convention the Community undertakes for an indefinite period to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originate in the ACP States producing and exporting cane sugar and which those States undertake to deliver to it.

2. Protocol No 3 annexed to this Convention determines the conditions of implementation of this Article.

TITLE III

INDUSTRIAL CO-OPERATION

Article 26

The Community and the ACP States, acknowledging the pressing need for the industrial development of the latter, agree to take all measures necessary to bring about effective industrial co-operation.

Industrial co-operation between the Community and the ACP States shall have the following objectives:

- (a) to promote the development and diversification of industry in the ACP States and to help bring about a better distribution of industry both within those States and between them;
- (b) to promote new relations in the industrial field between the Community, the Member States and the ACP States, in particular the establishment of new industrial and trade links between the industries of the Member States and those of the ACP States;
- (c) to increase the links between industry and the other sectors of the economy, in particular agriculture;
- (d) to facilitate the transfer of technology to the ACP States and to promote the adaptation of such technology to their specific conditions and needs, for example by expanding the capacity of the ACP States for research, for adaptation of technology and for training in industrial skills at all levels in these States;

- (e) to promote the marketing of industrial products of the ACP States in foreign markets in order to increase their share of international trade in those products;
- (f) to encourage the participation of nationals of ACP States, in particular that of small- and medium-sized industrial firms, in the industrial development of those States;
- (g) to encourage Community firms to participate in the industrial development of the ACP States, where those States so desire and in accordance with their economic and social objectives.

Article 27

In order to attain the objectives set out in Article 26, the Community shall help to carry out, by all the means provided for in this Convention, programmes, projects and schemes submitted to it on the initiative or with the agreement of the ACP States in the fields of industrial infrastructures and ventures, training, technology and research, small- and medium-sized firms, industrial information and promotion, and trade co-operation.

Article 28

The Community shall contribute to the setting up and the extension of the infrastructure necessary for industrial development, particularly in the fields of transport and communications, energy and industrial research and training.

Article 29

The Community shall contribute to the setting up and the extension in the ACP States of industries processing raw materials and industries manufacturing finished and semi-finished products.

Article 30

At the request of the ACP States and on the basis of the programmes submitted by the latter, the Community shall contribute to the organization and financing of the training, at all levels, of personnel of the ACP States in industries and institutions within the Community.

In addition, the Community shall contribute to the establishment and expansion of industrial training facilities in the ACP States.

Article 31

With a view to helping the ACP States to overcome obstacles encountered by them in matters of access to and adaptation of technology, the Community is prepared in particular to:

- (a) keep the ACP States better informed on technological matters and assist them in selecting the technology best adapted to their needs;
- (b) facilitate their contacts and relations with firms and institutions in possession of the appropriate technological know-how;
- (c) facilitate the acquisition, on favourable terms and conditions, of patents and other industrial property, in particular through financing and/or through other suitable arrangements with firms and institutions within the Community;
- (d) contribute to the establishment and expansion of industrial research facilities in the ACP States with particular reference to the adaptation of available technology to the conditions and needs of those States.

Article 32

The Community shall contribute to the establishment and development of small- and medium-sized industrial firms in the ACP States through financial and technical co-operation schemes adapted to the specific needs of such firms and covering *inter alia*:

- (a) the financing of firms,
- (b) the creation of appropriate infrastructure and industrial estates,

(c) vocational and advanced training,

(d) the setting up of specialized advisory services and credit facilities.

The development of these firms shall, as far as possible, be conducive to the strengthening of the complementary relationship between small- and medium-sized industrial firms and of their links with large industrial firms.

Article 33

Industrial information and promotion schemes shall be carried out in order to secure and intensify regular information exchanges and the necessary contacts in the industrial field between the Community and the ACP States.

These schemes could have the following aims:

- (a) to gather and disseminate all relevant information on the trends in industry and trade in the Community and on the conditions of and possibilities for industrial development in the ACP States;
- (b) to organize and facilitate contacts and meetings of all kinds between Community and ACP States' industrial policy-makers, promoters and firms;
- (c) to carry out studies and appraisals aimed at pinpointing the practical opportunities for industrial co-operation with the Community in order to promote the industrial development of the ACP States;
- (d) to contribute, through appropriate technical co-operation schemes, to the setting up, launching and running of the ACP States' industrial promotion bodies.

Article 34

In order to enable the ACP States to obtain full benefit from trade and other arrangements provided for in this Convention, trade promotion schemes shall be carried out to encourage the marketing of industrial products of ACP States both in the Community as well as in other external markets. Furthermore, programmes shall be drawn up jointly between the Community and the ACP States in order to stimulate and develop the trade of industrial products among the said States.

Article 35

1. A Committee on Industrial Co-operation shall be established. It shall be supervised by the Committee of Ambassadors.
2. The Committee on Industrial Co-operation shall:
 - (a) see to the implementation of this Title;
 - (b) examine the problems in the field of industrial co-operation submitted to it by the ACP States and/or by the Community, and suggest appropriate solutions;
 - (c) guide, supervise and control the activities of the Centre for Industrial Development referred to in Article 36 and report to the Committee of Ambassadors and, through it, to the Council of Ministers;
 - (d) submit from time to time reports and recommendations which it considers appropriate to the Committee of Ambassadors;
 - (e) perform such other functions as may be assigned to it by the Committee of Ambassadors.
3. The composition of the Committee on Industrial Co-operation and the details for its operation shall be determined by the Council of Ministers.

Article 36

A Centre for Industrial Development shall be set up. It shall have the following functions:

- (a) to gather and disseminate in the Community and the ACP States all relevant information on the conditions of and opportunities for industrial co-operation;
- (b) to have, at the request of the Community and the ACP States, studies carried out on the possibilities and potential for industrial development of the ACP States, bearing in mind the necessity for adaptation of technology to their needs and requirements, and to ensure their follow-up;
- (c) to organize and facilitate contacts and meetings of all kinds between Community and ACP States' industrial policy-makers, promoters, and firms and financial institutions;
- (d) to provide specific industrial information and support services;

- (e) to help to identify, on the basis of needs indicated by ACP States, the opportunities for industrial training and applied research in the Community and in the ACP States, and to provide relevant information and recommendations.

The centre's statutes and rules of operation shall be adopted by the Council of Ministers on a proposal from the Committee of Ambassadors upon the entry into force of this Convention.

Article 37

Programmes, projects or schemes undertaken in the field of industrial co-operation and involving Community financing shall be implemented in accordance with Title IV, taking into account the particular characteristics of interventions in the industrial sector.

Article 38

1. Each ACP State shall endeavour to give as clear an indication as possible of its priority areas for industrial co-operation and the form it would like such co-operation to take. It will also take such steps as are necessary to promote effective co-operation within the framework of this Title with the Community and the Member States or with firms or nationals of Member States who comply with the development programmes and priorities of the host ACP State.

2. The Community and the Member States, for their part, shall endeavour to set up measures to attract the participation of their firms and nationals in the industrial development efforts of the ACP States concerned, and shall encourage such firms and nationals to adhere to the aspirations and development objectives of those ACP States.

Article 39

This Title shall not prevent any ACP State or group of ACP States from entering into specific arrangements for the development in ACP States of agricultural, mineral, energy and other specific resources with a Member State or States of the Community, provided that these arrangements are compatible with this Convention. Such arrangements must be complementary to the efforts on industrialization and must not operate to the detriment of this Title.

TITLE IV

FINANCIAL AND TECHNICAL CO-OPERATION

Article 40

1. The purpose of economic, financial and technical co-operation is to correct the structural imbalances in the various sectors of the ACP States' economies. The co-operation shall relate to the execution of projects and programmes which contribute essentially to the economic and social development of the said States.

2. Such development shall consist in particular in the greater well-being of the population, improvement of the economic situation of the State, local authorities and firms, and the introduction of structures and factors whereby such improvement can be continued and extended by their own means.

3. This co-operation shall complement the efforts of the ACP States and shall be adapted to the characteristics of each of the said States.

Article 41

1. The Council of Ministers shall examine at least once a year whether the objectives referred to in Article 40 are being attained and shall also examine the general problems resulting from the implementation of financial and technical co-operation. It shall take stock, on the basis of information gathered both by the Community and the ACP States, of action undertaken in this context by the Community and by the ACP States. This stocktaking shall also cover regional co-operation and measures in favour of the least developed ACP States.

As regards the Community, the Commission shall submit to the Council of Ministers an annual report on the management of Community financial and technical aid. This report shall be drawn up in collaboration with the European Investment Bank (hereinafter called the 'Bank') for the parts of the report which concern it. It shall in particular show the position as to the commitment, implementation and utilization of the aid, broken down by type of financing and by recipient State.

The ACP States for their part shall submit to the Council of Ministers any observations, information or proposals on the problems concerning the implementation, in their respective countries, of the

economic, financial and technical co-operation, and also on the general problems of this co-operation.

The work on the annual stocktaking of financial and technical co-operation shall be prepared by the experts of the Community and of the ACP States who are responsible for the implementation of that co-operation.

2. On the basis of the information submitted by the Community and the ACP States and of the examination referred to in paragraph 1, the Council of Ministers shall define the policy and guidelines of financial and technical co-operation and shall formulate resolutions on the measures to be taken by the Community and the ACP States in order to ensure that the objectives of such co-operation are attained.

Article 42

For the duration of this Convention, the overall amount of the Community's aid shall be 3 390 million units of account.

This amount comprises:

1. 3 000 million units of account from the European Development Fund (hereinafter called the 'Fund'), allocated as follows:

(a) for the purposes set out in Article 40, 2 625 million units of account, consisting of:

— 2 100 million units of account in the form of grants;

— 430 million units of account in the form of special loans;

— 95 million units of account in the form of risk capital;

(b) for the purposes set out in Title II, up to 375 million units of account, likewise from the Fund, in the form of transfers for the stabilization of export earnings.

2. For the purposes set out in Article 40, up to 390 million units of account in the form of loans

from the Bank, made from its own resources on the terms and conditions provided for in its Statute, and supplemented, as a general rule, by a 3% interest rate subsidy, under the conditions laid down in Article 5 of Protocol No 2.

The total cost of the interest rate subsidies shall be charged against the amounts of aid provided for in 1 (a) above.

Article 43

1. The method or methods of financing which may be contemplated for each project or programme shall be selected jointly by the Community and the ACP State or ACP States concerned with a view to the best possible use being made of the resources available and by reference to the level of development and the economic and financial situation of the ACP State or ACP States concerned. Moreover, account shall be taken of the factors which ensure the servicing of repayable aid.

The definitive choice of methods of financing for projects and programmes shall be made only at an appropriate stage in the appraisal of such projects and programmes.

2. Account shall also be taken of the nature of the project or programme, of its prospects of economic and financial profitability and of its economic and social impact.

In particular, productive capital projects in the industrial, tourism and mining sectors shall be given priority financing by means of loans from the Bank and risk capital.

Article 44

1. Where appropriate, a number of methods may be combined for financing a project or programme.

2. With the agreement of the ACP State or ACP States concerned, financial aid from the Community may take the form of co-financing with participation by, in particular, credit and development agencies and institutions, firms, Member States, ACP States, third countries or international finance organizations.

Article 45

1. Grants and special loans may be made available to or through the ACP State concerned.

2. Where these funds are on-lent through the ACP State concerned, the terms and procedure for the onlending by the intermediate recipient to the final borrower shall be laid down between the Community and the State concerned in an intermediate financing agreement.

3. Any benefits accruing to the intermediate recipient, either because that recipient receives a grant or a loan for which the interest rate or the repayment period is more favourable than that of the final loan, shall be employed by the intermediate recipient for the purposes and on the terms set out in the intermediate financing agreement.

Article 46

1. The financing of projects and programmes comprises the means required for their execution, such as:

- capital projects in the fields of rural development, industrialization, energy, mining, tourism, and economic and social infrastructure;
- schemes to improve the structure of agricultural production;
- technical co-operation schemes, in particular in the fields of training and technological adaptation or innovation;
- industrial information and promotion schemes;
- marketing and sales promotion schemes;
- specific schemes to help small- and medium-sized national firms;
- microprojects for grassroots development, in particular in rural areas.

2. Financial and technical co-operation shall not cover current administrative, maintenance and operating expenses.

3. Financial aid may cover import costs and local expenditure required for the execution of projects and programmes.

Article 47

1. In the implementation of financial and technical co-operation, the Community shall provide effective assistance for attaining the objectives which the ACP States set themselves in the context of regional and interregional co-operation. This assistance shall aim to:

- (a) accelerate economic co-operation and development both within and between the regions of the ACP States;
- (b) accelerate diversification of the economies of the ACP States;
- (c) reduce the economic dependence of the ACP States on imports by maximizing output of those products for which the ACP States in question have real potential;
- (d) create sufficiently wide markets within the ACP States and neighbouring States by removing the obstacles which hinder the development and integration of those markets in order to promote trade between the ACP States;
- (e) maximize the use of resources and serve the ACP States.

2. To this end approximately 10% of the total financial resources provided for in Article 42 for the economic and social development of the ACP States shall be reserved for financing their regional projects.

Article 48

1. In the implementation of financial and technical co-operation, special attention shall be paid to the needs of the least developed ACP States so as to reduce the specific obstacles which impede their development and prevent them from taking full advantage of the opportunities offered by financial and technical co-operation,

2. The following ACP States shall be eligible, according to their particular needs, for the special measures established under this Article:

- | | |
|----------------------------|------------------|
| — Botswana | — Mauritania |
| — Burundi | — Niger |
| — Central African Republic | — Rwanda |
| — Chad | — Somalia |
| — Dahomey | — Sudan |
| — Ethiopia | — Swaziland |
| — the Gambia | — Tanzania |
| — Guinea | — Togo |
| — Guinea Bissau | — Tonga |
| — Lesotho | — Uganda |
| — Malawi | — Upper Volta |
| — Mali | — Western Samoa. |

3. The list of ACP States in paragraph 2 may be amended by decision of the Council of Ministers:

- where a third State in a comparable economic situation accedes to this Convention;
- where the economic situation of an ACP State undergoes a radical and lasting change either so as to necessitate the application of special measures or so that this treatment is no longer warranted.

Article 49

1. The following shall be eligible for financial and technical co-operation:

- (a) the ACP States;
- (b) the regional or interstate bodies to which the ACP States belong and which are authorized by the said States;
- (c) the joint bodies set up by the Community and the ACP States and authorized by the latter to attain certain specific objectives, notably in the field of industrial and trade co-operation.

2. Subject to the agreement of the ACP State or ACP States concerned, the following shall also be eligible for such co-operation in respect of projects or programmes approved by the latter:

- (a) local authorities and public or semi-public development agencies of the ACP States, in particular their development banks;
- (b) private bodies working in the countries concerned for the economic and social development of the population of those ACP States;
- (c) firms carrying out their activities, in accordance with industrial and business management methods, which are formed as companies or firms of an ACP State within the meaning of Article 63;
- (d) groups of producers that are nationals of the ACP States or like bodies, and, where no such groups or bodies exist, the producers themselves;
- (e) for training purposes, scholarship holders and trainees.

Article 50

1. There shall be close co-operation between the Community and the ACP States in implementing aid measures financed by the former. This co-operation shall be achieved through active participation by the ACP State or group of ACP States concerned in each of the various stages of a project: the aid programming, the submission and appraisal of projects, the preparation of financing decisions, execution of projects and final evaluation of the results, in accordance with the various procedures laid down in Articles 51 to 57.

2. As regards project financing for which the Bank is responsible, application of the principles defined in Articles 51 to 58 may be adapted, in concert with the ACP State or ACP States concerned, to take account of the nature of the operations financed and of the Bank's procedures under its Statute.

Article 51

1. Community aid, which is complementary to the ACP States' own efforts, shall be integrated in the economic and social development plans and programmes of the said States so that projects undertaken with the financial support of the Community dovetail with the objectives and priorities set by those States.

2. At the beginning of the period covered by this Convention, Community aid shall be programmed, in conjunction with each recipient state, in such a way that the latter can obtain as clear an idea as possible of the aid, in particular as regards the amount and terms, it can expect during that period, and especially of specific objectives which this aid may meet. This programme shall be drawn up on the basis of proposals made by each ACP State, in which it has fixed its objectives and priorities. Projects or programmes already identified on an indicative basis may be the subject of a provisional timetable as regards preparation.

3. The Community indicative aid programme for each ACP State shall be drawn up by mutual agreement by the competent bodies of the Community and those of the ACP State concerned. It shall then be the subject of an exchange of views, at the beginning of the period covered by this Convention, between the representatives of the Community and those of the ACP State concerned.

This exchange of views shall enable the ACP State to set out its development policy and priorities.

4. The aid programmes shall be sufficiently flexible to enable account to be taken of changes occurring in the economic situation of the various ACP States, and any modifications of their initial priorities. Therefore, each programme may be reviewed whenever necessary during the period covered by this Convention.

5. These programmes shall not cover the exceptional aid referred to in Article 59 or the measures for stabilizing export earnings referred to in Title II.

Article 52

1. Preparation of the projects and programmes which come within the framework of the Community aid programme drawn up by mutual agreement shall be the responsibility of the ACP States concerned or of other beneficiaries approved by them. The Community may, where those States so request, provide technical assistance for drawing up the dossiers of projects or programmes.

2. Such dossiers shall be submitted to the Community as and when they are ready by the beneficiaries specified in Article 49 (1), or, with the express agreement of the ACP State or ACP States concerned, by those specified in Article 49 (2).

Article 53

1. The Community shall appraise projects and programmes in close collaboration with the ACP States and any other beneficiaries. The technical, social, economic, trade, financial, organizational and management aspects of such projects or programmes shall be reviewed systematically.

2. The aim of appraisal is:

- (a) to ensure that the projects and programmes stem from economic or social development plans or programmes of the ACP States;
- (b) to assess, as far as possible by means of an economic evaluation, the effectiveness of each project or programme by setting the effects it is expected to produce against the resources to be invested in it. In each project the expected effects shall be the practical expression of a number of specific development objectives of the ACP State or ACP States concerned.

On this basis, appraisal shall ensure that, as far as possible, the measures selected constitute the

most effective and profitable method of attaining these objectives, taking into account the various constraints on each ACP State;

(c) to verify that the conditions guaranteeing the successful conclusion and the viability of the projects or programmes are met, which involves:

— verifying that the projects as conceived are suitable for bringing about the effects sought and that the means to be used are commensurate with the circumstances and resources of the ACP State or region concerned;

— and furthermore guaranteeing that the staff and other means, particularly financial, necessary for operating and maintaining the investments and for covering incidental project costs are actually available. Particular attention shall be paid here to the possibility of the project being managed by national personnel.

Article 54

1. Financing proposals, which summarize the conclusions of the appraisal and are submitted to the Community's decision-making body, shall be drawn up in close collaboration between the competent departments of the Community and those of the ACP State or ACP States concerned.

The final version of each financing proposal shall be transmitted by the competent departments of the Community simultaneously to the Community and to the ACP States concerned.

2. All projects or programmes put forward officially in accordance with Article 52 by an ACP State or ACP States, whether or not selected by the competent departments of the Community, shall be brought to the attention of the Community body responsible for taking financing decisions.

3. Where the Community body responsible for delivering an opinion on projects fails to deliver a favourable opinion, the competent departments of the Community shall consult the representatives of the ACP State or ACP States concerned on further action to be taken, in particular on the advisability of submitting the dossier afresh, possibly in a modified form, to the relevant Community body.

Before that body gives its final opinion, the representatives of the ACP State or ACP States concerned may request a hearing by the representatives of the Community in order to be able to state their grounds for the project.

Should the final opinion delivered by that body not be favourable, the competent departments of the Community shall consult afresh with the representatives of the ACP State or ACP States concerned before deciding whether the project should be submitted as it stands to the Community's decision-making bodies or whether it should be withdrawn or modified.

Article 55

The ACP States, or the other beneficiaries authorized by them, shall be responsible for the execution of projects financed by the Community.

Accordingly, they shall be responsible for negotiating and concluding works and supply contracts and technical co-operation contracts.

Article 56

1. As regards operations financed by the Community, participation in tendering procedures and other procedures for the award of contracts shall be open on equal terms to all natural and legal persons of the Member States and ACP States.

2. Paragraph 1 shall be without prejudice to measures intended to assist construction firms or manufacturing firms of the ACP States concerned, or of another ACP State, to take part in the execution of works contracts or supply contracts.

3. Paragraph 1 does not mean that the funds paid over by the Community must be used exclusively for the purchase of goods or for the remuneration of services in the Member States and in the ACP States.

Any participation by third countries in contracts financed by the Community must, however, be of an exceptional nature and be authorized case-by-case by the competent body of the Community, account being taken in particular of a desire to avoid excessive increases in the cost of projects attributable either to the distances involved and transport difficulties or to the delivery dates.

Participation by third countries may also be authorized where the Community participates in the

financing of regional or interregional co-operation schemes involving third countries and in the joint financing of projects with other providers of funds.

Article 57

1. The effects and results of completed projects, and the physical state of the work carried out, shall be evaluated regularly and jointly by the competent departments of the Community and of the ACP State or ACP States concerned in order to ensure that objectives set are attained under the best conditions.

Evaluations may also be made of projects in progress where this is warranted by their nature, importance or difficulty of execution.

2. The competent institutions of the Community and of the ACP States concerned shall, each for their respective parts, take the measures which evaluation shows to be necessary. The Council of Ministers shall be kept informed of such measures by the Commission and each ACP State for the purposes of Article 41.

Article 58

1. The management and maintenance of work carried out within the context of financial and technical co-operation shall be the responsibility of the ACP States or other beneficiaries.

2. Exceptionally, and by way of derogation from Article 46 (2), in particular under the circumstances specified in Article 10 of Protocol No 2, supplementary aid may be provided temporarily and on a diminishing scale in order to ensure that full use is made of investments which are of special importance for the economic and social development of the ACP State concerned and the running of which temporarily constitutes a truly excessive burden for the ACP State or other beneficiaries.

Article 59

1. Exceptional aid may be accorded to ACP States faced with serious difficulties resulting from natural disasters or comparable extraordinary circumstances.

2. For the purposes of financing the exceptional aid referred to in paragraph 1, a special appropriation shall be constituted within the Fund.

3. The special appropriation shall initially be fixed at 50 million units of account. At the end of each year of application of this Convention this appropriation shall be restored to its initial level.

The total amount of monies transferred from the Fund to the special appropriation during the period of application of this Convention may not exceed 150 million units of account.

Upon expiry of this Convention any monies transferred to the special appropriation which have not been committed for exceptional aid shall be returned to the Fund proper for financing other schemes falling within the field of application of financial and technical co-operation, unless the Council of Ministers decides otherwise.

In the event of the special appropriation being exhausted before the expiry of this Convention, the Community and the ACP States shall adopt, within the relevant joint bodies, appropriate measures to deal with the situations described in paragraph 1.

4. Exceptional aid shall be non-reimbursable. It shall be allocated on a case-by-case basis.

5. Exceptional aid shall help finance the most suitable means of remedying the serious difficulties referred to in paragraph 1.

These means may take the form of works, supplies or provision of services, or cash payments.

6. Exceptional aid shall not be used for dealing with the harmful effects of the instability of export earnings, which are the subject of Title II.

7. The arrangements for allocating exceptional aid, for payments and for implementing the programmes shall be worked out under an emergency procedure, with account being taken of the provisions of Article 54.

Article 60

The fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community shall be adopted by a decision of the Council of Ministers at its first meeting following the date of entry into force of this Convention.

Article 61

In the event of failure of an ACP State to ratify this Convention pursuant to Title VII, or denunciation

of this Convention in accordance with that Title, the Contracting Parties shall be obliged to adjust the amounts of the financial aid provided for in this Convention.

TITLE V

PROVISIONS RELATING TO ESTABLISHMENT,
SERVICES, PAYMENTS AND CAPITAL MOVEMENTS

Chapter I

Provisions relating to establishment and services*Article 62*

As regards the arrangements that may be applied in matters of establishment and provision of services, the ACP States on the one hand and the Member States on the other shall treat nationals and companies or firms of Member States and nationals and companies or firms of the ACP States respectively on a non-discriminatory basis. However, if, for a given activity, an ACP State or a Member State is unable to provide such treatment, the Member States or the ACP States, as the case may be, shall not be bound to accord such treatment for this activity to the nationals and companies or firms of the State concerned.

Article 63

For the purposes of this Convention 'companies or firms' means companies or firms constituted under civil or commercial law, including co-operative societies and other legal persons governed by public or private law, save for those which are non-profit-making.

'Companies or firms of a Member State or of an ACP State' means companies or firms formed in accordance with the law of a Member State or ACP State and whose registered office, central administration or principal place of business is in a Member State or ACP State; however, a company or firm having only its registered office in a Member State or ACP State must be engaged in an activity which has an effective and continuous link with the economy of that Member State or ACP State.

Article 64

At the request of the Community or of the ACP States, the Council of Ministers shall examine any problems raised by the application of Articles 62

and 63. It shall also formulate any relevant recommendations.

Chapter 2

Provisions relating to current payments and capital movements*Article 65*

With regard to capital movements linked with investments and to current payments, the Contracting Parties shall refrain from taking action in the field of foreign exchange transactions which would be incompatible with their obligations under this Convention resulting from the provisions relating to trade in goods, to services, establishment and industrial co-operation. These obligations shall not, however, prevent the Contracting Parties from adopting the necessary protective measures, should this be justified by reasons relating to serious economic difficulties or severe balance of payments problems.

Article 66

In respect of foreign exchange transactions linked with investments and current payments, the ACP States on the one hand and the Member States on the other shall avoid, as far as possible, taking discriminatory measures *vis-à-vis* each other or according more favourable treatment to third States, taking full account of the evolving nature of the international monetary system, the existence of specific monetary arrangements and balance of payments problems.

To the extent that such measures or treatment are unavoidable they will be maintained or introduced in accordance with international monetary rules and every effort will be made to minimize any adverse effects on the parties concerned.

Article 67

Throughout the duration of the loans and risk capital operations provided for in Article 42, each of the ACP States undertakes:

- to place at the disposal of the beneficiaries referred to in Article 49 the currency necessary for the payment of interest and commission on and amortization of loans and quasi-capital aid granted for the implementation of aid measures on their territory;

— to make available to the Bank the foreign exchange necessary for the transfer of all sums received by it in national currency which represent the net revenue and proceeds from transactions involving the acquisition by the Community of holdings in the capital of firms.

Article 68

At the request of the Community or of the ACP States, the Council of Ministers shall examine any problems raised by the application of Articles 65 to 67. It shall also formulate any relevant recommendations.

TITLE VI

INSTITUTIONS

Article 69

The institutions of this Convention are the Council of Ministers, assisted by the Committee of Ambassadors, and the Consultative Assembly.

Article 70

1. The Council of Ministers shall be composed, on the one hand, of the members of the Council of the European Communities and of members of the Commission of the European Communities and, on the other hand, of a member of the Government of each of the ACP States.
2. Any member of the Council of Ministers unable to attend may be represented. The representative shall exercise all the rights of the accredited member.
3. The proceedings of the Council of Ministers shall be valid only if half the members of the Council of the European Communities, one member of the Commission and two-thirds of the accredited members representing the Governments of the ACP States are present.
4. The Council of Ministers shall lay down its rules of procedure.

Article 71

The office of President of the Council of Ministers shall be held alternately by a member of the Council of the European Communities and a member of the Government of an ACP State, the latter to be designated by the ACP States.

Article 72

1. Meetings of the Council of Ministers shall be called once a year by its President.

2. The Council of Ministers shall, in addition, meet whenever necessary, in accordance with the conditions laid down in its rules of procedure.

Article 73

1. The Council of Ministers shall act by mutual agreement between the Community on the one hand and the ACP States on the other.
2. The Community on the one hand and the ACP States on the other shall each, by means of an internal protocol, determine the procedure for arriving at their respective positions.

Article 74

1. The Council of Ministers shall define the broad outlines of the work to be undertaken in the context of the application of this Convention.
2. The Council of Ministers shall periodically review the results of the arrangements under this Convention and shall take such measures as may be necessary for the attainment of the objectives of this Convention.
3. Where provided for in this Convention, the Council of Ministers shall have the power to take decisions; such decisions shall be binding on the Contracting Parties, which must take such measures as are required to implement these decisions.
4. The Council of Ministers may likewise formulate such resolutions, recommendations or opinions as it may deem necessary to attain the common objectives and to ensure the smooth functioning of the arrangements of this Convention.

5. The Council of Ministers shall publish an annual report and such other information as it considers appropriate.

6. The Council of Ministers may make all the arrangements that are appropriate for ensuring the maintenance of effective contacts, consultations and co-operation between the economic and social sectors of the Member States and of the ACP States.

7. The Community or the ACP States may raise in the Council of Ministers any problems arising from the application of this Convention.

8. Where provided for in this Convention, consultations shall take place, at the request of the Community or of the ACP States, within the Council of Ministers, in accordance with the conditions laid down in the rules of procedure.

9. The Council of Ministers may set up committees or groups and *ad hoc* working groups, to undertake such activities as it may determine.

10. At the request of one of the Contracting Parties, exchanges of view may take place on questions having direct repercussions on the matters covered by this Convention.

11. By agreement among the Parties, exchanges of views may take place on other economic or technical questions which are of mutual interest.

Article 75

The Council of Ministers may, where necessary, delegate to the Committee of Ambassadors any of its powers. In this event, the Committee of Ambassadors shall give its decisions in accordance with the conditions laid down in Article 73.

Article 76

The Committee of Ambassadors shall be composed, on the one hand, of one representative of each Member State and one representative of the Commission and, on the other, of one representative of each ACP State.

Article 77

1. The Committee of Ambassadors shall assist the Council of Ministers in the performance of its functions and shall carry out any mandate entrusted to it by the Council of Ministers.

2. The Committee of Ambassadors shall exercise such other powers and perform such other duties as are assigned to it by the Council of Ministers.

3. The Committee of Ambassadors shall keep under review the functioning of this Convention and the development of the objectives as defined by the Council of Ministers.

4. The Committee of Ambassadors shall account for its actions to the Council of Ministers particularly in matters which have been the subject of delegation of powers. It shall also submit to the Council of Ministers any pertinent proposal and such resolutions, recommendations or opinions as it may deem necessary or consider appropriate.

5. The Committee of Ambassadors shall supervise the work of all the committees and all other bodies or working groups, whether standing or *ad hoc*, established or provided for by or under this Convention and submit periodical reports to the Council of Ministers.

Article 78

The office of Chairman of the Committee of Ambassadors shall be held alternately by a representative of a Member State designated by the Community and a representative of an ACP State designated by the ACP States.

The Committee of Ambassadors shall lay down its rules of procedure which shall be submitted to the Council of Ministers for approval.

Article 79

The secretariat duties and other work necessary for the functioning of the Council of Ministers and the Committee of Ambassadors or other joint bodies shall be carried out on a basis of parity and in accordance with the conditions laid down in the rules of procedure of the Council of Ministers.

Article 80

1. The Consultative Assembly shall be composed on a basis of parity of members of the Assembly on the side of the Community and of the representatives designated by the ACP States on the other.

2. The Consultative Assembly shall appoint its Bureau and shall adopt its own rules of procedure.

3. The Consultative Assembly shall meet at least once a year.

4. Each year, the Council of Ministers shall submit a report on its activities to the Consultative Assembly.

5. The Consultative Assembly may set up *ad hoc* consultative committees to undertake such specific activities as it may determine.

6. The Consultative Assembly may adopt resolutions on matters concerning or covered by this Convention.

Article 81

1. Any dispute which arises between one or more Member States or the Community on the one hand, and one or more ACP States on the other, concerning the interpretation or the application of this Convention may be placed before the Council of Ministers.

2. Where circumstances permit, and subject to the Council of Ministers being informed, so that any parties concerned may assert their rights, the Contracting Parties may have recourse to a good offices procedure.

3. If the Council of Ministers fails to settle the dispute at its next meeting, either party may notify the other of the appointment of an arbitrator; the other party must then appoint a second arbitrator within two months. For the application of this

procedure, the Community and the Member States shall be deemed to be one party to the dispute.

The Council of Ministers shall appoint a third arbitrator.

The decisions of the arbitrators shall be taken by majority vote.

Each party to the dispute must take the measures required for the implementation of the arbitrators' decision.

Article 82

The operating expenses of the institutions of this Convention shall be defrayed in accordance with the terms set out in Protocol No 4 to this Convention.

Article 83

The privileges and immunities for the purposes of this Convention shall be as laid down in Protocol No 5 to this Convention.

TITLE VII

GENERAL AND FINAL PROVISIONS

Article 84

No treaty, convention, agreement or arrangement of any kind between one or more Member States and one or more ACP States may impede the implementation of this Convention.

Article 85

1. This Convention shall apply to the European territories to which the Treaty establishing the European Economic Community applies, in accordance with the conditions set out in that Treaty, on the one hand, and to the territories of the ACP States on the other.

2. Title I of this Convention shall also apply to the relations between the French overseas departments and the ACP States.

Article 86

1. As regards the Community, this Convention shall be validly concluded by a decision of the Council of the European Communities taken in accordance with the provisions of the Treaty and notified to the parties.

It will be ratified by the Signatory States in conformity with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Convention shall be deposited, as concerns the ACP States, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 87

1. This Convention shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of at least two-thirds of the ACP States, and of the act of notification of the conclusion of the Convention by the Community.

2. Any ACP State which has not completed the procedures set out in Article 86 by the date of the entry into force of this Convention as specified in paragraph 1 may do so only within the 12

months following such entry into force and shall be able to proceed with these procedures only during the 12 months following such entry into force, unless before the expiry of this period it gives notice to the Council of Ministers of its intention to complete these procedures not later than six months after this period and on condition that it undertakes the deposit of its instrument of ratification within the same time limit.

3. As regards those ACP States which have not completed the procedures set out in Article 86 by the date of entry into force of this Convention as specified in paragraph 1, this Convention shall become applicable on the first day of the second month following the completion of the said procedures.

4. Signatory ACP States which ratify this Convention in accordance with the conditions laid down in paragraph 2 shall recognize the validity of all measures taken in implementation of this Convention between the date of its entry into force and the date when its provisions become applicable to them. Subject to any extension which may be granted to them by the Council of Ministers they shall, not later than six months following the completion of the procedures referred to in Article 86, carry out all the obligations which devolve upon them under the terms of this Convention or of implementing decisions adopted by the Council of Ministers.

5. The rules of procedure of the institutions set up under this Convention shall lay down whether and under what conditions the representatives of Signatory States which, on the date of entry into force of this Convention have not yet completed the procedures referred to in Article 86, shall sit in those institutions as observers. The arrangements thus adopted shall be effective only until the date on which this Convention becomes applicable to these States; such arrangements shall in any case cease to apply on the date on which, pursuant to paragraph 2, the State concerned may no longer ratify this Convention.

Article 88

1. The Council of Ministers shall be informed of any request by any State for membership of, or association with, the Community.

2. The Council of Ministers shall be informed of any request made by any State wishing to become a member of an economic grouping composed of ACP States.

Article 89

1. Any request for accession to this Convention by a country or territory to which Part Four of the

Treaty applies, and which becomes independent, shall be referred to the Council of Ministers.

With the approval of the Council of Ministers, the country in question shall accede to this Convention by depositing an instrument of accession with the Secretariat of the Council of the European Communities which shall transmit a certified copy to the Secretariat of the ACP States and shall give notice thereof to the Signatory States.

2. That State shall then enjoy the same rights and be subject to the same obligations as the ACP States. Such accession shall not adversely affect the advantages accruing to the ACP States signatory to this Convention from the provisions on financial and technical co-operation and on the stabilization of export earnings.

Article 90

Any request for accession to this Convention submitted by a State whose economic structure and production are comparable with those of the ACP States shall require approval by the Council of Ministers. The State concerned may accede to this Convention by concluding an agreement with the Community.

That State shall then enjoy the same rights and be subject to the same obligations as the ACP States.

The agreement may however stipulate the date on which certain of these rights and obligations shall become applicable to that State.

Such accession shall not, however, adversely affect the advantages accruing to the ACP States signatory to this Convention under the provisions on financial and technical co-operation, the stabilization of export earnings and industrial co-operation.

Article 91

This Convention shall expire after a period of five years from the date of its signature, namely 1 March 1980.

Eighteen months before the end of this period the Contracting Parties shall enter into negotiations in order to examine what provisions shall subsequently govern relations between the Community and the Member States and the ACP States.

The Council of Ministers shall adopt any transitional measures that may be required until the new Convention comes into force.

Article 92

This Convention may be denounced by the Community in respect of each ACP State and by each ACP State in respect of the Community, upon six months' notice.

Article 93

The Protocols annexed to this Convention shall form an integral part thereof.

Article 94

This Convention, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities and the Secretariat of the ACP States which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne konvention.

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

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

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas de la présente convention.

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

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

Udfærdiget i Lomé, den otteogtyvende februar nitten hundrede og femoghalvfjerds.

Geschehen zu Lome am achtundzwanzigsten Februar neunzehnhundertfünfundsiebzig.

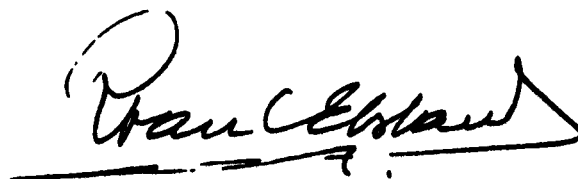
Done at Lomé on the twenty-eighth day of February in the year one thousand nine hundred and seventy-five.

Fait à Lomé, le vingt-huit février mil neuf cent soixante-quinze.

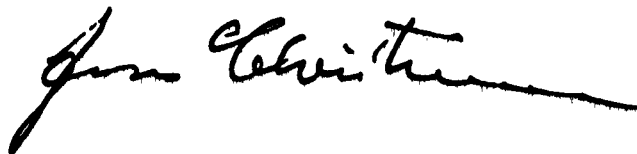
Fatto a Lome, addì ventotto febbraio millenovecentosettantacinque.

Gedaan te Lomé, de achtentwintigste februari negentienhonderdvijfenzeventig.

Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen



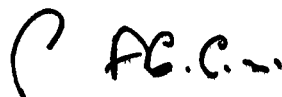
For Hennes Majestæt dronningen af Danmark



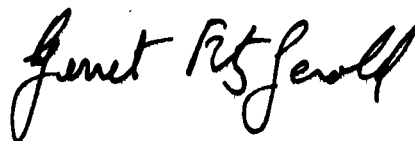
Für den Präsidenten der Bundesrepublik Deutschland



Pour le président de la République française



For the President of Ireland



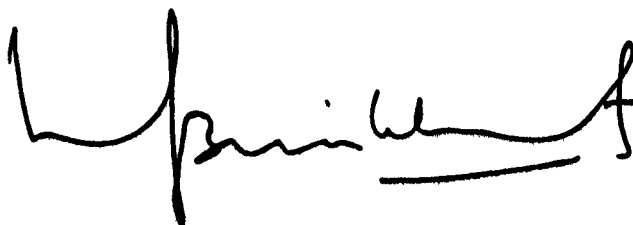
Per il Presidente della Repubblica italiana



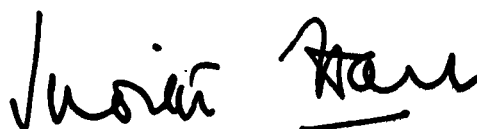
Pour Son Altesse royale le grand-duc de Luxembourg



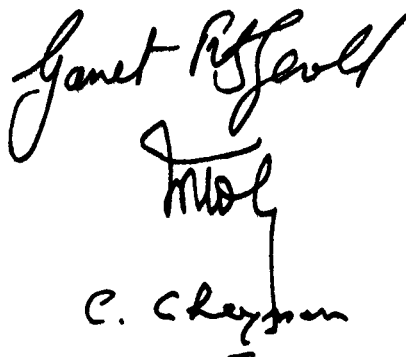
Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For Rådet for De europæiske Fællesskaber,
Im Namen des Rates der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità europee,
Voor de Raad der Europese Gemeenschappen,



For the Head of State of the Bahamas



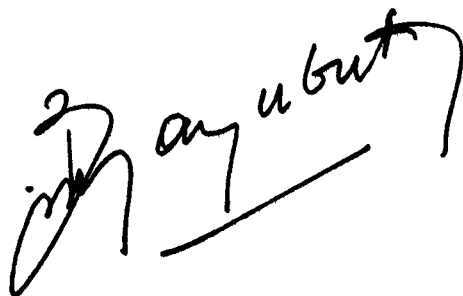
For the Head of State of Barbados



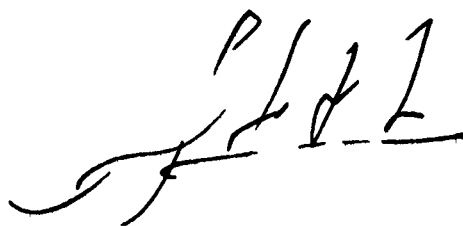
For the President of the Republic of Botswana



Pour le président de la république du Burundi



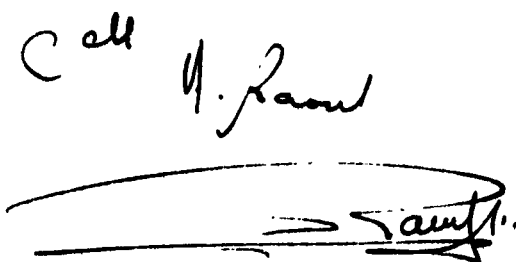
Pour le président de la république du Cameroun



Pour le président de la république centrafricaine



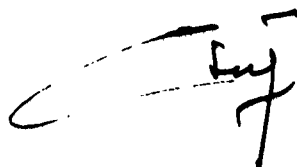
Pour le président de la république populaire du Congo



Pour le président de la république de Côte-d'Ivoire



Pour le président de la république du Dahomey



For the President of the Provisional Administrative Military Council,
President of the Government of Ethiopia




For Her Majesty the Queen of Fiji

K. K. T. Mana.

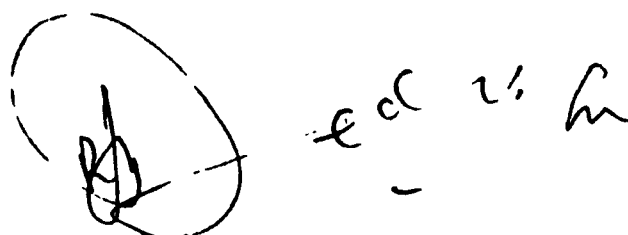
Pour le président de la République gabonaise



For the President of the Republic of the Gambia

Y. M. Sankhar-Jah 

For the President of the National Redemption Council of the Republic of Ghana



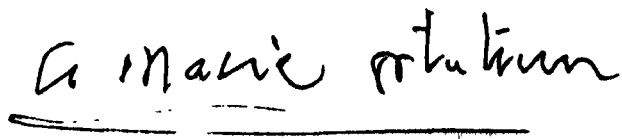
For the Head of State of Grenada



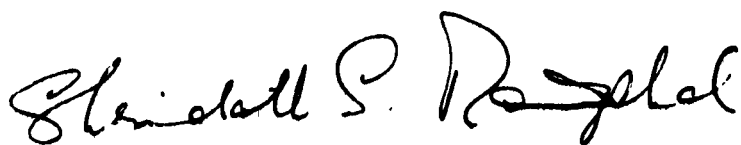
Pour le président de la république de Guinée

Pour le président du conseil d'Etat de la Guinée-Bissau

Pour le président de la république de Guinée équatoriale



For the President of the Co-operative Republic of Guyana



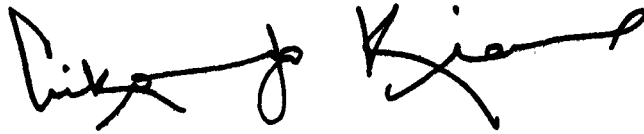
Pour le président de la république de Haute-Volta



For the Head of State of Jamaica



For the President of the Republic of Kenya



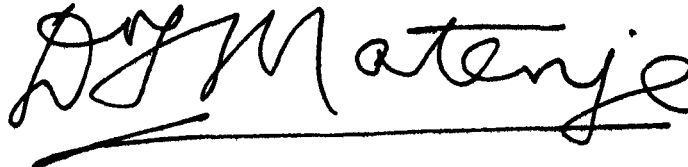
For the King of the Kingdom of Lesotho



For the President of the Republic of Liberia



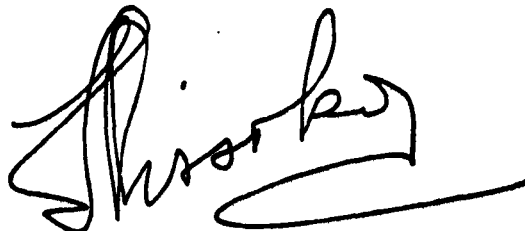
For the President of the Republic of Malawi



Pour le chef d'État et de gouvernement de la République malgache



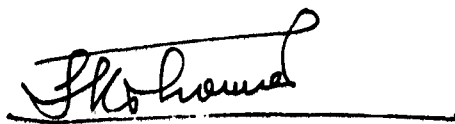
Pour le président du comité militaire de libération nationale du Mali,
chef de l'État, président du gouvernement



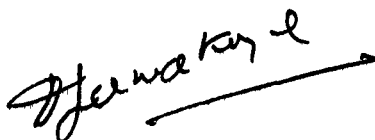
Pour Sa Majesté la reine de l'île Maurice



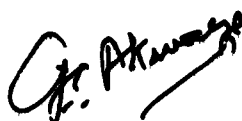
Pour le président de la république islamique de Mauritanie



Pour le président de la république du Niger



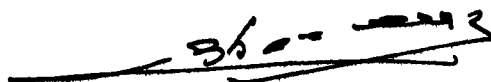
For the Head of the Federal Military Government of Nigeria




Pour le président de la République rwandaise



Pour le président de la république du Sénégal



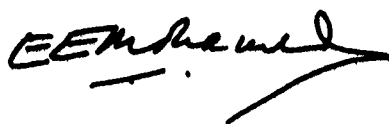
For the President of the Republic of Sierra Leone



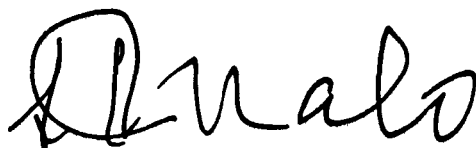
For the President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council



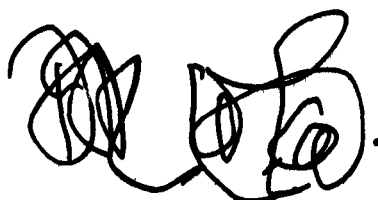
For the President of the Democratic Republic of the Sudan



For the King of the Kingdom of Swaziland



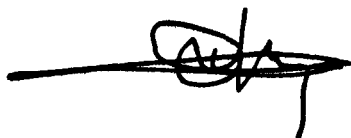
For the President of the United Republic of Tanzania



Pour le président de la république du Tchad



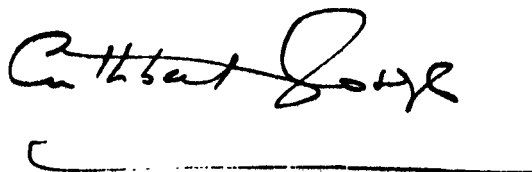
Pour le président de la République togolaise



For the Head of State of Tonga



For the Head of State of Trinidad and Tobago



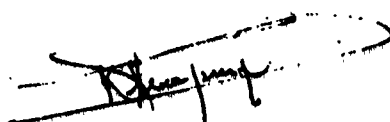
For the President of the Republic of Uganda



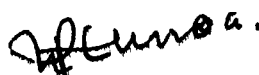
For the Head of State of Western Samoa

A large, stylized handwritten signature in black ink, featuring a large loop at the beginning and a long, sweeping tail that ends in a sharp hook.

Pour le président de la république du Zaïre

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

For the President of the Republic of Zambia

A handwritten signature in black ink, appearing to be a name followed by a period, with a small circular mark at the end.

PROTOCOL No 1

concerning the definition of the concept of 'originating products' and methods of administrative co-operation

TITLE I

Article 2

Definition of the concept of originating products

Article 1

1. For the purpose of implementing the Convention and without prejudice to paragraphs 3 and 4, the following products shall be considered as products originating in an ACP State, under the condition that they were transported directly, within the meaning of Article 5:

- (a) products wholly obtained in one or more ACP States,
- (b) products obtained in one or more ACP States in the manufacture of which products other than those referred to in (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing paragraph 1, the ACP States are considered as being one territory.

3. When products wholly obtained in the Community or in the countries and territories defined in Explanatory Note 9 undergo working or processing in one or more ACP States, they shall be considered as having been wholly produced in that or those ACP States, under the condition that the products were transported directly within the meaning of Article 5.

4. Working and processing carried out in the Community or in the 'countries and territories', shall be considered as having been carried out in one or more ACP States, when the final products undergo working or processing in one or more ACP States, under the condition that the products were transported directly within the meaning of Article 5.

5. For the purpose of implementing the previous paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the products obtained in one or more ACP States shall be considered as products originating in the ACP State where the last working or processing took place. For this purpose the working or processing listed in Article 3 (3) (a), (b), (c) and (d) shall not be considered as working or processing, nor shall a combination of such working or of such processing.

6. The products in List C in Annex IV shall be temporarily excluded from the scope of this Protocol.

The following shall be considered as wholly obtained either in one or more ACP States, in the Community or in the 'countries and territories' within the meaning of Article 1 (1) (a) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (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 subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted therein;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1 (1) (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 specified in List A in Annex II, where the special provisions of that list apply;
- (b) working or processing specified in List B in Annex III.

'Sections', 'Chapters' and 'tariff headings' shall mean the Sections, Chapters and headings in the Brussels Nomenclature for the Classification of Goods in Customs Tariffs.

2. When, for a given product obtained, a percentage rule limits in List A and in List B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed tariff heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 3 (1) (a) the following shall always be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of tariff heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) 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;
- (c) (i) changes of packing and breaking up and assembly of consignments;
- (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating either in the Community, in an ACP State or in the 'countries and territories';
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where the Lists A and B referred to in Article 3 provide that goods obtained in an ACP State shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for 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 Contracting Party where manufacture takes place;
- and on the other hand, the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1 (1), (3) and (4), originating products whose transport is effected without entering into territory other than that of the parties concerned are considered as transported directly from the ACP States to the Community or from the Community or the 'countries and territories' to the ACP States. Originating goods constituting one single consignment may be transported through territory other than that of the Community or the ACP States or the 'countries and territories', with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons or the needs of transport and that the products have not entered into commerce or been delivered for home use and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Interruptions or changes in the method of transport due to *force majeure* or consequent upon conditions at sea shall not affect the application of the preferential treatment laid down in this Protocol, provided that the goods have not, during these interruptions or changes, entered into commerce or been delivered for home use and have not undergone any operations other than those designed to preserve them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit;

- (b) or a certificate issued by the customs authorities of the country of transit:
- giving an exact description of the goods,
 - stating the dates of unloading and reloading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country,
- (c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative co-operation*Article 6*

1. Evidence of originating status, within the meaning of this Protocol, of products is given by a movement certificate EUR. 1 of which a specimen is given in Annex V to this Protocol.

However, the evidence of originating status, within the meaning of this Protocol, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, is given by a form EUR. 2, of which a specimen is given in Annex VI to this Protocol.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

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

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after exportation of the goods to which it relates if it was not issued at the time of 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.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Convention.

5. Applications for movement certificates EUR. 1 must be preserved for at least three years by the customs authorities of the exporting country.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting ACP State, if the goods can be considered 'originating products' within the meaning of this Protocol.

2. For the purpose of verifying whether the conditions stated in paragraph 1 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.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are 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 all 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.

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

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or

more of the languages in which the Convention is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 x 297 mm, a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

1. A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

2. When the products enter territories other than those of the ACP States, the Community or the 'countries and territories', the time limit laid down in paragraph 1 for the submission of the certificate is extended to 10 months.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by 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 Convention.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted 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 if it is duly established that the certificate does correspond to the goods submitted.

Article 15

Form EUR. 2, a specimen of which is given in Annex VI, shall be completed by the exporter. It shall be made out in one of the languages in which the Convention is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters.

Form EUR. 2 shall be composed of two parts, each part being 210 x 148 mm. The paper used shall be white-sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by printers they have approved. In the latter case each form must include a reference to such approval. In addition, each part must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment. After completing and signing the two parts of the form, the exporter shall, in the case of consignments by parcel post, attach the two parts to the dispatch note. In the case of consignments by

letter post, the exporter shall attach Part 1 firmly to the consignment and insert Part 2 inside it.

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

Article 16

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, 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 recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view. 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 travellers' personal luggage.

Article 17

1. Goods sent from an ACP State for exhibition in a country other than an ACP State, a Member State or one 'country or territory' and sold after the exhibition for importation into the Community shall benefit on importation from the provisions of the Convention on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in an ACP State and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from an ACP State 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 the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to the Community in the state 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 EUR. 1 must be produced to the customs authorities 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.

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 18

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of exportation of the goods to which the certificate relates;
- certify that no movement certificate EUR. 1 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 EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

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

Article 19

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued it for a duplicate 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'.

Article 20

1. When paragraphs 2, 3 and 4 of Article 1 are applied, for the issue of a movement certificate EUR. 1, the competent customs office in the ACP State requested to issue the certificate for products in the manufacture of which products coming from other ACP States, the Community or 'countries or territories' are used, shall take into consideration the declaration, of which a specimen is given in Annex VII, given by the exporter in the State, country or territory from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 21 and of which a specimen is given in Annex VIII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 21

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 20 (2), or at the initiative of this exporter, by the competent customs office in the State, country or territory from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the movement certificate EUR. 1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least three years.

Article 22

The ACP States shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 23

In order to ensure the proper application of this Title, the Member States, the 'countries and territories' and the ACP States shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information concerning the actual origin of the

products concerned and the declarations by exporters on forms EUR. 2 and the authenticity and accuracy of the information certificates envisaged in Article 20.

Article 24

Penalties shall be imposed on any person who draws up or causes to be drawn up either a form EUR. 2 or a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 enabling goods to be accepted as eligible for preferential treatment.

Article 25

1. Subsequent verifications of movement certificates EUR. 1 and of forms EUR. 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.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or Part 2 of form EUR. 2, 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 2 of form EUR. 2 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 execution of Title I of the Convention while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. 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 EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

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 this Protocol, they shall be submitted to the Customs Co-operation Committee provided for in Article 28.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

Article 26

The subsequent verification of the information certificate referred to in Article 20 shall be carried out in the circumstances envisaged in Article 25 following a similar procedure to that envisaged in that Article.

Article 27

The Council of Ministers shall examine annually the application of the provisions of this Protocol and their economic effects with a view to making any necessary changes. This examination may be carried out at more frequent intervals at the request either of the Community or the ACP States, notably when the development of existing industries or the creation of new industries necessitates derogations from this Protocol. In those cases, the ACP States concerned shall notify the Community of the particulars of the case and the reasons justifying the need for such derogation.

The Council of Ministers, on the basis of a report by the Committee referred to in Article 28, shall, immediately after, arrange for the examination of the application(s) and take every step to ensure that a decision is reached as early as possible, at any rate not later than six months after receipt of the application(s).

Article 28

1. A Customs Co-operation Committee is set up, charged with carrying out administrative co-operation with a view to the correct and uniform application of this Protocol and with carrying out any other task in the customs field which may be entrusted to it, notably in preparing the decisions of the Council of Ministers for the implementation of Article 27.

2. The Committee shall be composed on the one hand of the customs experts of the Member States and of officials of the departments of the Commission of the European Communities who are responsible for customs questions, and on the other hand of customs experts representing the ACP States, and/or officials of regional groupings of the ACP States who are responsible for customs questions.

Article 29

The Annexes to this Protocol shall form an integral part thereof.

Article 30

The Community and the ACP States shall each take the steps necessary to implement this Protocol.

Article 31

1. For goods which conform to Title I and which, at the time of the entry into force of the Convention are either being transported or being held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones, the proof of originating status within the meaning of this Protocol is given by the submission, within four months of that date, to the customs authorities of the importing State of:

- (a) a movement certificate EUR. 1 issued retrospectively by the customs authorities of the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State, or
- (c) a movement certificate of the model previously used in the context of preferential trade between, on the one hand, the Community and the African and Malagasy States or the Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, on the other hand, or
- (d) for goods destined for importation into Ireland or the United Kingdom of Great Britain and Northern Ireland, a certificate of the type previously used in the context of Commonwealth preferences.

2. The movement certificates mentioned in paragraph 1 (c) may continue to be used, under the conditions laid down in this Protocol, until 31 December 1975.

3. Until 1 July 1977, Article 1 (3) and (4) shall not be applicable in respect of products obtained in one or more ACP States from:

- products of one or more Member States of the Community as originally constituted and exported to one or more new Member States; or
- products of one or more new Member States and exported to one or more Member States of the Community as originally constituted;

where the products referred to in the two above indentations have been the subject only of working or processing within the meaning of Article 3 (3).

ANNEX I

EXPLANATORY NOTES

Note 1 — Articles 1 and 2

The terms 'one or more ACP States', 'the Community' and 'countries and territories' shall also cover their territorial waters.

Vessels operating on the high seas, including factory ships, on which the fish caught is worked or processed shall be considered as part of the territory of the ACP States, the Community or the 'countries and territories' to which they belong, provided that they satisfy the conditions set out in Explanatory Note 6.

Note 2 — Article 1 (1) (b), (3) and (4)

In order to determine whether goods originate in one or more of the ACP States, the Community or in 'countries and territories', it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Article 1

Where a percentage rule is applied in determining originating status of a product obtained in an ACP State, the value added by the working or processing referred to in Article 1 shall correspond to the ex-works price of the product obtained less the customs value of third products imported into the Community, the ACP States or the 'countries and territories'.

Note 4 — Article 3 (1) and (2) and Article 4

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of tariff heading for any non-originating product used.

Note 5 — 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 utilization value and is of a durable nature, apart from its function as packing.

Note 6

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

- which are registered or recorded in a Member State or an ACP State;
- which sail under the flag of a Member State or an ACP State;
- which are owned to an extent of at least 50% by nationals of States party to the Convention or by a company 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 board, are nationals of States party to the Convention and of which, in addition in the case of partnerships or limited companies, at least half the capital belongs to States party to the Convention or to public bodies or nationals of such States;
- of which at least 50% of the crew, captain and officers included, are nationals of States party to the Convention.

Note 7 — Article 4

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

Note 8 — Article 23

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various ACP States, Member States or 'countries and territories' concerned.

Note 9 — Article 1 (3)

Within the meaning of this Protocol 'countries and territories' shall mean the countries and territories referred to in Part Four of the Treaty establishing the European Economic Community and in Article 24 of the Act of Accession.

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 obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products 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 heading 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; smoking of fish, whether cooked or not | |
| 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 heading 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 heading 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 heading Nos 08.01 to 08.09 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 | |
| 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 pig fat 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 'premier jus') obtained from those unrendered fats | Manufacture from products of heading 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 neat's-foot oil and fats from bones or waste) | Manufacture from products of Chapter 2 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|---|
| CCT heading No | Description | | |
| ex 15.07 | Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtlewax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products | 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 | |
| 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 sugars; 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 the value of which exceeds 30% of the value of the finished product | |
| 17.05 | Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion | Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product | |
| 18.06 | Chocolate and other food preparations containing cocoa | Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product | |
| 19.01 | Malt extract | Manufacture from products of heading No 11.07 | |
| 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 derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 19.03 | Macaroni, spaghetti and similar products | | Manufacture from durum wheat |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|---|
| CCT heading No | Description | | |
| 19.04 | Tapioca and sago; tapioca and sago substitutes from potato or other starches | Manufacture from potato starch | |
| 19.05 | Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products) | Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 19.06 | Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products | Manufacture from products of Chapter 11 | |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit | Manufacture from products of Chapter 11 | |
| 19.08 | Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion | Manufacture from products of Chapter 11 | |
| 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 | |
| 20.03 | Fruit preserved by freezing, containing added sugar | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| 20.04 | Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized) | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 20.05 | Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| 20.06 | Fruit otherwise prepared or preserved whether or not containing added sugar or spirit: | | |

⁽¹⁾ This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|--|
| CCT heading No | Description | | |
| 20.06 (cont'd) | A. Nuts | | Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product |
| | B. Other fruits | Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 20.07 | Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 21.01 | Roasted chicory and extracts thereof | Manufacture from chicory roots, fresh or dried | |
| 21.05 | Soups and broths in liquid, solid or powder forms; homogenized food preparations | Manufacture from products of heading No 20.02 | |
| 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 | Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 22.06 | Vermouths, and other wines of fresh grapes flavoured with aromatic extracts | 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 | |

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| ex 23.03 | Residues from the manufacture of maize starch (excluding concentrated steeping liquours), of a protein content, calculated on the dry product, exceeding 40% dry 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 from products of heading No 24.01 of which at least 70 % by quantity are 'originating products' |
| ex 28.38 | Aluminium sulphate | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 30.03 | Medicaments (including veterinary medicaments) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 31.05 | Other fertilizers; goods of Chapter 31 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 products used does not exceed 50% of the value of the finished product |
| 32.06 | Colour lakes | Manufacture from materials of heading No 32.04 or 32.05 ⁽¹⁾ | |
| 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 ⁽¹⁾ | |
| 33.05 | Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses | Manufacture from products of heading No 33.01 ⁽¹⁾ | |
| 35.05 | Dextrins and dextrin glues; soluble or roasted starches; starch glues | | Manufacture from maize or potatoes |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 37.01 | Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth | Manufacture from products of heading No 37.02 ⁽¹⁾ | |
| 37.02 | Film in rolls, sensitized, unexposed, perforated or not | Manufacture from products of heading No 37.01 ⁽¹⁾ | |
| 37.04 | Sensitized plates and film, exposed but not developed, negative or positive | Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾ | |
| 38.11 | Disinfectants, insecticides, fungicides, weed-killers, 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, fly-papers) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| ex 38.14 | Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 38.15 | Prepared rubber accelerators | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 38.17 | Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 38.18 | Composite solvents and thinners for varnishes and similar products | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| ex 38.19 | <p>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:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble 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 and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|--|---|
| CCT heading No | Description | | |
| ex 39.02 | Polymerization products | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 39.07 | Articles of materials of the kinds described in heading Nos 39.01 to 39.06 | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 41.08 | Patent leather and imitation patent leather; metallized leather | | Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian 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 skin leather used does not exceed 50% of the value of the finished product |
| 43.03 | Articles of furskin | Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) ⁽¹⁾ | |
| 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 |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------------|--|---|--|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 49.09 | Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings | Manufacture from products of heading No 49.11 | |
| 49.10 | Calendars of any kind, of paper or paperboard, including calendar blocks | Manufacture from products of heading No 49.11 | |
| 50.04 ⁽¹⁾ | Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale | | Manufacture from products other than those of heading No 50.04 |
| 50.05 ⁽¹⁾ | Yarn spun from silk waste other than noil, not put up for retail sale | | Manufacture from products of heading No 50.03 |
| 50.06 ⁽¹⁾ | Yarn spun from noil silk, not put up for retail sale | | Manufacture from products of heading No 50.03 |
| 50.07 ⁽¹⁾ | Silk yarn and yarn spun from noil or other waste silk, put up for retail sale | | Manufacture from products of heading Nos 50.01 to 50.03 |
| ex 50.08 ⁽¹⁾ | Imitation catgut of silk | | Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 50.09 ⁽¹⁾ | Woven fabrics of silk or of waste silk other than noil | | Manufacture from products of heading No 50.02 or 50.03 |
| 50.10 ⁽¹⁾ | Woven fabrics of noil silk | | Manufacture from products of heading No 50.02 or 50.03 |
| 51.01 ^(*) | Yarn of man-made fibres (continuous), not put up for retail sale | | Manufacture from chemical products or textile pulp |
| 51.02 ^(*) | Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials | | Manufacture from chemical products or textile pulp |
| 51.03 ^(*) | Yarn of man-made fibres (continuous), put up for retail sale | | Manufacture from chemical products or textile pulp |
| 51.04 ⁽¹⁾ | 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 |
| 52.01 ^(*) | Metallized yarn, being textile yarn spun with metal or covered with metal by any process | | Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed |
| 52.02 ⁽¹⁾ | Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like | | Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste |
| 53.06 ^(*) | Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale | | Manufacture from products of heading No 53.01 or 53.03 |
| 53.07 ^(*) | Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale | | Manufacture from products of heading No 53.01 or 53.03 |

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30 % where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

^(*) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|--|
| CCT heading No | Description | | |
| 53.08 ⁽¹⁾ | Yarn of fine animal hair (carded or combed), not put up for retail sale | | Manufacture from raw fine animal hair of heading No 53.02 |
| 53.09 ⁽¹⁾ | 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 |
| 53.10 ⁽¹⁾ | Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale | | Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04 |
| 53.11 ⁽²⁾ | Woven fabrics of sheep's or lambs' wool or of fine animal hair | | Manufacture from materials of heading Nos 53.01 to 53.05 |
| 53.12 ⁽²⁾ | Woven fabrics of coarse animal hair other than horsehair | | Manufacture from products of heading Nos 53.02 to 53.05 |
| 53.13 ⁽²⁾ | Woven fabrics of horsehair | | Manufacture from horsehair of heading No 05.03 |
| 54.03 ⁽¹⁾ | Flax or ramie yarn, not put up for retail sale | | Manufacture from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02 |
| 54.04 ⁽¹⁾ | Flax or ramie yarn, put up for retail sale | | Manufacture from materials of heading No 54.01 or 54.02 |
| 54.05 ⁽²⁾ | Woven fabrics of flax or of ramie | | Manufacture from materials of heading No 54.01 or 54.02 |
| 55.05 ⁽¹⁾ | Cotton yarn, not put up for retail sale | | Manufacture from materials of heading No 55.01 or 55.03 |
| 55.06 ⁽¹⁾ | Cotton yarn, put up for retail sale | | Manufacture from materials of heading No 55.01 or 55.03 |
| 55.07 ⁽²⁾ | Cotton gauze | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |
| 55.08 ⁽²⁾ | Terry towelling and similar terry fabrics, of cotton | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |
| 55.09 ⁽²⁾ | Other woven fabrics of cotton | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20 % where the material in question is yarn made of polyurethanes segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;
- (ii) to 30 % where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 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 |
| 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 | | Manufacture from chemical products or textile pulp |
| 56.04 | Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning | | Manufacture from chemical products or textile pulp |
| 56.05 ⁽¹⁾ | Yarn of man-made fibres (discontinuous or waste), not put up for retail sale | | Manufacture from chemical products or textile pulp |
| 56.06 ⁽¹⁾ | Yarn of man-made fibres (discontinuous or waste), put up for retail sale | | Manufacture from chemical products or textile pulp |
| 56.07 ⁽²⁾ | Woven fabrics of man-made fibres (discontinuous or waste) | | Manufacture from products of heading Nos 56.01 to 56.03 |
| 57.05 ⁽¹⁾ | Yarn of true hemp | | Manufacture from raw true hemp |
| 57.06 ⁽¹⁾ | Yarn of jute or of other textile bast fibres of heading No 57.03 | | Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03 |
| 57.07 ⁽¹⁾ | Yarn of other vegetable textile fibres | | Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04 |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30 % where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confer the status of originating products when the following conditions are met |
|----------------------|---|---|--|
| CCT heading No | Description | | |
| 57.08 | Paper yarn | | Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste, neither carded nor combed |
| 57.09 ⁽¹⁾ | Woven fabrics of true hemp | | Manufacture from products of heading No 57.01 |
| 57.10 ⁽¹⁾ | Woven fabrics of jute or of other textile bast fabrics of heading No 57.03 | | Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03 |
| 57.11 ⁽¹⁾ | Woven fabrics of other vegetable textile fibres | | Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07 |
| 57.12 | Woven fabrics of paper yarn | | Manufacture from paper, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste |
| 58.01 ⁽²⁾ | Carpets, carpeting and rugs, knotted (made up or not) | | Manufacture from materials of heading 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 ⁽²⁾ | Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not) | | Manufacture from materials of heading 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, 57.01 to 57.04 or from coir yarn of heading No 57.07 |
| 58.04 ⁽²⁾ | Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05) | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp |

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|--|---|---|
| CCT heading No | Description | | |
| 58.05 ⁽¹⁾ | 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 materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 58.06 ⁽¹⁾ | Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.07 ⁽¹⁾ | 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 | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.08 ⁽¹⁾ | Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.09 ⁽¹⁾ | 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 | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.10 | Embroidery, in the piece, in strips or in motifs | | Manufacture in which the value of the product used does not exceed 50% of the value of finished product |
| 59.01 ⁽¹⁾ | Wadding and articles of wadding; textile flock and dust and mill neps | | Manufacture either from natural fibres or from chemical products or textile pulp |
| 59.02 ⁽¹⁾ | Felt and articles of felt, whether or not impregnated or coated | | Manufacture either from natural fibres or from chemical products or textile pulp |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30 % where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------------|---|---|--|
| CCT heading No | Description | | |
| ex 59.02 ⁽¹⁾ | Needled felt, whether or not impregnated or coated | | Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product |
| 59.03 ⁽¹⁾ | Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated | | Manufacture either from natural fibres or from chemical products or textile pulp |
| 59.04 ⁽¹⁾ | Twine, cordage, ropes and cables, plaited or not | | Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07 |
| 59.05 ⁽¹⁾ | 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 or from coir yarn of heading No 57.07 |
| 59.06 ⁽¹⁾ | 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 or from coir yarn of heading No 57.07 |
| 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 ⁽¹⁾ | 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 either from yarn or from textile fibres |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|------------------------------|---|---|---|
| CCT heading No | Description | | |
| 59.11 | Rubberized textile fabrics, other than rubberized knitted or crocheted goods | | Manufacture from yarn |
| 59.12 | Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like | | Manufacture from yarn |
| 59.13 ⁽¹⁾ | Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads | | Manufacture from single yarn |
| 59.15 ⁽¹⁾ | Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 59.16 ⁽¹⁾ | Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 59.17 ⁽¹⁾ | Textile fabrics and textile articles, of a kind commonly used in machinery or plant | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| ex Chapter 60 ⁽²⁾ | Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp |
| ex 60.02 | Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽²⁾ |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex 60.03 | Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.04 | Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.05 | Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.06 | Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| 61.01 | Men's and boys' outer garments | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.01 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Women's, girls' and infants' outer garments, not embroidered | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Women's, girls' and infants' outer garments, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 61.03 | Men's and boys' under garments, including collars, shirt fronts and cuffs | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| 61.04 | Women's, girls' and infants' under garments | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.05 | Handkerchiefs, not embroidered | | Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ ⁽³⁾ |
| ex 61.05 | Handkerchiefs, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| ex 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered | | Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ ⁽²⁾ |
| ex 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 61.07 | Ties, bow ties and cravats | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 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 ⁽¹⁾ ⁽²⁾ |
| 61.10 | Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex 61.10 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| 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 ⁽¹⁾ ⁽²⁾ |
| 62.01 | Travelling rugs and blankets | | Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾ |
| ex 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered | | Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾ |
| ex 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product |
| 62.03 | Sacks and bags, of a kind used for the packing of goods | | Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾ |
| 62.04 | Tarpaulins, sails, awnings, sun-blinds, tents and camping goods | | Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾ |
| 62.05 | Other made up textile articles (including dress patterns) | | Manufacture in which the value of the products used does not exceed 40% of the value of the finished product |
| 64.01 | Footwear with outer soles and uppers of rubber or artificial plastic material | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 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 | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |
| 64.03 | Footwear with outer soles of wood or cork | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |
| 64.04 | Footwear with outer soles of other materials | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but 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 textile fibres |
| 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 either from yarn or from textile fibres |
| 66.01 | Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| ex 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 | Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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) | | |
| 73.07 | Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel | Manufacture from products of heading No 73.06 | |
| 73.08 | Iron or steel coils re-rolling | Manufacture from products of heading No 73.07 | |
| 73.09 | Universal plates of iron or steel | Manufacture from products of heading No 73.07 or 73.08 | |
| 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 | Manufacture from products of heading No 73.07 | |
| 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 | Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13 | |
| 73.12 | Hoop and strip, of iron or steel, hot-rolled or cold-rolled | Manufacture from products of heading Nos 73.07 to 73.09 or 73.13 | |
| 73.13 | Sheets and plates, of iron or steel, hot-rolled or cold-rolled | Manufacture from products of heading Nos 73.07 to 73.09 | |
| 73.14 | Iron or steel wire, whether or not coated, but not insulated | Manufacture from products of heading No 73.10 | |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 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, bed-plates, ties and other material specialized for joining or fixing rails | | Manufacture from products of heading No 73.06 |
| 73.18 | Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits | | Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07 |
| 74.03 | Wrought bars, rods, angles, shapes and sections, of copper; copper wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.04 | Wrought plates, sheets and strip, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.06 | Copper powder and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.07 | Tubes and pipes and blanks therefor, of copper; hollow bars of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.08 | Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 74.09 | Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.12 | Expanded metal, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.13 | Chain and parts thereof, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.16 | Springs, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.19 | Other articles of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.02 | Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.03 | Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.05 | Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.06 | Other articles of nickel | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 76.02 | Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.03 | Wrought plates, sheets and strip, of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 76.05 | Aluminium powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.06 | Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.07 | Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.08 | Structures, complete or incomplete, whether or not assembled, 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 | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.11 | Containers of aluminium for compressed or liquified gas | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.13 | Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 76.14 | Expanded metal, of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.16 | Other articles of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 77.03 | Other articles of magnesium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 78.02 | Wrought bars, rods, angles, shapes and sections, of lead; lead wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 78.03 | Wrought plates, sheets and strip, of lead | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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/m ² ; lead powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 78.06 | Other articles of lead | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 79.02 | Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 79.03 | Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 79.05 | Gutters, roof capping, skylight frames, and other fabricated building components, of zinc | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 79.06 | Other articles of zinc | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 80.02 | Wrought bars, rods, angles, shapes and sections, of tin; tin wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 80.03 | Wrought plates, sheets and strip, of tin | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished 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 screwdriving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 82.06 | Knives and cutting blades, for machines or for mechanical appliances | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾ |
| ex Chapter 84 | Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41) | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 84.15 | Refrigerators and refrigerating equipment (electrical and other) | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

⁽²⁾ In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| ex 84.41 | Sewing machines, including furniture for sewing machines | | <p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p> |
| ex Chapter 85 | Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15 | | <p>Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product</p> |
| 85.14 | Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers | | <p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾</p> |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
- (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|---|
| CCT heading No | Description | | |
| 85.15 | Radiotelegraphic and radio-telephonic 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾ |
| 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) | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| ex Chapter 87 | Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 87.09 | Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| ex Chapter 90 | Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |

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

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 90.05 | Refracting telescopes (monocular and binocular), prismatic or not | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.07 | Photographic cameras; photographic flashlight apparatus | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.08 | Cinematographic cameras projectors, sound recorders and sound reproducers; any combination of these articles | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.12 | Compound optical microscopes, whether or not provided with means for photographing or projecting the image | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.26 | Gas, liquid and electricity supply or production meters; calibrating meters therefor | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex Chapter 91 | Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 91.04 | Other clocks | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts (*) used are originating products |
| 91.08 | Clock movements, assembled | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts (*) used are originating products |
| 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product |
| 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts (*) used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product (*) |

(*) In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

(*) This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| Chapter 93 | Arms and ammunition; parts thereof | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 97.03 | Other toys; working models of a kind used for recreational purposes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

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

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| | | Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product |
| 13.02 | Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished 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 deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent 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 squared by sawing, of a thickness not exceeding 25 cm | Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm |
| ex 25.16 | Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm | Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm |
| ex 25.18 | Calcined dolomite; agglomerated dolomite (including tarred dolomite) | Calcination of unworked dolomite |
| Chapters 28 to 37 | Products of the chemical and allied industries excluding mineral or chemical fertilizers, potassic: calcined, crushed and powdered natural aluminium calcium phosphates (ex 31.03) and essential oils other than of citrus fruit, terpenes (ex 33.01) | Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|---|
| CCT heading No | Description | |
| ex 31.03 | Mineral or chemical fertilizers, potassic: calcined, crushed and powdered natural aluminium calcium phosphates | Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally |
| ex 33.01 | Essential oils, other than of citrus fruit, terpeneless | Deterpenation of essential oils other than of citrus fruit |
| ex Chapter 38 | Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined (ex 38.07) | Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product |
| ex 38.05 | Refined tall oil | Refining of crude tall oil |
| ex 38.07 | Sulphate turpentine, purified | Purification consisting of the distillation or refining of raw sulphate turpentine |
| ex Chapter 39 | Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02) | Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product |
| ex 39.02 | Ionomer film | Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium |
| ex 40.01 | Slabs 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 lambskins without the wool | Removing wool from sheep and lambskins in the wool |
| ex 41.02 | Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08 | Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned |
| ex 41.03 | Retanned sheep and lambskin leather, except leather of heading Nos 41.06 to 41.08 | Retanning of sheep and lambskin leather, not further prepared than tanned |
| ex 41.04 | Retanned goat and kidskin leather, except leather of heading Nos 41.06 to 41.08 | Retanning of goat and kidskin leather, not further prepared than tanned |
| ex 41.05 | Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08 | Retanning of other kinds of leather, not further prepared than tanned |
| ex 43.02 | Assembled furskins | Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins |
| ex 50.03 | Silk waste carded or combed | Carding or combing waste silk |

| Finished products | | Working or processing that confers the status of originating products |
|--|---|---|
| CCT heading No | Description | |
| 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 59.14 | Incandescent gas mantles | Manufacture from tubular gas mantle fabric |
| 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 finished product |
| 70.13 | Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses | Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 70% of the value of the finished 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 and 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 and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought silver and silver alloys |
| ex 71.05 | Silver, including silver gilt and platinum-plated silver, unwrought | Alloying or electrolytic separation of unwrought silver and silver alloys |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|---|
| CCT heading No | Description | |
| ex 71.06 | Rolled silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought rolled silver |
| ex 71.07 | Gold, including platinum-plated gold, semi-manufactured | Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold |
| ex 71.07 | Gold, including platinum-plated gold, unwrought | Alloying or electrolytic separation of unwrought gold or gold alloys |
| ex 71.08 | Rolled gold on base metal or silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought 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 or other metals of the platinum group |
| ex 71.09 | Platinum and other metals of the platinum group, unwrought | Alloying or electrolytic separation of unwrought platinum or 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 unwrought rolled platinum or other unwrought platinum group metals or precious metal |
| ex 73.15 | Alloy steel and high carbon steel: — in the forms mentioned in heading Nos 73.07 to 73.13 — in the forms mentioned in heading No 73.14 | Manufacture from products in the forms mentioned in heading No 73.06 Manufacture from products in the forms mentioned in heading No 73.06 or 73.07 |
| 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 alloy | Fusion and thermal treatment of refined copper, copper waste or scrap |
| ex 75.01 | Unwrought nickel (excluding electro-plating anodes of heading No 75.05) | Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy |
| ex 75.01 | Unwrought nickel except nickel alloys | Refining of waste by electrolysis, by melting or by chemical means of waste and scrap |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| ex 76.01 | Unwrought aluminium | Manufacture by thermal or electrolytic treatment of unalloyed aluminium and scrap |
| ex 77.04 | Beryllium wrought | Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product |
| ex 78.01 | Refined lead | Manufacture by thermal refining from bullion lead |
| ex 81.01 | Tungsten, wrought | Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product |
| ex 81.02 | Molybdenum, wrought | Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product |
| ex 81.03 | Tantalum, wrought | Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product |
| ex 81.04 | Other base metals, wrought | Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product |
| ex 83.06 | Indoor ornaments made from base metals other than statuettes | Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product |
| 84.06 | Internal combustion piston engines | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| ex 84.08 | Engines and motors, excluding reaction engines and gas turbines | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 84.16 | Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |

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

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

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|---|
| CCT heading No | Description | |
| ex 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, for wood, paper pulp, paper and paperboard manufacturing industries | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| 84.31 | Machinery for making or finishing cellulosic pulp, paper or paperboard | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| 84.33 | Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| ex 84.11 | Sewing machines, including furniture specially designed for sewing machines | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: <ul style="list-style-type: none"> (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products |
| 85.14 | Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾ |
| 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 | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾ |
| 87.06 | Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03 | Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| ex 94.01 | Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals | Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾ |
| ex 94.03 | Other furniture of base metal | Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾ |
| ex 95.01 | Articles of tortoise-shell | Manufacture from worked tortoise-shell |
| 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 (excluding whalebone) | Manufacture from worked bone (excluding whalebone) |
| 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, of wood, root or other materials | Manufacture from roughly shaped blocks |

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

ANNEX IV

LIST C

List of products excluded from the scope of this Protocol

| CCT heading No | Description |
|----------------------|---|
| ex 27.07 | Assimilated 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 benzole), 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 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, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax |
| ex 38.14 | Prepared additives for lubricants |

ANNEX V
MOVEMENT CERTIFICATE

| | | |
|--|---|--|
| <p>1. Exporter (Name, full address, country)</p> | <p>EUR. 1 No A 000.000</p> <p>See notes overleaf before completing this form</p> | |
| <p>3. Consignee (Name, full address, country) (Optional)</p> | <p>2. Certificate used in preferential trade between</p> <p>.....</p> <p style="text-align: center;">and</p> <p>.....</p> <p>(insert appropriate countries, groups of countries or territories)</p> | |
| <p>6. Transport details (Optional)</p> | <p>4. Country, group of countries or territory in which the products are considered as originating ⁽¹⁾</p> | <p>5. Country, group of countries or territory of destination</p> |
| <p>7. Remarks</p> | | |
| <p>8. Item number; marks and numbers; Number and kind of packages ⁽²⁾; Description of goods</p> | <p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p> | <p>10. Invoices (Optional)</p> |
| <p>11. CUSTOMS ENDORSEMENT</p> <p>Declaration certified Export document ⁽³⁾</p> <p>Form No</p> <p>Customs office</p> <p>Issuing country or territory</p> <p>.....</p> <p>Date</p> <p style="text-align: center;">(Signature)</p> | <p>12. DECLARATION BY THE EXPORTER</p> <p>I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.</p> <p>Place and date:</p> <p style="text-align: center;">(Signature)</p> | |

⁽¹⁾ Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

⁽²⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

⁽³⁾ Complete only where the regulations of the exporting country or territory require.

| | |
|---|--|
| <p>13. REQUEST FOR VERIFICATION, to</p> | <p>14. RESULT OF VERIFICATION,</p> |
| <p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>..... (Place and date) Stamp</p> <p>..... (Signature)</p> | <p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p> |

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations 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 endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

| | | | |
|---|---|--|--------------------------|
| <p>1. Exporter (Name, full address, country)</p> | <p align="center">EUR. 1 No A 000.000</p> | | |
| <p>3. Consignee (Name, full address, country) (Optional)</p> | <p align="center">See notes overleaf before completing this form</p> <p>2. Application for a certificate to be used in preferential trade between</p> <p align="center">..... and (insert appropriate countries, groups of countries or territories)</p> | | |
| <p>6. Transport details (Optional)</p> | <p>4. Country, group of countries or territory in which the products are considered as originating ⁽¹⁾</p> | <p>5. Country, group of countries or territory of destination</p> | <p>7. Remarks</p> |
| <p>8. Item number; marks and numbers; Number and kind of packages ⁽²⁾; Description of goods</p> | <p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p> | <p>10. Invoices (Optional)</p> | |

⁽¹⁾ Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

⁽²⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

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

SUBMIT the following supporting documents ⁽¹⁾:

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

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

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

| | | | |
|--|---------------------------------|---|----------------------|
| <p>11 Authorities in the exporting country responsible for verification of the declaration by the exporter</p> | | <p>10 Description of goods</p> | |
| <p>9 Gross weight</p> | <p>8 Country of destination</p> | <p>7 Country, group of countries or territory in which the products are considered as originating (2)</p> | <p>5 Remarks (2)</p> |
| <p>6 Signature of exporter</p> | | <p>3 Name and address of consignee</p> | |
| <p>4 Place and date</p> | | <p>1 Name and address of exporter</p> | |
| <p>2 Declaration by the exporter I, the undersigned, exporter of the goods described below and contained in this postal consignment, DECLARE that the goods are situated in _____ (exporting country) under the conditions necessary for completion of this form in accordance with the provisions governing trade between _____ (1) and that the goods have the status of originating products within the meaning of the said provisions; UNDERTAKE to submit to the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection by them of my accounts and any check by them on the processes of manufacture of the goods described below.</p> | | | |

FORM EUR. 2 No A 000 000 (Part 1)

| REQUEST FOR VERIFICATION | RESULT OF VERIFICATION |
|---|--|
| <p>The undersigned customs officer requests that the declaration by the exporter on the front of this form be verified (2)</p> <p style="text-align: right;">..... (Place and date of signature)</p> <p>Official stamp</p> <p style="text-align: right;">..... (Signature of customs officer)</p> | <p>Verification carried out by the undersigned customs officer shows that:</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate (1);</p> <p><input type="checkbox"/> this form does not meet the requirements as to authenticity and accuracy (see remarks appended) (1)</p> <p style="text-align: right;">..... (Place and date of signature)</p> <p>Official stamp</p> <p style="text-align: right;">..... (Signature of customs officer)</p> <p>(1) Place an x where applicable</p> |

(1) Verification of the form is made on a sampling basis 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 to the authorities of the exporting country responsible for verification, specifying the reasons of substance 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 the form are inaccurate.

If the customs authorities of the importing country decide to suspend 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 may be considered necessary.

ANNEX VI

(1) (2) (3) (See footnotes on back of part 1).

| | | | |
|--|--|---|--------------------------|
| 10 Description of goods 11 Authorities in the exporting country responsible for verification of the declaration by the exporter | | 7 Country, group of countries or territory in which the products are considered as originating (3) | |
| | | 9 Gross weight | 8 Country of destination |
| 5 Remarks (2) | | 6 Signature of exporter | |
| 3 Name and address of consignee | | 4 Place and date | |
| 1 Name and address of exporter | | 2 Declaration by the exporter I, the undersigned, exporter of the goods described below and contained in this postal consignment, DECLARE that the goods are situated in _____ (exporting country) under the conditions necessary for completion of this form in accordance with the provisions governing trade between _____ (1) and that the goods have the status of originating products within the meaning of the said provisions; — UNDERTAKE to submit to the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection by them of my accounts and any check by them on the processes of manufacture of the goods described below. | |

Before completing this form read carefully the instructions on the back of Part 1.

FORM EUR.2 No A 000 000 (Part 2)

Notes for both forms

- (1) Indicate the Contracting Parties to the transaction in respect of which the form has been completed.
- (2) Refer to any verification already carried out by the appropriate authorities.
- (3) Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

Instructions for the completion of form EUR.2

- A. A form EUR.2 may be made out only for goods which in the exporting country meet the conditions specified by the provisions governing the trade referred to in space 2.
 Those provisions must be studied carefully before the form is completed.
- B. The exporter must give the reference 'EUR.2' followed by the serial number of the form either on green label C 1 or on customs declaration C 2/CP 3.
- C. After completing and signing the two parts of the form, the exporter must,
 - in the case of a consignment by parcel post, attach the two parts to the dispatch note,
 - in the case of a consignment by letter post, attach Part 1 firmly to the consignment and insert Part 2 inside it.

ANNEX VII

SPECIMEN OF DECLARATION

I, the undersigned, declare that the goods listed on this invoice were obtained in
.....
(indicate the State(s) partner to the Convention in which the products were obtained)

and (as appropriate):

(a) (*) satisfy the rules on the definition of the concept of 'wholly produced products'

or

(b) (*) were produced from the following products:

| Description | Country of origin | Value (*) |
|-------------|-------------------|-----------|
| | | |
| | | |
| | | |
| | | |

and have undergone the following processes:

..... (indicate processings)
in
..... (indicate the State(s) partner to the Convention in which the products were obtained)

.....
(Place and date) (Signature)

.....
(*) To be completed as necessary.

ANNEX VIII
EUROPEAN COMMUNITIES

| | | | |
|--|---|---|---|
| 1. Supplier ⁽¹⁾ | INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the <div style="border: 1px solid black; padding: 10px; text-align: center; margin: 10px auto; width: 80%;"> EUROPEAN ECONOMIC COMMUNITY and THE ACP STATES </div> | | |
| 2. Consignee ⁽¹⁾ | | | |
| 3. Processor ⁽¹⁾ | 4. State in which the working or processing has been carried out | | |
| 6. Customs office of importation ⁽²⁾ | 5. For official use | | |
| 7. Import document ⁽²⁾ Form No Series Date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> | | | |
| GOODS SENT TO THE MEMBER STATE OF DESTINATION | | | |
| 8. Marks, numbers, quantity and kind of package | 9. Tariff heading number and description of goods | 10. Quantity ⁽³⁾ | |
| | | 11. Value ⁽⁴⁾ | |
| IMPORTED GOODS USED | | | |
| 12. Tariff heading number and description | 13. Country of origin | 14. Quantity ⁽⁵⁾ | 15. Value ⁽²⁾ ⁽⁶⁾ |
| 16. Nature of the working or processing carried out | | | |
| 17. Remarks | | | |
| 18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <div style="border: 1px solid black; width: 100px; height: 50px; margin: 10px auto; text-align: center;"> Official stamp </div> (Signature) | | 19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> (Place) (date) (Signature) | |

⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾ See footnotes on verso.

| REQUEST FOR VERIFICATION | RESULT OF VERIFICATION |
|---|---|
| <p>The undersigned customs official requests verification of the authenticity and accuracy of this information certificate</p> <p>..... (Place and date)</p> <div data-bbox="163 907 316 1061" style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">Official stamp</div> <p>..... (Official's signature)</p> | <p>Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>(a) was issued by the customs office indicated and that the information contained therein is accurate (*)</p> <p>(b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)</p> <p>..... (Place and date)</p> <div data-bbox="837 907 990 1061" style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">Official stamp</div> <p>..... (Official's signature)</p> <p>..... (*) Delete where not applicable.</p> |

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) The value must be indicated in accordance with the provisions on rules of origin.

ANNEX IX

Joint Declarations

1. For the purposes of applying Article 5 (2) (c) of this Protocol, the certificate of sea transport, issued in the first port of embarkation, shall be equivalent to the through bill of lading for products covered by movement certificates issued in landlocked ACP States.
 2. Products exported from landlocked ACP States which are warehoused elsewhere than in the ACP States or the countries and territories referred to in Explanatory Note No 9 may be the subject of movement certificates issued under the circumstances referred to in Article 7 (2).
 3. For the purpose of Article 7 (1) of this Protocol, certificates EUR. 1 issued by a competent authority and endorsed by the customs authorities will be accepted.
 4. For the implementation of Article 27 of this Protocol, the Community is prepared to examine any request of the ACP States in order to bring derogations to this Protocol in favour of the industries concerned. This examination shall be held in an appropriate institutional framework, from the date of signature of the Convention, with a view to allowing the derogations to enter into force at the same date as the Convention.
 5. In particular, account shall be taken on a case-by-case basis of the possibility of conferring originating status on products which include products originating in neighbouring developing countries or in developing countries with which one or more ACP States have special relationships, provided that satisfactory administrative co-operation can be established.
-

PROTOCOL No 2

on the application of financial and technical co-operation

CHAPTER 1

Article 1

In the context of the objectives laid down in Article 40 of the Convention, the Contracting Parties agree that the projects and programmes must help ensure all or part of the following effects:

- growth of the national income of each ACP State;
- improvement of the standard of living and the socio-cultural levels of populations and of the most underprivileged in particular;
- the establishment of more balanced economic relations between the ACP States and other countries, their greater participation in world trade in general, including, in particular, trade in manufactured products;
- improvement and control of the conditions of development, in particular physical factors and technical know-how;
- diversification and integration of the structure of the economy, on both a sectoral and a geographical basis;
- regional co-operation between ACP States and, where appropriate, between ACP States and other developing countries.

Article 2

Upon expiry of the Convention, any monies provided for under the third indent of point 1(a) of Article 42 of the Convention in the form of risk capital but not committed shall be added to those provided for in the form of special loans under the second indent of the same provision; monies provided for under Article 47 (2) of the Convention for financing regional projects, but not committed for that purpose, shall be made available for financing other projects and programmes.

CHAPTER 2

Methods of financing

Article 3

1. Special loans shall serve to finance all or part of projects or programmes of general interest to the economic and social development of the ACP State or ACP States on the territory of which they are to be undertaken.
2. As a general rule, these loans shall be made for a duration of 40 years, with a grace period of 10 years. They shall bear interest at the rate of 1% per year.

Article 4

1. In order to assist the execution of industrial, mining and tourism projects of general interest to the economy of the ACP State or ACP States concerned, the Community may grant assistance in the form of risk capital in order to step up the own resources, or resources assimilated thereto, of those countries' firms, where appropriate by the acquisition of holdings in the authorized capital of those firms and, more generally, by means of quasi-capital aid.
2. Holdings acquired by the Community in the capital of firms or institutions for financing the development of the ACP States shall be in the nature of temporary minority holdings. Such operations may be undertaken jointly with a loan from the Bank or with another form of risk capital assistance. As soon as appropriate they shall be transferred, preferably to nationals or institutions of the ACP States.
3. Quasi-capital assistance may take the form of:
 - subordinated loans, which shall be redeemed and in respect of which interest, if any, shall be paid only after the other bank claims have been settled on market terms;
 - conditional loans, which shall be serviced and in respect of which redemption shall be due only

after fulfilment of conditions laid down when the loan is made by particular reference to the conditions in which the project is being set up.

These conditions shall indicate that the project has overcome the particular risks to which it was exposed and has achieved a certain level of profitability.

The terms of such aid shall be determined on a case-by-case basis by reference to the characteristics of the projects financed; the interest rate may not be greater than that of subsidized loans from the Bank.

4. Quasi-capital assistance shall as a general rule be accorded to industrial, mining and tourism firms and to development financing institutions where the characteristics of their activities and management so permit. It may also be accorded to the ACP States in order to enable them to acquire a holding in the capital of industrial, mining and tourism firms where such an operation comes under the financing of new productive investments and is supplemented by another financial intervention by the Community.

Article 5

1. Scrutiny by the Bank of the eligibility of projects, and the according of loans from its own resources, shall be effected in concert with the ACP State or ACP States concerned and in accordance with the rules, conditions and procedures provided for in the Bank's statute, consideration being given to the economic and financial situation of the ACP State or ACP States concerned and to the factors which guarantee the servicing of repayable aid.

2. The duration of loans made by the Bank from its own resources shall be governed by terms stipulated on the basis of the economic and financial characteristics of the project; this period may not exceed 25 years.

3. The rate of interest shall be the rate charged by the Bank at the time of the signature of each loan contract. This rate shall generally be reduced by 3% by means of an interest rate subsidy, except where the loans are intended for investment in the oil sector, wherever these are located, or in the mining sector, unless in the latter case they are situated in one of the least developed States listed in Article 48 of the Convention, or are situated in countries or concern sectors which will be defined at the first

meeting of the Council of Ministers. This interest rate subsidy shall, however, be automatically adjusted so that the interest rate actually borne by the borrower will be neither less than 5% nor more than 8%.

4. The aggregate amount of interest rate subsidies, calculated in terms of its value at the time of the signature of the loan contract at a rate and according to rules to be laid down by the Community, shall be charged against the amount of grant aid specified in the first indent of point 1 (a) of Article 42 of the Convention and shall be paid directly to the Bank.

CHAPTER 3

Technical co-operation

Article 6

1. The technical co-operation referred to in Article 46 of the Convention may be either linked with investments or of a general nature.

2. Technical co-operation linked with investments comprises:

- (a) planning and special and regional development studies;
- (b) technical, economic and commercial studies, and research and surveys required to prepare projects;
- (c) aid in the preparation of dossiers;
- (d) aid in the execution and supervision of work;
- (e) temporary aid for the establishment, launching and operation of a specific investment of installations, including where necessary the training of personnel for the operation and maintenance of the investment or installations;
- (f) meeting the cost of technicians temporarily and providing goods necessary to the proper execution of an investment project.

3. General technical co-operation comprises:

- (a) the grant of scholarships for studies, training courses and postal tuition to provide, preferably in the ACP States, for the vocational training and further training of the nationals thereof;
- (b) the organization of specific training programmes in the ACP States, in particular for the staff of public services and institutions of the ACP States or of undertakings therein;

- (c) at the request of the ACP States, the provision of experts, advisers, technicians and instructors of the Member States or the ACP States for specific missions and for limited periods;
 - (d) the supply of instructional, experimental and demonstration equipment;
 - (e) the organization of short training courses for nationals of the ACP States and further training courses for civil servants of those States;
 - (f) sectoral studies;
 - (g) studies of the prospects and opportunities for economic development and diversification in the ACP States, and of problems of interest to groups of ACP States or to the ACP States as a whole;
 - (h) general information and documentation to promote the economic and social development of the ACP States, the development of trade between the Community and those States, and the achievement of the aims of financial and technical co-operation.
- (b) transport and communications: roads, railways, air and sea transport, inland waterways, postal services and telecommunications;
 - (c) the production of energy and joint exploitation of natural resources;
 - (d) research and technology applied to intensifying regional and interregional co-operation;
 - (e) stockbreeding, agriculture, industry and the promotion of products of these sectors;
 - (f) education and training, including the establishment of joint institutions of advanced technology, in the context of training programmes to enable nationals to participate fully in economic development;
 - (g) co-operation in travel and tourism, including the establishment of tourist promotion centres or the strengthening of existing ones on a regional basis in order to increase international and regional tourism;
 - (h) technical assistance for the establishment of regional co-operation bodies or the development of new activities in existing regional bodies.

CHAPTER 4

Regional co-operation*Article 7*

1. Within the meaning of the Convention, regional co-operation shall apply to relations either between two or more ACP States or between one or more ACP States on the one hand and one or more neighbouring non-ACP countries on the other.

Interregional co-operation shall apply to relations either between two or more regional organizations of which ACP States form part or between one or more ACP States and a regional organization.

2. Within the meaning of the Convention, regional projects are those which help directly to solve a development problem common to two or more countries through joint schemes or co-ordinated national schemes.

Article 8

The field of application of regional and interregional co-operation shall include:

- (a) the distribution of industries with the aim of accelerating the industrialization of the ACP States, including the setting up of regional and interregional enterprises;

Article 9

An ACP State or group of ACP States participating with neighbouring non-ACP countries in a regional or interregional project may request the Community to finance that part of the project for which it is responsible.

CHAPTER 5

Special measures in favour of the least developed ACP States*Article 10*

Community aid accorded to the ACP States listed in Article 48 of the Convention shall be combined with particularly favourable terms of financing, having regard to the economic situation specific to each ACP State.

Generally, such financing shall be in the form of grants and, in appropriate cases, in the form of special loans or risk capital. However, loans from the Bank's own resources may be accorded in the States concerned, having regard to the criteria defined in Article 43 of the Convention.

Article 11

1. At the request of the least developed ACP States the Community shall give special attention to the application of the following aid measures:

- (a) technical assistance necessary for identifying, preparing and carrying out their projects which come within the framework of the programming of Community aid;
- (b) training schemes for management and other staff required for the economic development services and technical departments of those States. Such training must be closely linked to the practical objectives set by the State concerned and carried out, as far as possible, in the territory of that State.

2. The following special aid measures may also be applied to those States:

- (a) support for research aimed at finding solutions to some of their specific economic and social development problems.
- (b) support for the development of small- and medium-sized enterprises and for carrying out small rural development schemes.

3. By way of derogation from Article 46 (2) of the Convention and on the basis of an examination of the needs and means of each of the ACP States concerned, the Community may finance, temporarily and on a diminishing scale, the running costs of or major repairs to investments previously financed by the Community which are of special importance to the economic and social development of the State concerned. This aid shall be accorded only where such expenditure on running costs or major repairs proves too great for the State or other beneficiaries.

Article 12

The least developed ACP States shall have a priority claim to the measures for the promotion of regional co-operation specified in Article 47 of the Convention.

CHAPTER 6

Specific measures in favour of small- and medium-sized national firms*Article 13*

1. Within the limits of the resources provided for in Article 42 of the Convention, the Community shall

finance projects in favour of small- and medium-sized firms, co-operatives or local authorities in the ACP States and shall generally do so through public or semi-public financial bodies specialized in development, such as national or regional development banks approved by the Community and the ACP State or ACP States concerned.

2. To this end, the ACP State or ACP States concerned shall provide the Community with:

- information on the capacity of the financing body, on the trend of and prospects for its activities in the field in question, and on the guarantees it can offer;
- a programme for the promotion of small firms, indicating in particular the scope and nature of the projects, financing requirements, the existence of possible promoters and, where appropriate, the technical assistance the latter are to be provided with for the preparation and management of their projects.

3. When the Community has approved the programme in accordance with Article 54 of the Convention, it shall open for the approved financial body a line of credit financed by a suitable form of aid.

The line of credit shall be for a maximum amount of two million units of account, which may be used during a limited period of not more than three years. It may be renewed at the end of that period.

4. The terms governing the grant of such aid shall in each case be the subject of an agreement between the Community and the financing body. The outline rules for the implementation of the aid shall be stipulated therein, in particular as regards:

- the scale of the operations, which may not exceed an amount in the order of 200 000 units of account per project;
- the sectors eligible for aid;
- the criteria which must be met by the potential aid recipients;
- the criteria and methods of project appraisal;
- the financial terms of final loans.

5. The projects shall be appraised by the financing body. This body shall decide, on its own financial responsibility, on final loans to be accorded on terms

established by reference to those obtaining for this type of operation in the ACP State in question.

6. The financing body shall finance its loans by mobilizing the line of credit to the extent required. At this stage the Community shall verify that the loans fall within the agreement referred to in paragraph 4.

The financing terms accorded by the Community to the financing body shall take into consideration the latter's need to cover its administrative costs, exchange and financial risks and the cost of technical assistance given to the firms or final borrowers.

7. The financing body shall be responsible, whatever the circumstances, for repayment to the Community of that part of the line of credit actually mobilized.

It shall provide the Community annually with a report on the implementation and financing of the approved programme.

CHAPTER 7

Mircoprojects

Article 14

1. In order to respond concretely to the needs of local communities with regard to development, the Fund shall participate as an experiment in the financing of microprojects, without prejudice to the range of projects which ACP States may include in their national programmes for financing by the Fund.

To this end, a sum of 20 million units of account, to be deducted from the grant aid provided for in the first indent of point 1 (a) of Article 42 of the Convention, may be used to cover commitments relating to this type of scheme.

2. At the end of the second year after the entry into force of the Convention, the Council of Ministers shall decide on the follow-up to this experiment.

Article 15

1. In order to be eligible for Community financing, microprojects must:

- meet a real, priority need at local level;
- ensure the active participation of the local community.

The Fund's contribution to each microproject may not exceed 75 000 units of account.

2. Microprojects shall normally be carried out in rural areas. However, the Community may also assist in the financing of microprojects in urban areas. These projects shall include dams, wells and water supply systems, silos and warehouses for storing provisions and crops, rural service tracks and bridges, animal vaccination pens and corridors, primary schools, dispensaries, maternity homes, social assistance centres, market buildings and facilities to encourage commercial and industrial activity, and other projects which meet the criteria referred to in paragraph 1.

Article 16

Each project for which Community assistance is requested must stem from an initiative taken by the local community which will benefit therefrom.

The financing of microprojects shall in principle have a tripartite structure and shall stem from:

- the community benefiting, in the form of a contribution in money or in kind adapted to its capacity to contribute;
- the ACP State, in the form of a financial contribution or a contribution of public works services;
- the Fund.

For each project, the local community shall undertake to play its part in maintaining and running the project, in conjunction with the national authorities as appropriate.

Article 17

1. The ACP State concerned shall prepare and submit to the Commission an annual programme setting forth the broad outlines of the projects planned.

After examination by the Commission's departments, these programmes shall be submitted to the relevant bodies of the Community for financing decisions in accordance with Article 54 of the Convention.

2. Within the framework of the annual programmes thus drawn up, the financing decisions relating to

each microproject shall be taken by the ACP State concerned, with the agreement of the Commission which shall be deemed to be given within one month of notification of such decision, except in special cases.

CHAPTER 8

Competition and terms of preference for national firms*Article 18*

1. The Commission and the relevant authorities of the ACP States shall take the necessary implementing measures to ensure equality of conditions for participation in tendering procedures and other procedures for the award of contracts financed by the Fund's resources managed by the Commission.

2. To this end, without prejudice to Article 19, care shall be taken in particular to:

- (a) ensure advance publication in reasonable time of invitations to tender in the *Official Journal of the European Communities* and the official journals of the ACP States;
- (b) eliminate any discriminatory practice or technical specification liable to stand in the way of participation on equal terms by all natural or legal persons of the Member States and the ACP States;
- (c) encourage in so far as possible, especially where major works or those of a particular technical nature are to be undertaken, co-operation between the firms of the Member States and of the ACP States for example by means of preselection and the creation of groups.

Article 19

For certain operations relating to exceptional aid, and for other operations where the urgency of the situation is recognized or where the nature, minor importance or particular characteristics of certain works or supplies so warrant, the relevant authorities of the ACP States may, in agreement with the Commission, exceptionally authorize:

- the placing of contracts after restricted invitations to tender;
- the conclusion of contracts by direct agreement;
- the performance of contracts through public works departments.

Furthermore, for schemes costing under two million units of account recourse to public works departments may be authorized where the recipient ACP State has substantial suitable equipment and qualified staff resources available in its national departments.

Article 20

To promote participation by national firms in the performance of contracts financed by the Community from the Fund's resources managed by the Commission:

- (a) an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders shall be used where the works in question, because of their scale, are mainly of interest to firms of the ACP States.

This accelerated procedure shall be applied to invitations to tender whose value is estimated at less than two million units of account.

It may be used only for works contracts and shall involve, for the submission of tenders, time limits fixed in accordance with the rules in force in the ACP State concerned.

The use of an accelerated procedure for invitations to tender whose value is less than two million units of account shall not exclude the possibility of the Commission's proposing an international invitation to tender to the authorities of the ACP State for agreement where the works in question, because of their specialized nature, might be of interest to international competition;

- (b) for the execution of works whose value is less than two million units of account a 10% preference shall be taken into account in favour of firms of the ACP States where tenders of equivalent economic and technical quality are compared.

This preference shall be confined to national firms of the ACP States within the meaning of the national laws of those States provided that their residence for tax purposes and main business are established in an ACP State and that a significant share of the capital and management staff are supplied by one or more ACP States;

- (c) for the delivery of supplies a 15% preference shall be taken into account in favour of manufacturing firms of the ACP States where tenders of

equivalent technical and economic quality are compared.

This preference shall be confined to national firms of the ACP States which provide a sufficient margin of value added.

Article 21

The Commission and the relevant authorities of the ACP States shall ensure that Articles 18 to 20 are observed for each operation and that the tender selected is economically the most advantageous, taking into account in particular the qualifications of and the guarantees offered by the tenderers, the nature and conditions of execution of the works or supplies, and the price, utilization costs and technical value of those works or supplies. Where two tenderers are acknowledged to be equivalent on the basis of the criteria stated above, preference shall be given to the one which permits the greatest possible utilization of the physical and human resources of the ACP States.

The Commission and the relevant authorities of the ACP States shall ensure that all the selection criteria are specified in the invitation to tender dossier.

The result of invitations to tender shall be published at the earliest possible date in the *Official Journal of the European Communities*.

Article 22

The general provisions and conditions applicable to the placing and performance of public works contracts financed by the Fund shall be the subject of common rules adopted, on a proposal by the Commission, by a decision of the Council of Ministers at its second meeting following the date of entry into force of the Convention.

Article 23

Any dispute arising between the authorities of an ACP State and a contractor or supplier in the course of execution of a contract financed by the Fund shall be settled by arbitration in accordance with rules of procedure adopted by a decision of the Council of Ministers not later than its second meeting following the entry into force of the Convention.

CHAPTER 9

Drawing up, negotiation and conclusion of technical co-operation contracts

Article 24

Technical co-operation contracts shall be arranged by mutual agreement. Certain contracts may be

awarded following competitive tendering, notably for important, complicated and technically difficult studies where technical, economic or financial reasons justify recourse to this procedure.

Article 25

1. For each operation of technical co-operation which will involve a mutual agreement procedure, the Commission shall compile a list of selected candidates from Member States or ACP States, selected according to criteria guaranteeing their qualifications, experience and independence and taking into account their availability for the proposed undertaking.

The ACP State concerned shall choose freely the listed candidate it wishes to deal with.

2. When competitive tendering is resorted to, the list of selected candidates shall be drawn up in close collaboration with the Commission and the ACP State concerned on the basis of the criteria set out in paragraph 1. The contract shall be awarded to the listed candidate that submits the tender judged by the Commission and the ACP State concerned to be economically the most advantageous.

3. The ACP firms which may be taken into consideration for technical co-operation actions shall be selected by mutual agreement between the Commission and the ACP State or ACP States concerned.

Article 26

In the context of the common rules provided for in Article 22 and the general conditions of payment established by agreement between the Commission and the ACP States, the technical co-operation contracts shall be prepared, negotiated and concluded by the appropriate authorities of the ACP States, in participation and agreement with the Delegate of the European Commission referred to in Article 31 (hereinafter called the 'Delegate').

Article 27

The Commission shall, as far as possible, encourage co-operation between consultants and experts of Member States and ACP States, temporary partnerships, sub-contracting and the use of national experts in the teams belonging to consultants from Member States.

Article 28

When an ACP State has, within its administrative and technical staff, national personnel making up a substantial part of the work force necessary for the execution by the public works department of a technical co-operation project the Community could, in exceptional cases, contribute to the costs of the public works department by providing certain apparatus that it lacks, or supply the required additional staff in the form of experts of another State.

The participation of the Community could only cover costs incurred by supplementary measures strictly confined to the project in question and would exclude all current operational expenditure.

CHAPTER 10

Executive agents*Article 29*

1. The Commission shall appoint the Chief Authorizing Officer of the Fund, who shall ensure that financing decisions are carried out.

He shall take any adaptation measures and commitment decisions which prove necessary to ensure the proper execution of approved projects or programmes in the best economic and technical conditions.

2. Without prejudice to Article 30, the Chief Authorizing Officer shall manage the funds, and shall accordingly commit, clear and authorize expenditure and keep the accounts of commitments and authorizations.

3. The Chief Authorizing Officer shall ensure equality of conditions for participation in invitations to tender, and see to it that there is no discrimination and that the tender selected is economically the most advantageous.

Article 30

1. The Government of each ACP State shall appoint a National Authorizing Officer to represent the national authorities in all operations relating to projects financed from the Fund's resources.

2. In addition to his responsibilities in connection with the preparation, submission and appraisal of

projects, the National Authorizing Officer shall, in close co-operation with the Delegate, issue invitations to tender, receive tenders, preside over the examination of tenders, establish the results of the invitations to tender, sign contracts and riders thereto and estimates and notify the Commission thereof. He shall submit the invitation to tender dossier to the Commission for agreement before issuing invitations to tender.

3. He shall transmit to the Chief Authorizing Officer for agreement the outcome of the examination of the tenders and a proposal for placing the contract.

4. As regards works contracts subject to accelerated procedure, the decisions taken by the National Authorizing Officer in implementation of paragraphs 2 and 3 shall be deemed to be approved by the Commission within a period of one month of notification thereof.

5. The National Authorizing Officer shall clear and authorize expenditure within the limits of the funds delegated to him. He shall remain financially liable until the Commission clears the operations for the execution of which he is responsible.

6. During the execution of projects and subject to his informing the Delegate as soon as possible, the National Authorizing Officer shall also decide on:

- (a) technical adjustments and alterations on matters of detail, so long as they respect the general framework of the project and contract, are an indispensable element for the performance of the contract, do not affect the technical solutions adopted and remain within the limit of the provision for minor adjustments;
- (b) minor alterations to estimates during execution;
- (c) transfers from item to item within estimates;
- (d) changes of site for multiple-unit projects where justified on technical or economic grounds;
- (e) application or remission of penalties for delay;
- (f) acts discharging guarantors;
- (g) purchase of goods, irrespective of their origin, on the local market;
- (h) use of construction equipment and machinery not originating in the Member States or ACP States

provided there is no production of comparable goods in the Member States or ACP States;

- (i) sub-contracting;
- (j) final acceptances; however, the Delegate must be present at provisional acceptances and endorse the corresponding minutes and, where appropriate, he must be present at final acceptances, in particular where the extent of the reservations recorded at the provisional acceptance necessitates major additional work.

Article 31

1. For the purposes of applying the Convention and for the purposes of the Fund's resources which the Commission manages, the Commission shall be represented in each ACP State or in each regional grouping which expressly so requests by a European Commission Delegate approved by the ACP State concerned.

2. Provided that an express request is made by an ACP State to that effect, the Delegate shall give technical assistance in preparing and appraising projects financed from the Fund's resources. To this end, he may participate in preparing dossiers for submission, in negotiating, with external technical assistance, contracts for studies, for the services of experts and for works supervision, in seeking ways to simplify project appraisal procedures, and in preparing general specifications and invitation to tender dossiers.

3. The Delegate shall, on a regular basis, and in certain cases acting on special instructions from the Commission, inform the authorities to which he is attached of Community activities which may directly concern co-operation between the Community and the ACP States.

4. The Delegate shall collaborate with the national authorities in examining completed projects regularly. Reports on the outcome of the examination shall be drawn up by him and communicated to the ACP State concerned.

5. Every six months the Delegate shall assess the Fund's operations in the ACP State or regional grouping in which he represents the Commission. Reports drawn up in this connection shall be communicated by the Commission to the ACP State or ACP States concerned.

6. The Delegate shall make sure, on behalf of the Commission, that the projects and programmes financed from the Fund's resources are executed properly from the financial and technical angles.

Article 32

1. Services provided in connection with projects financed by the Fund with grant aid shall be paid for on instructions from the Commission by drawing on the Fund's accounts.

2. For the purpose of effecting payments in the national currencies of the ACP States, accounts denominated in the currency of one or other of the Member States shall be opened in each ACP State on behalf of the Commission with a financial institution, chosen by mutual agreement between the ACP State and the Commission, which shall exercise the functions of paying agent.

3. These functions may be assumed by the central banks of the ACP States or by any other national public or semi-public financial institution.

4. The accounts referred to in paragraph 2 shall be replenished by the Commission by reference to actual cash requirements. Transfers shall be made in the currency of one or other of the Member States and shall be converted into the national currency of the ACP State as and when payments fall due.

5. The paying agent shall not be remunerated for its services; no interest shall be payable on deposited funds.

6. Within the limits of the funds available, the paying agent shall make the disbursements authorized after verifying that the supporting documents provided are substantively accurate and in order, and that the discharge is valid.

CHAPTER 11

Other provisions

Article 33

1. Excess expenditure incurred during the execution of a project financed from the Fund's resources managed by the Commission shall be borne by the ACP State or ACP States concerned, subject to the following provisions.

2. As soon as it appears likely that a project will involve excess expenditure, the National Authorizing Officer shall so inform the Commission through the Delegate and shall make known to it the measures he intends to take in order to cover such excess expenditure, involving either a reduction in the scale of the project or a call on national resources.

3. If it appears impossible to reduce the scale of the project or to cover the excess expenditure by drawing on national resources, the Community body responsible for taking the financing decisions may, as an exceptional measure, take a decision to commit additional funds and finance the relevant expenditure either by savings made on other projects or by implementing supplementary measures worked out jointly by the Commission and the ACP State or ACP States concerned.

4. Without prejudice to the arrangements provided for in paragraphs 2 and 3, the National Authorizing Officer shall decide, in concert with the Chief Authorizing Officer, to earmark unexpended balances resulting from savings shown when the accounts of projects are closed for covering excess expenditure on another project, provided that such

excess expenditure is not greater than a fixed ceiling of 15% of the total appropriation for the project in question.

Article 34

Financing and administrative expenses arising out of the administration of the Fund and the costs of supervising projects and programmes shall be covered by the Fund.

Article 35

A representative of the Bank shall be present at meetings of the Council of Ministers or Committee of Ambassadors when matters from the areas which concern the Bank are on the agenda.

PROTOCOL No 3

on ACP sugar

Article 1

1. The Community undertakes for an indefinite period to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originate in the ACP States and which these States undertake to deliver to it.

2. The safeguard clause in Article 10 of the Convention shall not apply. The implementation of this Protocol is carried out within the framework of the management of the common organization of the sugar market which, however, shall in no way prejudice the commitment of the Community under paragraph 1.

Article 2

1. Without prejudice to Article 7, no change in this Protocol may enter into force until a period of five years has elapsed from the date on which the Convention enters into force. Thereafter, such changes as may be agreed upon will come into force at a time to be agreed.

2. The conditions for implementing the guarantee referred to in Article 1 shall be re-examined before the end of the seventh year of their application.

Article 3

1. Quantities of cane sugar referred to in Article 1, expressed in metric tons of white sugar, hereinafter referred to as 'agreed quantities', for delivery in each 12-month period referred to in Article 4 (1), shall be as follows:

| | |
|--------------------------------|---------|
| Barbados | 49 300 |
| Fiji | 163 600 |
| Guyana | 157 700 |
| Jamaica | 118 300 |
| Kenya | 5 000 |
| Madagascar | 10 000 |
| Malawi | 20 000 |
| Mauritius | 487 200 |
| People's Republic of the Congo | 10 000 |
| Swaziland | 116 400 |
| Tanzania | 10 000 |
| Trinidad and Tobago | 69 000 |
| Uganda | 5 000 |

2. Subject to Article 7, these quantities cannot be reduced without the consent of the individual States concerned.

3. Nevertheless, in respect of the period up to 30 June 1975, the agreed quantities, expressed in metric tons of white sugar, shall be as follows:

| | |
|---------------------|--------|
| Barbados | 29 600 |
| Fiji | 25 600 |
| Guyana | 29 600 |
| Jamaica | 83 800 |
| Madagascar | 2 000 |
| Mauritius | 65 300 |
| Swaziland | 19 700 |
| Trinidad and Tobago | 54 200 |

Article 4

1. In each 12-month period from 1 July to 30 June inclusive, hereinafter referred to as the 'delivery period', the sugar-exporting ACP States undertake to deliver the quantities referred to in Article 3 (1), subject to any adjustments resulting from the application of Article 7. A similar undertaking shall apply equally to the quantities referred to in Article 3 (3) in respect of the period up to 30 June 1975, which shall also be regarded as a delivery period.

2. The quantities to be delivered up to 30 June 1975, referred to in Article 3 (3), shall include supply en route from port of shipment or, in the case of landlocked States across frontier.

3. Deliveries of ACP cane sugar in the period up to 30 June 1975 shall benefit from the guaranteed prices applicable in the delivery period beginning 1 July 1975. Identical arrangements may be made for subsequent delivery periods.

Article 5

1. White or raw cane sugar shall be marketed on the Community market at prices freely negotiated between buyers and sellers.

2. The Community shall not intervene if and when a Member State allows selling prices within its borders to exceed the Community's threshold price.

3. The Community undertakes to purchase, at the guaranteed price, quantities of white or raw sugar, within agreed quantities, which cannot be marketed in the Community at a price equivalent to or in excess of the guaranteed price.

4. The guaranteed price, expressed in units of account, shall refer to unpacked sugar, cif European ports of the Community, and shall be fixed in respect of standard quality sugar. It shall be negotiated annually, within the price range obtaining in the Community, taking into account all relevant economic factors, and shall be decided at the latest by 1 May immediately preceding the delivery period to which it will apply.

Article 6

Purchase at the guaranteed price, referred to in Article 5 (3), shall be assured through the medium of the intervention agencies or of other agents appointed by the Community.

Article 7

1. If, during any delivery period, a sugar-exporting ACP State fails to deliver its agreed quantity in full for reasons of *force majeure* the Commission shall, at the request of the State concerned, allow the necessary additional period for delivery.

2. If a sugar-exporting ACP State informs the Commission during the course of a delivery period that it will be unable to deliver its agreed quantity in full and that it does not wish to have the additional period referred to in paragraph 1, the shortfall shall be re-allocated by the Commission for delivery during the delivery period in question. Such re-allocation shall be made by the Commission after consultation with the States concerned.

3. If, during any delivery period, a sugar-exporting ACP State fails to deliver its agreed quantity in full for reasons other than *force majeure*, that quantity

shall be reduced in respect of each subsequent delivery period by the undelivered quantity.

4. It may be decided by the Commission that in respect of subsequent delivery periods, the undelivered quantity shall be re-allocated between the other States which are referred to in Article 3. Such re-allocation shall be made in consultation with the States concerned.

Article 8

1. At the request of one or more of the States supplying sugar under the terms of this Protocol, or of the Community, consultations relating to all measures necessary for the application of this Protocol shall take place within an appropriate institutional framework to be adopted by the Contracting Parties. For this purpose the institutions established by the Convention may be used during the period of application of the Convention.

2. In the event of the Convention ceasing to be operative, the sugar supplying States referred to in paragraph 1 and the Community shall adopt the appropriate institutional provisions to ensure the continued application of the provisions of this Protocol.

3. The periodical reviews provided for under this Protocol shall take place within the agreed institutional framework.

Article 9

Special types of sugar traditionally delivered to Member States by certain sugar-exporting ACP States shall be included in, and treated on the same basis as, the quantities referred to in Article 3.

Article 10

The provisions of this Protocol shall remain in force after the date specified in Article 91 of the Convention. After that date the Protocol may be denounced by the Community with respect to each ACP State and by each ACP State with respect to the Community, subject to two years' notice.

ANNEX

For the period from 1 February 1975 to 30 June 1976, and in respect of the quantities specified in Protocol No 3, the guaranteed prices referred to in Article 5 (4) of the Protocol shall be as follows:

- (a) for raw sugar, 25.53 units of account per 100 kilogrammes;
- (b) for white sugar, 31.72 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked, cif European ports of the Community.

PROTOCOL No 4**on the operating expenditure of the institutions**

THE HIGH CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which shall be annexed to the Convention:

Article 1

The Member States and the Community on the one hand, and the ACP States on the other, shall be responsible for such expenditure as they shall incur by reason of their participation in the meetings of the Council of Ministers and its dependent bodies, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenses.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents, and the practical arrangements for meetings (premises, equipment, messengers, etc.) shall be borne by the Community or by one of the ACP States, according to whether the meetings take place in the territory of a Member State or in that of an ACP State.

Article 2

The Community and the ACP States shall be severally responsible for the travel and subsistence expenditure of their respective participants at the meetings of the Consultative Assembly.

They shall likewise be responsible for the travel and subsistence expenditure of the personnel required for such meetings and for postal and telecommunications charges.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents, and the organization of meetings (premises, equipment, messengers, etc.) shall be borne by the Community or by the ACP States, according to whether the meetings take place in the territory of a Member State or in that of an ACP State.

Article 3

The arbitrators appointed in accordance with Article 81 of the Convention shall be entitled to a refund of their travel and subsistence expenditure. The latter shall be determined by the Council of Ministers.

One half of travel and subsistence expenditure incurred by the arbitrators shall be borne by the Community and the other half by the ACP States.

Expenditure relating to any registry set up by the arbitrators, to preparatory inquiries into disputes, and to the organization of hearings (premises, personnel, interpreting, etc.) shall be borne by the Community.

Expenditure relating to special inquiries shall be settled together with the other costs and the parties shall deposit advances as determined by an order of the arbitrators.

PROTOCOL No 5

on privileges and immunities

THE HIGH CONTRACTING PARTIES,

Desiring, by the conclusion of a Protocol on privileges and immunities, to facilitate the smooth functioning of the Convention, the preparation of its work and the implementation of the measures adopted for its application;

Whereas it is therefore necessary to specify the privileges and immunities which may be claimed by persons participating in work relating to the application of the Convention and to the arrangements applicable to official communications connected with such work, without prejudice to the provisions of the Protocol on the privileges and immunities of the European Communities, signed at Brussels on 8 April 1965;

Whereas it is also necessary to lay down the treatment to be accorded to the property, funds and assets of the Council of ACP Ministers and its staff;

Whereas the Protocol concerning the measures to be taken for the application of Article 73 of the Convention, signed this day by the ACP States, has established as a co-ordinating body for the ACP States a Council of ACP Ministers, composed of the ACP States' members of the Council of Ministers set up by the Convention, assisted by a Committee of ACP Ambassadors composed of the ACP States' members of the Committee of Ambassadors set up by the said Convention; whereas that Council and that Committee are to be assisted by a Secretariat of the ACP States and whereas of the said Internal Protocol recognizes the Council of ACP Ministers as having legal personality,

HAVE AGREED upon the following provisions, which shall be annexed to the Convention:

CHAPTER 1

Persons taking part in the work of the Convention

Article 1

The representatives of the Governments of the Member States and of the ACP States and the representatives of the institutions of the European Communities, as also their advisers and experts and the members of the staff of the Secretariat of the ACP States taking part, in the territory of the Member States or of the ACP States, in the work either of the institutions of the Convention or of the co-ordinating bodies, or in work connected with the application of the Convention, shall enjoy the customary privileges, immunities and facilities while carrying out their duties and while travelling to or from the place at which they are required to carry out such duties.

The preceding paragraph shall also apply to members of the Consultative Assembly of the Convention, to the arbitrators who may be appointed under the Convention, to members of the consultative bodies of the economic and social sectors which may be set

up, to the officials and employees of these institutions, and also to the members of the agencies of the European Investment Bank and its staff, and also to the staff of the Industrial Development Centre.

CHAPTER 2

Property, funds and assets of the Council of ACP Ministers

Article 2

The premises and buildings occupied by the Council of ACP Ministers for official purposes shall be inviolable. They shall be exempt from search, requisition, confiscation or expropriation.

Except when required for the purposes of investigating an accident caused by a motor vehicle belonging to the said Council or being used on its account, or in the event of an infringement of road traffic regulations or of an accident caused by such

a vehicle, the property and assets of the Council of ACP Ministers shall not be the subject of any administrative or legal measure of constraint without the authorization of the Council of Ministers set up under the Convention.

Article 3

The archives of the Council of ACP Ministers shall be inviolable.

Article 4

The Council of ACP Ministers, its assets, income and other property shall be exempt from all direct taxes.

The host State shall, wherever possible, take the appropriate measures to remit or refund the amount of indirect taxes or sales taxes included in the price of movable or immovable property, where the Council of ACP Ministers makes, strictly for its official use, substantial purchases, the price of which includes taxes of this kind.

No exemption shall be granted in respect of taxes, charges, duties or fees which represent charges for services rendered.

Article 5

The Council of ACP Ministers shall be exempt from all customs duties, prohibitions and restrictions on imports and exports in respect of articles intended for its official use; articles so imported may not be sold or otherwise disposed of, whether or not in return for payment, in the territory of the country into which they have been imported, except under conditions approved by the government of that country.

CHAPTER 3

Official communications

Article 6

For their official communications and the transmission of all their documents, the European Economic Community, the institutions of the Convention and

the co-ordinating bodies shall enjoy in the territory of the States party to the Convention the treatment accorded to international organizations.

Official correspondence and other official communications of the European Economic Community, the institutions of the Convention and the co-ordinating bodies shall not be subject to censorship.

CHAPTER 4

Staff of the Secretariat of the ACP States

Article 7

The Secretary (Secretaries) and Deputy Secretary (Secretaries) of the Council of ACP Ministers and the other permanent members of the staff, of senior rank, of the Council of ACP Ministers shall enjoy, in the State in which the Council of ACP Ministers is established, under the responsibility of the Chairman in Office of the Committee of ACP Ambassadors, the advantages accorded to the diplomatic staff of diplomatic missions. Their spouses and their children under age living in their household shall be entitled, under the same conditions, to the advantages accorded to the spouses and children under age of such diplomatic staff.

Article 8

The State in which the Council of ACP Ministers is established shall grant immunity from legal proceedings to permanent members of the staff of the Secretariat of the ACP States, apart from those referred to in Article 7, only in respect of acts done by them in the performance of their official duties. Such immunity shall not, however, apply to infringements of road traffic regulations by a permanent member of the staff of the Secretariat of the ACP States or to damage caused by a motor vehicle belonging to, or driven by, him.

Article 9

The names, positions and addresses of the Chairman in Office of the Committee of ACP Ambassadors, the Secretary (Secretaries) and Deputy Secretary (Secretaries) of the Council of ACP Ministers and of the permanent members of the staff of the Secretariat of the ACP States shall be communicated periodically by the President of the Council of ACP Ministers to the Government of the State in whose territory the Council of ACP Ministers is established,

CHAPTER 5

General provisions

Article 10

The privileges, immunities and facilities provided for in this Protocol shall be accorded to those concerned solely in the interests of the proper execution of their official duties.

Each institution or body referred to in this Protocol shall be required to waive immunity wherever it considers that the waiver of such immunity is not contrary to its own interest.

Article 11

Article 81 of the Convention shall apply to disputes relating to this Protocol.

The Council of ACP Ministers and the European Investment Bank may be party to proceedings during an *ad hoc* arbitration procedure.

PROTOCOL No 6**on bananas**

The Community and the ACP States agree to the following objectives and shall take such steps as are necessary for their implementation:

- (1) as regards its exports of bananas to the EEC, no ACP State shall be placed, as regards access to the markets and market advantages, in a less favourable situation than in the past or at present;
- (2) a joint endeavour will be undertaken by the ACP States and the Community to devise and implement appropriate measures particularly with respect to investment encompassing all stages from production to consumption in order to enable the ACP States, particularly Somalia, to increase their banana exports to their traditional Community markets;
- (3) comparable endeavours will also be undertaken to enable the ACP States to gain a foothold in new Community markets and to extend their banana exports to those markets.

To assist in the attainment of these objectives a permanent joint group shall be established once the Convention has been signed, and without awaiting the establishment of its institutions, to keep under continuous review the progress made and to make such recommendations as are considered appropriate.

PROTOCOL No 7

on rum

1. Until the entry into force of a common organization of the market in spirits, products of tariff subheading 22.09 C I originating in the ACP States shall be imported duty free into the Community under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States.
2. (a) For the purposes of applying paragraph 1 and by derogation from Article 2 (1) of the Convention, the Community shall each year fix the quantities which may be imported free of customs duties on the basis of the largest annual quantities imported from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40% on the market of the United Kingdom and 13% on the other markets of the European Economic Community.
 - (b) Where the application of the provisions of the preceding subparagraph hampers the development of a traditional trade flow between the ACP States and a Member State, the Community shall take appropriate measures to remedy this situation.
 - (c) To the extent that the consumption of rum increases significantly in the Member States, the Community commits itself to engaging in a new examination of the annual percentage increase fixed by the present Protocol.
 - (d) The Community declares itself prepared to proceed to appropriate consultations before determining the measures provided for in paragraph 2 (b) of the present Protocol.
 - (e) The Community moreover declares itself willing to seek with the interested ACP States measures capable of allowing an expansion of their sales in non-traditional markets.

ANNEX

Joint Declaration on fishing activities

1. The Community declares that it is willing to encourage, within the framework of industrial, financial and technical co-operation activities in the ACP States which so desire, the development of their fishery and related industries.
2. The ACP States declare their willingness to negotiate with any Member State bilateral agreements likely to guarantee satisfactory conditions in the fishery activities in the sea waters within their jurisdiction. In the conclusion of such agreements the ACP States shall not, under equal conditions, discriminate between or against Member States of the Community.

FINAL ACT

The Plenipotentiaries of:

His Majesty the King of the Belgians,

Her Majesty the Queen of Denmark,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of Ireland,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands,

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland,

and the Council of the European Communities,

of the one part, and

the Plenipotentiaries of:

The Head of State of the Bahamas,

The Head of State of Barbados,

The President of the Republic of Botswana,

The President of the Republic of Burundi,

The President of the United Republic of Cameroon,

The President of the Central African Republic,

The President of the People's Republic of the Congo,

The President of the Republic of the Ivory Coast,

The President of the Republic of Dahomey,

The President of the Provisional Administrative Military Council,
President of the Government of Ethiopia,

Her Majesty the Queen of Fiji,

The President of the Gabonese Republic,
The President of the Republic of the Gambia,
The President of the National Redemption Council of the Republic of Ghana,
The Head of State of Grenada,
The President of the Republic of Guinea,
The President of the Council of State of Guinea Bissau,
The President of the Republic of Equatorial Guinea,
The President of the Cooperative Republic of Guyana,
The President of the Republic of Upper Volta,
The Head of State of Jamaica,
The President of the Republic of Kenya,
The King of the Kingdom of Lesotho,
The President of the Republic of Liberia,
The President of the Republic of Malawi,
The Head of State and of Government of the Malagasy Republic,
The President of the Military Committee of National Liberation of Mali,
Head of State, President of the Government,
Her Majesty the Queen of Mauritius,
The President of the Islamic Republic of Mauritania,
The President of the Republic of Niger,
The Head of the Federal Military Government of Nigeria,
The President of the Republic of Rwanda,
The President of the Republic of Senegal,
The President of the Republic of Sierra Leone,
The President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council,
The President of the Democratic Republic of the Sudan,
The King of the Kingdom of Swaziland,
The President of the United Republic of Tanzania,
The President of the Republic of Chad,

The President of the Republic of Togo,
The Head of State of Tonga,
The Head of State of Trinidad and Tobago,
The President of the Republic of Uganda,
The Head of State of Western Samoa,
The President of the Republic of Zaïre,
and the President of the Republic of Zambia,
of the other part,

meeting at Lomé this twenty-eighth day of February in the year one thousand nine hundred and seventy-five for the purpose of signing the ACP-EEC Convention of Lomé, have adopted the following texts:

The ACP-EEC Convention of Lomé,

and the following Protocols and Declaration:

Protocol No 1 concerning the definition of the concept of 'originating products' and methods of administrative co-operation

Protocol No 2 on the application of financial and technical co-operation

Protocol No 3 on ACP sugar

Protocol No 4 on the operating expenditure of the institutions

Protocol No 5 on privileges and immunities

Protocol No 6 on bananas

Protocol No 7 on rum

Joint Declaration on fishing activities.

The Plenipotentiaries of the Member States and the Plenipotentiaries of the ACP States have also adopted the text of the Agreement on products within the province of the European Coal and Steel Community.

The Plenipotentiaries of the Member States and of the Community and the Plenipotentiaries of the ACP States have also adopted the texts of the Declarations listed below and annexed to this Final Act:

1. Joint Declaration on the presentation of the Convention to GATT (Annex I)
2. Joint Declaration on Article 11 (4) of the Convention (Annex II)
3. Joint Declaration on Article 59 (6) of the Convention (Annex III)
4. Joint Declaration on Article 60 of the Convention (Annex IV)
5. Joint Declaration on representation of regional economic groupings (Annex V)

6. Joint Declaration on Article 89 of the Convention (Annex VI)
7. Joint Declaration on Article 4 (1) of Protocol No 2 (Annex VII)
8. Joint Declaration on Article 20 (c) of Protocol No 2 (Annex VIII)
9. Joint Declaration on Article 22 of Protocol No 2 (Annex IX)
10. Joint Declaration on Article 23 of Protocol No 2 (Annex X)
11. Joint Declaration on Article 26 of Protocol No 2 (Annex XI)
12. Joint Declaration on trade between the European Economic Community and Botswana, Lesotho and Swaziland (Annex XII)
13. Joint Declaration concerning possible requests for participation in Protocol No 3 (Annex XIII)

The Plenipotentiaries of the ACP States have also taken note of the Declarations listed below and annexed to this Final Act:

1. Declaration by the Community on Article 2 of the Convention (Annex XIV)
2. Declaration by the Community on Article 3 of the Convention (Annex XV)
3. Declaration by the Community on Article 10 (2) of the Convention (Annex XVI)
4. Declaration by the Community on the unit of account referred to in Article 42 of the Convention (Annex XVII)
5. Declaration by the Community on Article 3 of Protocol No 2 (Annex XVIII)
6. Declaration by the Community on Article 4 (3) of Protocol No 2 (Annex XIX)
7. Declaration by the Community on any additional financing by the European Investment Bank during the implementation of the Convention (Annex XX)
8. Declaration by the Community concerning sugar originating in Belize, St. Kitts-Nevis-Anguilla and Surinam (Annex XXI)
9. Declaration by the Community on Article 10 of Protocol No 3 (Annex XXII)
10. Declaration by the representative of the Government of the Federal Republic of Germany concerning the definition of German nationals (Annex XXIII)
11. Declaration by the representative of the Government of the Federal Republic of Germany concerning the application to Berlin of the ACP-EEC Convention of Lomé (Annex XXIV)

Til bekræftelse af dette har de undertegnede befuldmægtigede sat deres underskrifter under denne slutakt.

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

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

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.

Udfærdiget i Lomé, den otteogtyvende februar nitten hundrede og femoghalvfjerds.

Geschehen zu Lome am achtundzwanzigsten Februar neunzehnhundertfünfundziebzig.

Done at Lomé on the twenty-eighth day of February in the year one thousand nine hundred and seventy-five.

Fait à Lomé, le vingt-huit février mil neuf cent soixante-quinze.

Fatto a Lomé, addì ventotto febbraio millenovecentosettantacinque.

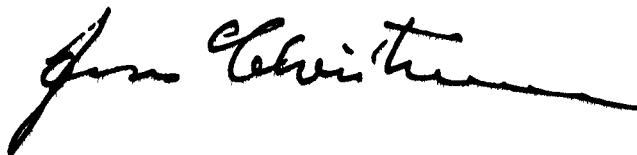
Gedaan te Lomé, de achtentwintigste februari negentienhonderdvijfenzeventig.

Pour Sa Majesté le roi des Belges

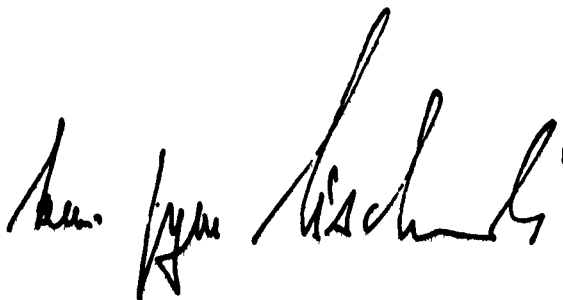
Voor Zijne Majesteit de Koning der Belgen

A handwritten signature in black ink, appearing to read "Paul Elstner", is written over a horizontal line. The signature is stylized and cursive.

For Hendes Majestæt dronningen af Danmark



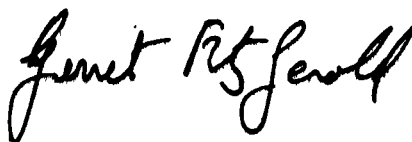
Für den Präsidenten der Bundesrepublik Deutschland



Pour le président de la République française



For the President of Ireland



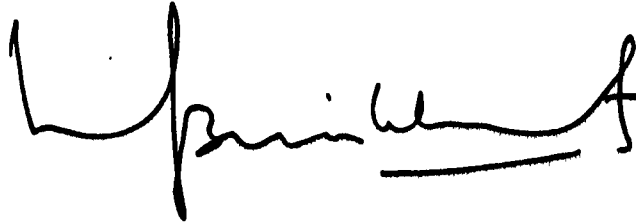
Per il Presidente della Repubblica italiana



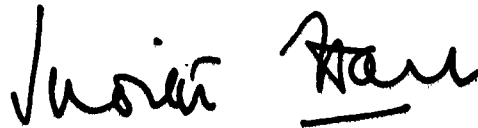
Pour Son Altesse royale le grand-duc de Luxembourg



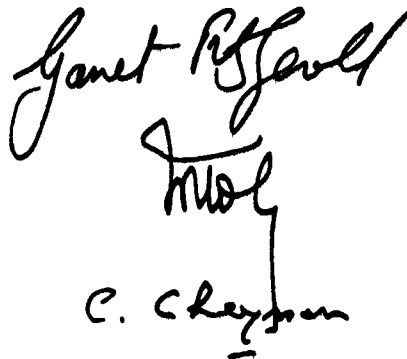
Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For Rådet for De europæiske Fællesskaber,
Im Namen des Rates der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità europee,
Voor de Raad der Europese Gemeenschappen,



For the Head of State of the Bahamas



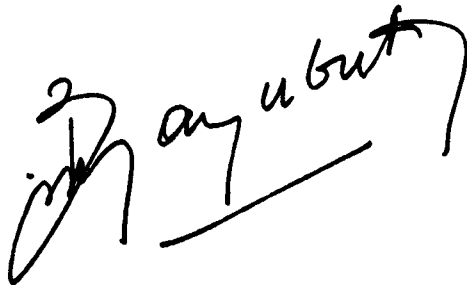
For the Head of State of Barbados



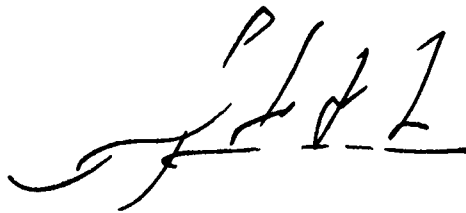
For the President of the Republic of Botswana



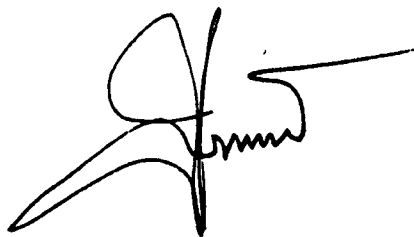
Pour le président de la république du Burundi



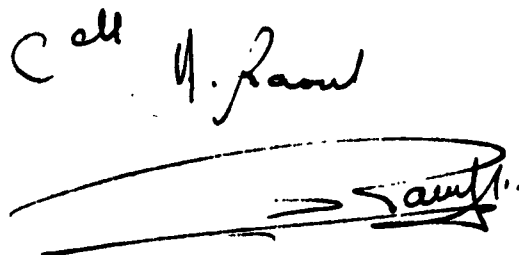
Pour le président de la république unie du Cameroun



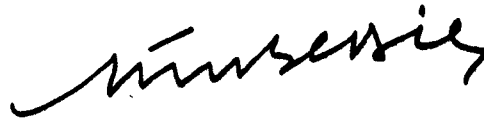
Pour le président de la République centrafricaine



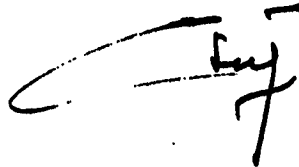
Pour le président de la république populaire du Congo



Pour le président de la république de Côte-d'Ivoire



Pour le président de la république du Dahomey



For the President of the Provisional Administrative Military Council,
President of the Government of Ethiopia




For Her Majesty the Queen of Fiji

K. K. T. Mana.

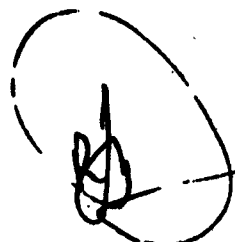
Pour le président de la République gabonaise



For the President of the Republic of the Gambia

Y. M. Sankhar Jatta 

For the President of the National Redemption Council of the Republic of Ghana

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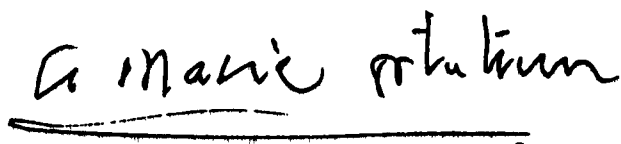
For the Head of State of Grenada



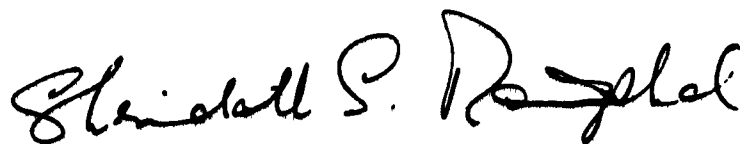
Pour le président de la république de Guinée

Pour le président du conseil d'État de la Guinée-Bissau

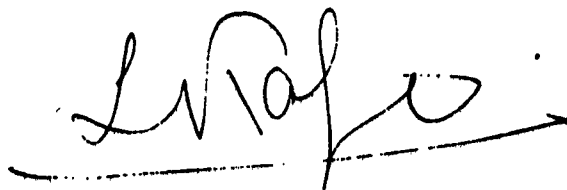
Pour le président de la république de Guinée équatoriale



For the President of the Cooperative Republic of Guyana



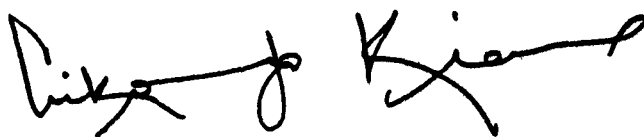
Pour le président de la république de Haute-Volta



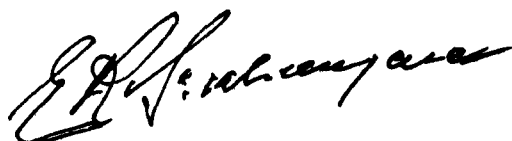
For the Head of State of Jamaica



For the President of the Republic of Kenya



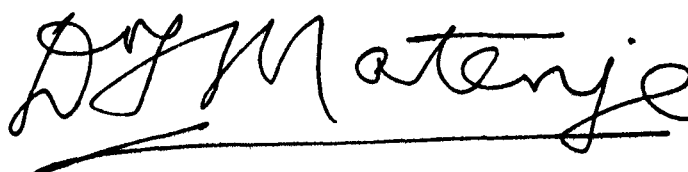
For the King of the Kingdom of Lesotho



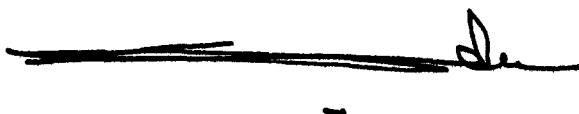
For the President of the Republic of Liberia



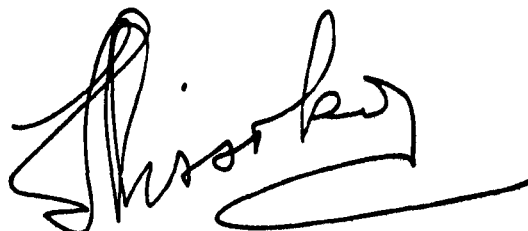
For the President of the Republic of Malawi



Pour le chef d'État et de gouvernement de la République malgache



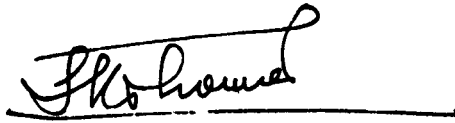
Pour le président du comité militaire de libération nationale du Mali,
chef de l'État, président du gouvernement



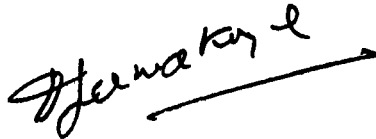
Pour Sa Majesté la reine de l'île Maurice



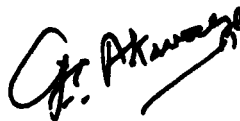
Pour le président de la république islamique de Mauritanie




Pour le président de la république du Niger



For the Head of the Federal Military Government of Nigeria



Pour le président de la République rwandaise



Pour le président de la république du Sénégal



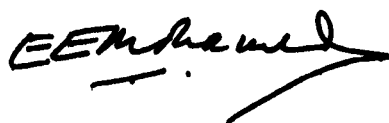
For the President of the Republic of Sierra Leone



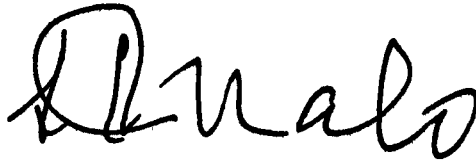
For the President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council



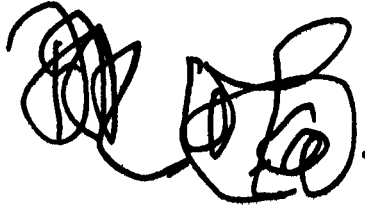
For the President of the Democratic Republic of the Sudan



For the King of the Kingdom of Swaziland



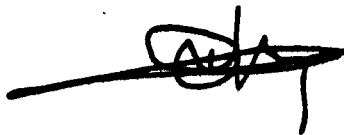
For the President of the United Republic of Tanzania



Pour le président de la république du Tchad



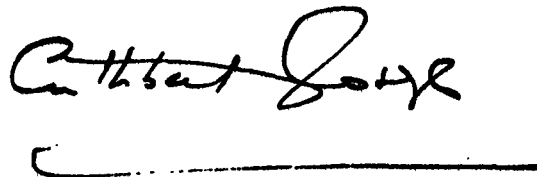
Pour le président de la République togolaise



For the Head of State of Tonga



For the Head of State of Trinidad and Tobago



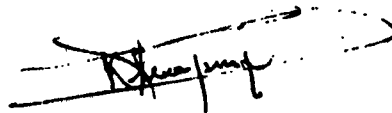
For the President of the Republic of Uganda



For the Head of State of Western Samoa

A large, stylized handwritten signature in black ink, featuring a prominent circular flourish on the left side and a long, sweeping tail that extends towards the right.

Pour le président de la république du Zaïre

A handwritten signature in black ink, consisting of several overlapping, horizontal strokes that form a somewhat abstract, elongated shape.

For the President of the Republic of Zambia

A handwritten signature in black ink, appearing as a series of connected, slightly irregular loops and curves.

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*ANNEX I***Joint Declaration on the presentation of the Convention to GATT**

The Contracting Parties will consult when the provisions of the Convention that relate to trade are presented and examined under GATT.

*ANNEX II***Joint Declaration on Article 11 (4) of the Convention**

For the purposes of applying Article 11 (4) of the Convention, the Community is prepared, for the purposes of achieving the aims set in Article 1 to begin an examination of requests by the ACP States that other agricultural products referred to in Article 2 (2) (a) of the Convention should benefit from special treatment.

This examination will cover either new agricultural productions for which there would be real possibilities of export to the EEC, or current products not covered by the provisions for implementing the treatment referred to above, in so far as there exports might assume an important position in the exports of one or more ACP States.

*ANNEX III***Joint Declaration on Article 59 (6) of the Convention**

Article 59 (6) of the Convention may, however, cover the other harmful effects of natural disasters or comparable extraordinary circumstances, in particular serious economic difficulties resulting from a drop in production intended for the domestic market, and the reconstitution of production potential, for export purposes included.

*ANNEX IV***Joint Declaration on Article 60 of the Convention**

Until the implementation of the decision referred to in Article 60 of the Convention, the arrangements on force on 31 January 1975 in the ACP States party to the Convention signed at Yaoundé on 29 July 1969 shall continue to be applied, the other ACP States applying to the Community the most favourable provisions they accord to international organizations.

*ANNEX V***Joint Declaration on representation of regional economic groupings**

Arrangements shall be made by the Council of Ministers so that the East African Community and the Caribbean Community may be represented in the Council of Ministers and the Committee of Ambassadors as observers. Requests for arrangements in respect of other regional groupings between ACP States shall be examined by the Council of Ministers on a case by case basis.

*ANNEX VI***Joint Declaration on Article 89 of the Convention**

The Community and the ACP States are prepared to allow the countries and territories referred to in Part Four of the Treaty which have become independent to accede to the Convention, if they wish to continue their relations with the Community in this form.

*ANNEX VII***Joint Declaration on Article 4 (1) of Protocol No 2**

Industrial projects also cover projects for the processing of agricultural products and forestry projects of an industrial nature, excluding planting and re-forestation.

*ANNEX VIII***Joint Declaration on Article 20 (c) of Protocol No 2**

In order to assess the sufficient margin of value added to the products, the authorities responsible for deciding on invitations to tender will refer to the rules in force concerning origin.

*ANNEX IX***Joint Declaration on Article 22 of Protocol No 2**

Until the implementation of the decision referred to in Article 22 of Protocol No 2, the placing and performance of public works contracts financed by the Fund shall be governed:

- as regards the ACP States party to the Convention signed at Yaoundé on 29 July 1969, by the legislation in force on 31 January 1975,
- as regards the other ACP States, by their respective national laws or their established practices regarding international contracts.

*ANNEX X***Joint Declaration on Article 23 of Protocol No 2**

As a transitional measure and pending implementation of the decision referred to in Article 23 of Protocol No 2 any disputes will be definitively settled in accordance with the rules of conciliation and arbitration of the International Chamber of Commerce.

*ANNEX XI***Joint Declaration on Article 26 of Protocol No 2**

- (a) Until the implementation of the decision provided for in Article 22 of Protocol No 2, the execution of technical and financial co-operation contracts financed by the Fund is covered:
 - for the ACP States party to the Convention signed at Yaoundé on 29 July 1969, by the general clauses currently used in the contracts financed by the Fund,
 - for the other ACP States, by the general clauses currently used in the contracts financed by the Fund, or, if not agreed, by their national legislation or established practices regarding international contracts.
 - (b) The Community and the ACP States are agreed that the Commission shall establish and submit for the agreement of the ACP States, as soon as possible after the entry into force of the Convention, the general conditions of payment applicable to the contracts.
-

ANNEX XII**Joint Declaration on trade between the European Economic Community and Botswana, Lesotho and Swaziland**

Having regard to Part I (3) of Protocol No 22 to the Act concerning the conditions of accession and the adjustments to the Treaties, the Community recognizes, and the Governments of Botswana, Lesotho and Swaziland declare:

- that the three Governments undertake to apply, at the entry into force of the Convention, the same customs tariff treatment to imports originating in the Community, as they apply to those originating in the other country of the customs union to which they adhere;
- that this undertaking should not prejudice the different methods which may for financing the three Governments' budgets in relation to imports originating in the Community and those originating in the other country of the customs union to which they adhere; and
- that the three Governments undertake to ensure through the provisions of their customs systems, and particularly through the application of the rules of origin established under the Convention, that no trade deflection takes place to the detriment of the Community, as a result of their participation with the other country in the customs union to which they adhere.

ANNEX XIII**Joint Declaration concerning possible requests for participation in Protocol No 3**

Any request from an ACP State Contracting Party to the Convention not specifically referred to in Protocol No 3 to participate in the provisions of that Protocol shall be examined.

ANNEX XIV**Declaration by the Community on Article 2 of the Convention**

The duties which may be temporarily retained under Article 38 of the Act concerning the conditions of accession and the adjustments to the Treaties shall remain generally applicable and Article 2 (1) of the Convention may not constitute an exception thereto.

*ANNEX XV***Declaration by the Community on Article 3 of the Convention**

Article 3 (1) of the Convention shall be without prejudice to certain quantitative restrictions and the special system applicable to imports of motor vehicles and the motor vehicle assembly industry in Ireland which are the subject of Protocol Nos 6 and 7 to the Act concerning the conditions of accession and the adjustments to the Treaties.

*ANNEX XVI***Declaration by the Community on Article 10 (2) of the Convention**

Were the Community to adopt the strictly necessary measures referred to in this Article, it would endeavour to seek those which, by reason of their geographical scope and/or the types of products concerned, would least disturb the exports of the ACP States.

*ANNEX XVII***Declaration by the Community on the unit of account
referred to in Article 42 of the Convention**

The amount of the Community's aid will be the equivalent, in a European unit of account to be defined, of 3 390 million special drawing rights at their value on 28 June 1974. This provision shall not prejudice the decision which the Council of the European Communities will have to take on the question of whether special drawing rights or a basket of currencies of the Member States of the Community should be used to determine the composition of the European unit of account applicable under the Convention.

The Council's decision mentioned above should be taken as soon as possible and before the entry into force of the Convention at the latest.

As soon as the Council has adopted the definition of this unit of account it will inform the ACP States thereof.

*ANNEX XVIII***Declaration by the Community on Article 3 of Protocol No 2**

The financial terms specified in this Article are the most favourable on which the special loans may be granted. They shall be of general application in the least developed countries referred to in Article 48 of the Convention.

ANNEX XIX

Declaration by the Community on Article 4 (3) of Protocol No 2

Quasi-capital assistance may be accorded either in addition to a loan from the Bank or by itself where, in accordance with the criteria specified in Article 43 of the Convention, such a loan cannot be considered.

ANNEX XX

Declaration by the Community on any additional financing by the European Investment Bank during the implementation of the Convention

The maximum amount of financing by the European Investment Bank from its own resources is fixed in point 2 of Article 42 of the Convention.

However, during the implementation of the Convention, additional financing by the Bank from its own resources could possibly be considered under the provisions of Article 18 of the Statute of the Bank and on the basis of its resources, the amount of loans already granted, the importance of the projects to be financed and the guarantees which could accompany these additional loans.

ANNEX XXI

Declaration by the Community concerning sugar originating in Belize, St. Kitts-Nevis-Anguilla and Surinam

1. The Community undertakes to adopt the necessary measures to ensure the same treatment as provided for in Protocol No 3, for the following quantities of cane sugar, raw or white, originating in:

| | |
|--------------------------|--------------------|
| Belize | 39 400 metric tons |
| St. Kitts-Nevis-Anguilla | 14 800 metric tons |
| Surinam | 4 000 metric tons |

2. Nevertheless, in respect of the period up to 30 June 1975, the quantities shall be as follows:

| | |
|--------------------------|--------------------|
| Belize | 14 800 metric tons |
| St. Kitts-Nevis-Anguilla | 7 900 metric tons |

ANNEX XXII

Declaration by the Community on Article 10 of Protocol No 3

The Community declares that Article 10 of Protocol No 3 providing for the possibility of denunciation in that Protocol, under the conditions set out in that Article, is for the purposes of juridical security and does not represent for the Community any qualification or limitation of the principles enunciated in Article 1 of that Protocol.

ANNEX XXIII

Declaration by the representative of the Government of the Federal Republic of Germany concerning the definition of German nationals

All Germans within the meaning of the Basic Law for the Federal Republic of Germany shall be deemed to be nationals of the Federal Republic of Germany.

ANNEX XXIV

Declaration by the representative of the Government of the Federal Republic of Germany concerning the application to Berlin of the ACP-EEC Convention of Lomé

The ACP-EEC Convention of Lomé shall apply equally to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary to the other Contracting Parties within a period of three months from the entry into force of the Convention.

AGREEMENT**on products within the province of the European Coal and Steel Community****(76/163/ECSC)**

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,Contracting Parties to the Treaty establishing the European Coal and Steel Community signed
at Paris on 17 April 1951, whose States are hereinafter referred to as 'Member States',

of the one part, and

THE HEAD OF STATE OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO,

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST,

THE PRESIDENT OF THE REPUBLIC OF DAHOMEY,

THE PRESIDENT OF THE PROVISIONAL ADMINISTRATIVE MILITARY COUNCIL,
PRESIDENT OF THE GOVERNMENT OF ETHIOPIA,

HER MAJESTY THE QUEEN OF FIJI,

THE PRESIDENT OF THE GABONESE REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA,

THE PRESIDENT OF THE NATIONAL REDEMPTION COUNCIL OF THE REPUBLIC
OF GHANA,

THE HEAD OF STATE OF GRENADA,

THE PRESIDENT OF THE REPUBLIC OF GUINEA,

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA BISSAU,

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA,

THE PRESIDENT OF THE COOPERATIVE REPUBLIC OF GUYANA,

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA,

THE HEAD OF STATE OF JAMAICA,

THE PRESIDENT OF THE REPUBLIC OF KENYA,

THE KING OF THE KINGDOM OF LESOTHO,

THE PRESIDENT OF THE REPUBLIC OF LIBERIA,

THE PRESIDENT OF THE REPUBLIC OF MALAWI,

THE HEAD OF STATE AND OF GOVERNMENT OF THE MALAGASY REPUBLIC,

THE PRESIDENT OF THE MILITARY COMMITTEE OF NATIONAL LIBERATION OF MALI, HEAD OF STATE, PRESIDENT OF THE GOVERNMENT,

HER MAJESTY THE QUEEN OF MAURITIUS,

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,

THE PRESIDENT OF THE REPUBLIC OF NIGER,

THE HEAD OF THE FEDERAL MILITARY GOVERNMENT OF NIGERIA,

THE PRESIDENT OF THE REPUBLIC OF RWANDA,

THE PRESIDENT OF THE REPUBLIC OF SENEGAL,

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC, PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN,

THE KING OF THE KINGDOM OF SWAZILAND,

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,

THE PRESIDENT OF THE REPUBLIC OF CHAD,

THE PRESIDENT OF THE REPUBLIC OF TOGO,

THE HEAD OF STATE OF TONGA,

THE HEAD OF STATE OF TRINIDAD AND TOBAGO,

THE PRESIDENT OF THE REPUBLIC OF UGANDA,

THE HEAD OF STATE OF WESTERN SAMOA,

THE PRESIDENT OF THE REPUBLIC OF ZAIRE,

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,

whose States are hereinafter called the 'ACP States',

of the other part,

HAVING REGARD to the Treaty establishing the European Coal and Steel Community;

HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 232 thereof;

WHEREAS the ACP-EEC Convention of Lomé, signed this day, does not apply to products falling within the province of the European Coal and Steel Community;

DESIROUS, however, of developing trade in these products between the Member States and the ACP States;

HAVE DECIDED to conclude this Agreement and to this end have designated as Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Renaat VAN ELSLANDE,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF DENMARK:

Jens CHRISTENSEN,
State Secretary for Foreign Affairs, Ambassador;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Hans-Jürgen WISCHNEWSKI,
Minister of State for Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Pierre ABELIN,
Minister for Co-operation;

THE PRESIDENT OF IRELAND:

Garret FITZGERALD, TD,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Francesco CATTANEI,
State Secretary for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Laurens Jan BRINKHORST,
State Secretary for Foreign Affairs;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND:

The Rt. Hon. Judith HART, MP,
Minister for Overseas Development;

THE HEAD OF STATE OF THE BAHAMAS:

A. R. BRAYNEN,
High Commissioner for the Bahamas;

THE HEAD OF STATE OF BARBADOS:

Stanley Leon TAYLOR,
Permanent Secretary of the Ministry of Trade, Industry and Commerce;

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA:

The Hon. Dr. GAOSITWE KEAGAKWA TIBE CHIEPE,
Minister of Commerce and Industry;

THE PRESIDENT OF THE REPUBLIC OF BURUNDI:

Gilles BIMAZUBUTE,
Minister for Foreign Affairs and Co-operation;

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON:

Maikano ABDOULAYE,
Minister for Planning and Regional Development;

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC:

Jean Paul MOKODOPO,
Minister for Planning;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO:

Commandant Alfred RAOUL,
Ambassador Extraordinary and Plenipotentiary,
Representative of the Congo to the European Economic Community;

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST:

Henri KONAN BEDIE,
Minister of Economic Affairs and Finance;

THE PRESIDENT OF THE REPUBLIC OF DAHOMEY:

Captain André ATCHADE,
Minister for Industry, Trade and Tourism;

THE PRESIDENT OF THE PROVISIONAL ADMINISTRATIVE MILITARY COUNCIL,
PRESIDENT OF THE GOVERNMENT OF ETHIOPIA:

Ato Gebre Kidan ALULA,
Trade Representative of Ethiopia to the European Economic Community;

HER MAJESTY THE QUEEN OF FIJI:

The Rt. Hon. Ratu Sir K. K. T. MARA, KBE,
Prime Minister and Minister for Foreign Affairs;

THE PRESIDENT OF THE GABONESE REPUBLIC:

Emile Kassa MAPSI,
Minister of State;

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA:

ALHAJI THE HONOURABLE IBRAHIMA MUHAMMADOU GARBA-JAHUMPA,
Minister of Finance and Trade;

THE PRESIDENT OF THE NATIONAL REDEMPTION COUNCIL OF THE REPUBLIC
OF GHANA:

Lieutenant Colonel FELLI,
Minister Commissioner for Economic Planning;

THE HEAD OF STATE OF GRENADA:

Senator Derek KNIGHT,
Minister without Portfolio;

THE PRESIDENT OF THE REPUBLIC OF GUINEA:

Seydou KEITA,
Ambassador Extraordinary of the Republic of Guinea for Western Europe;

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA BISSAU:

Dr. VASCO CABRAL,
State Commissioner for Economic and Financial Affairs;

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA:

Agelmasie NTUMU,
State Secretary;

THE PRESIDENT OF THE COOPERATIVE REPUBLIC OF GUYANA:

The Hon. S. S. RAMPHAL, SC, MP,
Minister of Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA:

Leonard KALMOGO,
State Secretary for Planning;

THE HEAD OF STATE OF JAMAICA:

Perceval J. PATTERSON,
Minister of Industry, Tourism and Foreign Trade;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

Dr. J. G. KIANO,
Minister of Trade and Industry;

THE KING OF THE KINGDOM OF LESOTHO:

E. R. SEKHONYANA,
Minister of Finance;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA:

The Hon. D. Franklin NEAL,
Minister of Planning and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF MALAWI:

The Hon. D. T. MATENJE,
Minister of Trade, Industry, and Tourism,
Minister of Finance;

THE HEAD OF STATE AND OF GOVERNMENT OF THE MALAGASY REPUBLIC:

Jules RAZAFIMBAHINY,
Ambassador Extraordinary and Plenipotentiary,
Representative to the European Economic Community;

THE PRESIDENT OF THE MILITARY COMMITTEE OF NATIONAL LIBERATION
OF MALI, HEAD OF STATE, PRESIDENT OF THE GOVERNMENT:

Lieutenant-Colonel Charles SAMBA CISSOKHO,
Minister for Foreign Affairs and Co-operation;

HER MAJESTY THE QUEEN OF MAURITIUS:

The Rt. Hon. Sir Seewoosagur RAMGOOLAM, PC, Kt,
Prime Minister;

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA:

Sidi Ould CHEIKH ABDALLAH,
Minister for Planning and Industrial Development;

THE PRESIDENT OF THE REPUBLIC OF NIGER:

Captain Moumouni DJERMAKOYE ADAMOU,
Minister for Foreign Affairs and Co-operation;

THE HEAD OF THE FEDERAL MILITARY GOVERNMENT OF NIGERIA:

Gabriel Chukwuemeka AKWAEZE,
Federal Commissioner for Trade;

THE PRESIDENT OF THE REPUBLIC OF RWANDA:

NDUHUNGIREHE,
Minister for Finance and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF SENEGAL:

Babacar BA,
Minister for Finance and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE:

The Hon. Francis M. MINAH,
Minister for Trade and Industry;

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL:

Jaalle Mohamed WARSAMA ALI,
Advisor to the Economic Committee of the Supreme Revolutionary Council;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN:

Sharif el KHATIM,
Deputy Minister of Finance and National Economy;

THE KING OF THE KINGDOM OF SWAZILAND:

The Hon. Simon SISHAYI NXUMALO,
Minister of Industry and Mines;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Daniel Narcis Mtonga MLOKA,
Ambassador to the Federal Republic of Germany;

THE PRESIDENT OF THE REPUBLIC OF CHAD:

Ngahodjina Adoum MOUNDARI,
State Secretary for Modern Economy;

THE PRESIDENT OF THE REPUBLIC OF TOGO:

Benissan TETE-TEVI,
Minister for Trade and Industry;

THE HEAD OF STATE OF TONGA:

His Royal Highness Prince TUPOUTOA;

THE HEAD OF STATE OF TRINIDAD AND TOBAGO:

The Hon. Dr. Cuthbert JOSEPH,
Minister in the Ministry of External and West Indian Affairs;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

The Hon. Edward ATHIYO,
Minister of Trade;

THE HEAD OF STATE OF WESTERN SAMOA:

The Hon. Falesa P. S. SAILI,
Minister of Finance;

THE PRESIDENT OF THE REPUBLIC OF ZAIRE:

Kanyinda TSHIMPUMPU,
State Commissioner for Trade;

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA:

Rajah KUNDA,
Minister of Commerce;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Products within the province of the European Coal and Steel Community shall, when they originate in the ACP States, on importation into the Community be admitted free of customs duties and charges having equivalent effect; however, the treatment applied to these products shall not be more favourable than that applied by the Member States among themselves.

For the purposes of the first subparagraph, no account shall be taken of residual customs duties and charges having equivalent effect resulting from the application of Articles 32 and 36 of the Act concerning the conditions of accession and the adjustments to the Treaties.

Article 2

Products referred to in Article 1 originating in the Member States shall, on importation into the ACP States, be admitted in accordance with the provisions of Title I, Chapter 1, of the ACP-EEC Convention of Lomé signed this day.

Article 3

If the offers made by firms of the ACP States are likely to be detrimental to the functioning of the common market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures, such as withdrawing the concessions referred to in Article 1.

Article 4

Consultations shall take place between the parties concerned in all cases where, in the opinion of one of them, the implementation of the above provisions calls for such consultations.

Article 5

The provisions laying down the rules of origin for the application of the ACP-EEC Convention of Lomé shall also apply to this Agreement.

Article 6

This Agreement shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, nor the powers of jurisdiction conferred by that Treaty.

Article 7

This Agreement shall be approved by each Signatory State in accordance with its own constitutional requirements. The Government of each State shall notify the completion of the procedures required for the entry into force of this Agreement to the Secretariat of the Council of the European Communities, in the case of the ACP States, and to the Secretariat of the ACP States, in the case of the Member States of the European Coal and Steel Community.

Article 8

This Agreement shall expire after a period of five years from the date of its signature, namely 1 March 1980. It shall cease to apply to any Signatory State which, under Article 92 of the ACP-EEC Convention of Lomé, is no longer a party to that Convention.

Article 9

This Agreement, drawn up in two originals, in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and in the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

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

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

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 dit akkoord hebben gesteld.

Udfærdiget i Lomé, den otteogtyvende februar nitten hundrede og femoghalvfjerds.

Geschehen zu Lome am achtundzwanzigsten Februar neunzehnhundertfünfundziebzig.

Done at Lomé on the twenty-eighth day of February in the year one thousand nine hundred and seventy-five.


Fait à Lomé, le vingt-huit février mil neuf cent soixante-quinze.

Fatto a Lome, addì ventotto febbraio millenovecentosettantacinque.

Gedaan te Lomé, de achtentwintigste februari negentienhonderdvijfenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

A handwritten signature in black ink, appearing to read "Paul Eboadé", is written over a horizontal line. The signature is stylized and cursive.

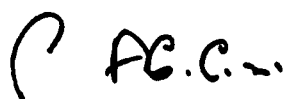
For Hendes Majestæt dronningen af Danmark



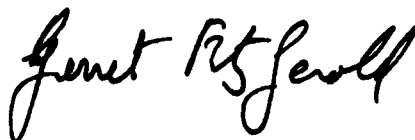
Für den Präsidenten der Bundesrepublik Deutschland



Pour le président de la République française



For the President of Ireland



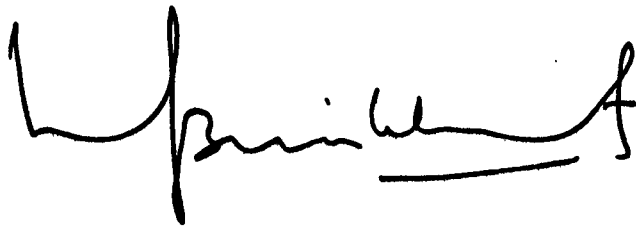
Per il Presidente della Repubblica italiana



Pour Son Altesse royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For the Head of State of the Bahamas



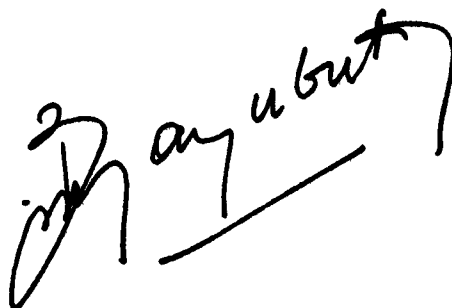
For the Head of State of Barbados



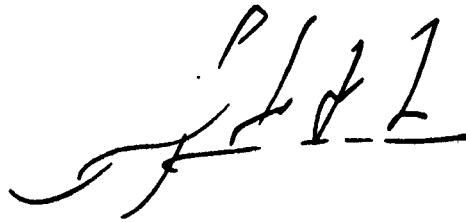
For the President of the Republic of Botswana



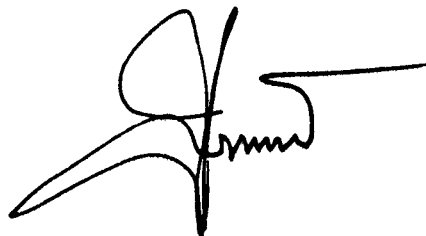
Pour le président de la république du Burundi



Pour le président de la republique unie du Cameroun

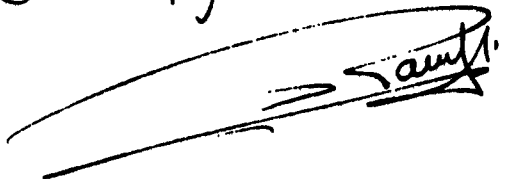


Pour le président de la République centrafricaine



Pour le président de la république populaire du Congo

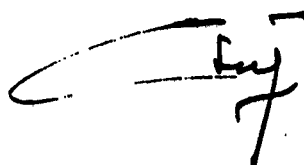
C. ell H. Raoul



Pour le président de la république de Côte-d'Ivoire



Pour le président de la république du Dahomey



For the President of the Provisional Administrative Military Council,
President of the Government of Ethiopia



For Her Majesty the Queen of Fiji

K. K. T. Mana.

Pour le président de la République gabonaise



For the President of the Republic of the Gambia

Y. M. Sanneh Jnr 

For the President of the National Redemption Council of the Republic of Ghana



For the Head of State of Grenada

Geoffrey B. Hunte

Pour le président de la république de Guinée

Pour le président du conseil d'État de la Guinée-Bissau

Pour le président de la république de Guinée équatoriale

Amarié Botum

For the President of the Cooperative Republic of Guyana

Glenford S. Raphael

Pour le président de la république de Haute-Volta

L. Mafé

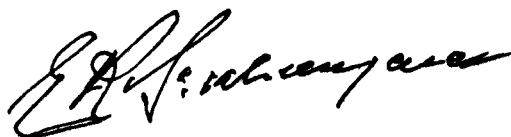
For the Head of State of Jamaica

Perinias P. Patterson

For the President of the Republic of Kenya

D. J. Kioko

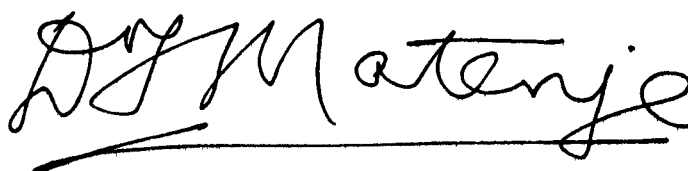
For the King of the Kingdom of Lesotho



For the President of the Republic of Liberia



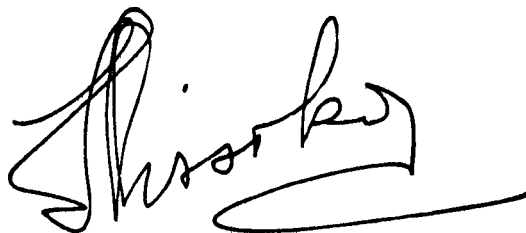
For the President of the Republic of Malawi



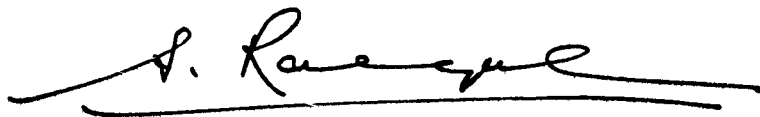
Pour le chef d'État et de gouvernement de la République malgache



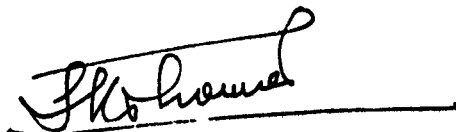
Pour le président du comité militaire de libération nationale du Mali, chef de l'État,
président du gouvernement



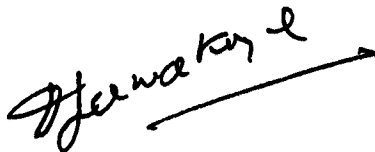
Pour Sa Majesté la reine de l'île Maurice



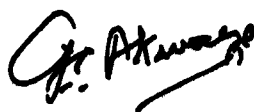
Pour le président de la république islamique de Mauritanie



Pour le président de la république du Niger



For the Head of the Federal Military Government of Nigeria



Pour le président de la République rwandaise



Pour le président de la république du Sénégal



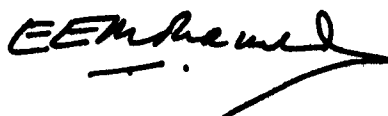
For the President of the Republic of Sierra Leone



For the President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council



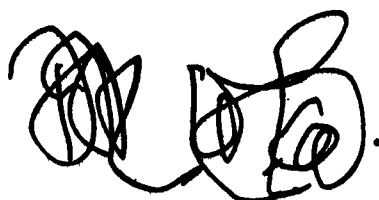
For the President of the Democratic Republic of the Sudan



For the King of the Kingdom of Swaziland



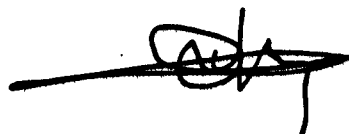
For the President of the United Republic of Tanzania



Pour le président de la république du Tchad



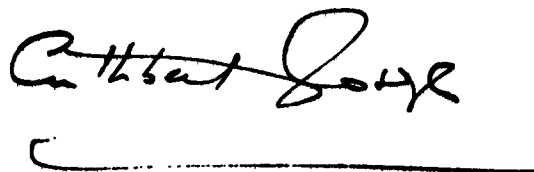
Pour le président de la République togolaise



For the Head of State of Tonga



For the Head of State of Trinidad and Tobago



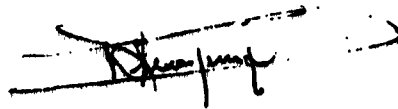
For the President of the Republic of Uganda



For the Head of State of Western Samoa

A large, stylized handwritten signature in black ink, appearing to read 'T. A. I. I.', with a long horizontal stroke extending to the right.

Pour le président de la république du Zaïre

A handwritten signature in black ink, appearing to read 'M. Kasongo', with a long horizontal stroke extending to the right.

For the President of the Republic of Zambia

A handwritten signature in black ink, appearing to read 'Kenneth D. Kaunda', with a long horizontal stroke extending to the right.

INTERNAL AGREEMENT

on the measures and procedures required for implementation of the ACP-EEC
Convention of Lomé

(76/164/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN ECONOMIC COMMUNITY, MEETING IN THE COUNCIL,

Having regard to the Treaty establishing the European Economic Community (hereinafter called the 'Treaty') and the ACP-EEC Convention of Lomé signed on 28 February 1975 (hereinafter called the 'Convention');

Whereas the representatives of the Community will have to adopt common positions in the Council of Ministers provided for by the Convention (hereinafter called the 'Council of ACP-EEC Ministers'); whereas, moreover, implementation of the decisions, recommendations and opinions of this Council may require, where appropriate, action by the Community, joint action by the Member States or action by a Member State;

Whereas the common positions to be adopted by the representatives of the Community in the fields for which the latter is competent will be adopted in accordance with the provisions of the Treaty, which will also be applicable for the adoption of the measures implementing those decisions, recommendations and opinions of the Council of ACP-EEC Ministers which result from Community action in the same fields; whereas, moreover, it will be for the Council of the European Communities to lay down in a Regulation detailed rules for implementing the safeguard measures provided for in Article 10 of the Convention;

Whereas, on the other hand, it is necessary for the Member States to specify the conditions for determining, in the fields for which they are competent, the common positions to be adopted by the representatives of the Community within the Council of ACP-EEC Ministers; whereas, in the same fields, it will also be for them to take the measures implementing such decisions, recommendations and opinions of that Council as may require joint action by the Member States or action by a Member State;

Whereas procedures should also be laid down whereby Member States may settle any disputes which may arise between them with regard to the Convention;

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

Article 1

1. The common position to be supported by the representatives of the Community in the Council of ACP-EEC Ministers when the latter considers matters for which the Member States are competent shall be adopted by the Council, acting unanimously after consulting the Commission.
2. Where, pursuant to Article 75 of the Convention, the Council of ACP-EEC Ministers envisages delegating to the Committee of Ambassadors, provided for by the Convention, the power to take decisions or put forward recommendations or opinions in the fields for which the Member States are competent, the common position shall be adopted by the Council, acting unanimously after consulting the Commission.
3. Common positions which the representatives of the Community support in the Committee of Ambassadors shall be adopted under the same conditions as those laid down in paragraph 1.

Article 2

1. Decisions and recommendations adopted by the Council of ACP-EEC Ministers in the fields for which the Member States are competent shall be implemented by acts adopted by the latter.
2. Paragraph 1 shall also apply in respect of decisions and recommendations adopted by the Committee of Ambassadors pursuant to Article 77 of the Convention.

Article 3

Any treaty, convention, agreement or arrangement, or any part of a treaty, convention, agreement or arrangement, of whatever form or nature, which has been or will be concluded between one or more Member States and one or more ACP States and which concerns matters dealt with in the Convention, shall be communicated as soon as possible by the Member State or States concerned to the other Member States and to the Commission.

At the request of a Member State or of the Commission, any texts so communicated shall be discussed by the Council.

Article 4

If a Member State considers it necessary to invoke Article 81 of the Convention on matters for which the Member States are competent, it shall first consult the other Member States.

If the Council of ACP-EEC Ministers has to reach a decision on the action by the Member State referred to in the first paragraph, the position to be taken by the Community shall be that of the Member State concerned, unless the representatives of the Governments of the Member States, meeting in the Council, decide otherwise.

Article 5

Disputes arising between Member States concerning the Convention, the Protocols annexed thereto or the Internal Agreements signed for its implementation shall, at the request of the party making the complaint, be submitted to the Court of Justice of

the European Communities under the conditions laid down in the Treaty and in the Protocol on the Statute of the Court of Justice annexed to the Treaty.

Article 6

After consulting the Commission, the representatives of the Governments of the Member States, meeting in the Council, may at any time amend or supplement this Agreement.

Article 7

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the Secretariat of the Council of the European Communities of the completion of the procedures required for the entry into force of the Agreement.

Provided that the conditions of the first paragraph have been complied with, this Agreement shall enter into force at the same time as the Convention. It shall remain in force for the duration of that Convention.

Article 8

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, all six texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Governments of the Signatory States.

Udfærdiget i Bruxelles, den ellefte juli nitten hundrede og femoghalvfjerds.

Geschehen zu Brüssel am elften Juli neunzehnhundertfünfundsiebzig.

Done at Brussels on the eleventh day of July in the year one thousand nine hundred and seventy-five.

Fait à Bruxelles, le onze juillet mil neuf cent soixante-quinze.

Fatto a Bruxelles, addì undici luglio millenovecentosettantacinque.

Gedaan te Brussel, elf juli negentienhonderdvijfenzeventig.

Pour le gouvernement du royaume de Belgique
Voor de Regering van het Koninkrijk België

J. Van der Meulen

På kongeriget Danmarks vegne

Lise Enslin

Für die Regierung der Bundesrepublik Deutschland

Ulrich Weisaupt

Pour le gouvernement de la République française

Philippe

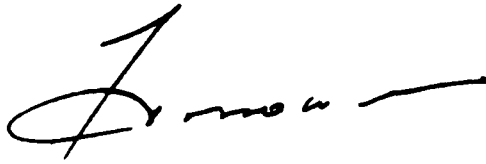
For the Government of Ireland

David Dillon

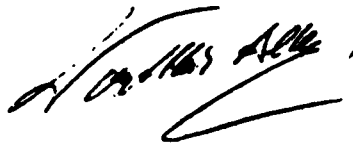
Per il governo della Repubblica italiana

Amintore Natta

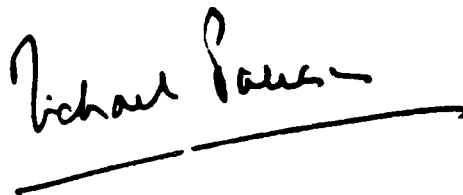
Pour le gouvernement du grand-duché de Luxembourg



Voor de Regering van het Koninkrijk der Nederlanden



For the Government of the United Kingdom of Great Britain and Northern Ireland



INTERNAL AGREEMENT

on the financing and administration of Community aid

(76/165/EEC)

(see FINTECH 2 - 11)

Entry into force of certain texts

The necessary conditions for the entry into force of the ACP-EEC Convention of Lomé, signed on 28 February 1975, were fulfilled on 17 February 1976 and the Convention will therefore enter into force, in accordance with Article 87 thereof, on 1 April 1976.

The following will also enter into force on the same date:

- the Agreement on products within the province of the European Coal and Steel Community, signed in Lomé on 28 February 1975;
- the Internal Agreement, signed in Brussels on 11 July 1975, on the measures and procedures required for the implementation of the ACP-EEC Convention of Lomé (see OJ No L 25, 30 January 1976);
- the Internal Agreement on the financing and administration of Community aid, signed in Brussels on 11 July 1975 (see OJ No L 25, 30 January 1976);
- Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé (see OJ No L 18, 27 January 1976).

The following texts, which are published in the current issue of the Official Journal, will also enter into force on that date:

- Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;
- Council Decision of 31 March 1976 on the interim measures applicable to the overseas countries and territories associated with the European Economic Community in matters of establishment, services, payments and capital movements.

Trade co-operation

Subdivision:

- I. Trade
- II. Trade promotion (removed)
- III. Customs co-operation (removed)

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REGULATION (EEC) No 780/75 OF THE COMMISSION (*)
of 25 March 1975

concerning the arrangements for the importation, during the period of application of protective measures, of products originating in Botswana, Kenya, Madagascar and Swaziland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 805/68⁽¹⁾ of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 1855/74⁽²⁾, and in particular Article 21 (2) thereof;

Whereas Commission Regulation (EEC) No 2668/74⁽³⁾ of 21 October 1974 suspended the issue of import licences and advance fixing certificates, given that the prices of beef and veal on representative Community markets are markedly lower than the intervention price; whereas the list of products in respect of which importation is suspended was extended by Commission Regulation (EEC) No 610/75⁽⁴⁾ of 7 March 1975 on protective measures for certain beef and veal products falling within subheading 16.02 B III b) 1 of the Common Customs Tariff;

Whereas the Commission is following the situation on the market in beef and veal closely; whereas it has noted that the market is still in danger of suffering, as a result of imports, serious disturbances which could jeopardize the objectives of Article 39 of the Treaty;

Whereas at Lomé the Community concluded a convention with the African, Caribbean and Pacific States; whereas four of them — Botswana, Kenya, Madagascar and Swaziland — have traditionally exported beef and veal to the Community; whereas these exports are essential to their economic development;

Whereas exports from those countries should therefore be afforded special treatment, without thereby allowing the Community market to be disturbed; whereas that objective may be attained by fixing the total quantity of meat per country which may be imported and by making importation subject to the production of an import licence, to be issued only after verification of the quantities in respect of which licences are applied for, the total quantities fixed per country being, if necessary, subject to allocation;

Whereas these arrangements are sufficient to cover the greater part of the more substantial annual impor-

tations of beef and veal into the Community from each of the countries covered during the years 1969 to 1974; whereas it will be possible for the balance of these annual quantities to be covered by the measures which the Community has adopted or will adopt with a view to the gradual restoration of a certain flow of trade with third countries in respect of beef and veal;

Whereas detailed rules in respect of import licences were laid down by Commission Regulation (EEC) No 193/75⁽⁵⁾ of 17 January 1975 and by Commission Regulation (EEC) No 2637/70⁽⁶⁾ of 23 December 1970, as last amended by Regulation (EEC) No 558/75⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Licences for the importation of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland shall be issued as provided in this Regulation for the following maximum quantities, expressed in metric tons of boned meat:

| | Until 31 August 1975 | From 1 September to 31 December 1975 |
|------------|-------------------------|--|
| Botswana | 7 567 | 3 282 |
| Kenya | 58 | 25 |
| Madagascar | 3 031 | 1 315 |
| Swaziland | 1 344 | 583 |

100 kilogrammes of boned meat shall be equal to 130 kilogrammes of unboned meat.

Article 2

1. Applications for import licences may be lodged with the competent agencies of the Member States:

— only during the first five working days following the date of entry into force of this Regulation for the period ending 31 August 1975,

(*) A similar text containing other statistics appears regularly in the Official Journal. It is suggested that the latest Official Journal be consulted.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 195, 18. 7. 1974, p. 14.

⁽³⁾ OJ No L 285, 22. 10. 1974, p. 22.

⁽⁴⁾ OJ No L 63, 8. 3. 1975, p. 37.

⁽⁵⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁶⁾ OJ No L 283, 29. 12. 1970, p. 15.

⁽⁷⁾ OJ No L 59, 5. 3. 1975, p. 16.

— only during the first 10 days of September 1975 for the period ending 31 December 1975.

The country of origin shall be entered in Section 14 of the application for a licence and of the licence. The licence shall carry with it an obligation to import from that country.

2. On the first working day following expiry of the time limit for the lodging of applications, Member States shall inform the Commission by telex of the total quantity in respect of which applications as specified in paragraph 1 have been lodged, broken down by relevant third country. The Commission shall, for each of the third countries concerned, decide to what extent licences may be granted.

If the quantities in respect of which licences for products originating in a given country have been applied for exceed the quantity fixed for that country in Article 1, the Commission shall determine a single percentage by which the quantities requested are to be reduced.

3. If the total quantity in respect of which applications relating to a relevant third country have been received is less than the quantity fixed for that country in Article 1, the Commission shall declare what quantity remains over. In such case, further applications for licences may be lodged during the first ten days :

- of May 1975 for the period ending 31 August 1975,
- of October 1975 for the period ending 31 December 1975.

The provisions contained in the preceding paragraphs shall apply.

4. The period of validity of the import licences shall end on :

- 31 August 1975 for those issued before that date,
- 31 December 1975 for those issued after 31 August 1975.

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

Done at Brussels, 25 March 1975.

5. Licences shall be issued :

- on the first occasion, on the 10th working day following the date of entry into force of this Regulation,
- on subsequent occasions, on the 21st day following the first day of the period during which applications are lodged.

Article 3

Importation shall be authorized only if the origin of the products in question has been certified by the competent authorities of the exporting country :

- (a) by documentary evidence, issued as provided in the Protocol on origin to the Lomé convention on or after the date on which that convention is put into effect, in the case of products originating in the third countries specified in (b) ;
- (b) before the date referred to in (a), by :
 - (aa) the AY1 movement certificate provided for in Regulation (EEC) No 1251/71 ⁽¹⁾, in the case of products originating in Madagascar,
 - (bb) the AA1 movement certificate provided for in Regulation (EEC) No 1289/71 ⁽²⁾, in the case of products originating in Kenya,
 - (cc) a certificate of origin endorsed by the customs authorities, in the case of products originating in Botswana and Swaziland.

Article 4

Subject to the provisions of Article 18 of Regulation (EEC) No 193/70, the security shall be released immediately in respect of quantities for which no import licence has been issued.

Article 5

This Regulation shall enter into force on 27 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 135, 21. 6. 1971, p. 1.

⁽²⁾ OJ No L 141, 27. 6. 1971, p. 1.

28. 6. 75

Official Journal of the European Communities

No L 166/1

REGULATION (EEC) No 1598/75 OF THE COUNCIL

of 24 June 1975

on the advance implementation of certain provisions of the ACP-EEC Lomé convention
relating to trade in goods

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;

Having regard to the Opinion of the European Parliament;

Whereas the ACP-EEC Lomé convention between the African, Caribbean and Pacific States and the European Economic Community was signed on 28 February 1975;

Whereas, when the convention was signed, the Community and the ACP States agreed in an exchange of letters to implement certain provisions of the convention relating to trade in goods autonomously from 1 July 1975;

Whereas it is therefore necessary to take appropriate measures to this end,

HAS ADOPTED THIS REGULATION:

Article 1

1. Products originating in the States listed in Annex I, hereinafter referred to as the 'ACP States', other than products:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the

implementation of the common agricultural policy,

- falling within subheading 22.09 C I of the Common Customs Tariff,

shall be imported into the Community free of customs duties and charges having equivalent effect.

2. Paragraph 1 shall not prejudice application of Article 38 of the Act of Accession.

3. The treatment applied pursuant to paragraph 1 to products originating in the ACP States may not be more favourable than that applied by the Member States among themselves.

For the purposes of implementing the provisions of paragraph 1 concerning the treatment accorded by the Member States among themselves, account shall not be taken of customs duties and charges having equivalent effect applied pursuant to Articles 32, 36 and 59 of the Act of Accession.

Article 2

1. Products originating in the ACP States other than those listed in Annex II to the Treaty, when they come under a common organization of the market within the meaning of Article 40 of the Treaty, shall be imported into the Community free of quantitative restrictions and measures having equivalent effect.

2. Paragraph 1 shall be without prejudice to the arrangements applied by the Community under world agreements.

3. Paragraph 1 shall be without prejudice to the application of Protocols 6 and 7 to the Act of Accession.

4. The treatment applied pursuant to paragraph 1 to products originating in the ACP States may not be more favourable than that applied by the Member States among themselves.

Article 3

Nothing in Article 2 shall preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security, the protection of the health and life of humans, animals and plants, the protection of national treasures possessing artistic, historic or archaeological value or the protection of industrial and commercial property. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the ACP States and the Community.

Article 4

The concept of 'originating products' for the purposes of implementing this Regulation is defined in Annex II hereto.

Article 5

1. If, as a result of applying the provisions of this Regulation, serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or jeopardize their external financial stability, or if difficulties arise which may result in a deterioration in a sector of the economy of a region of the Community, the Commission, at the request of a Member State or on its own initiative, may decide to apply the necessary safeguard measures.

2. For the purpose of implementing paragraph 1, priority shall be given to such measures as would least disturb the trade relations between the ACP States and the Community. These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

3. If the Commission receives a request from a Member State, within the meaning of paragraph 1, it shall take a decision thereon within three working days following receipt of the request.

Member States shall be notified of the safeguard measures, which shall apply immediately.

4. Any Member State may refer any measure taken by the Commission to the Council within 10 working days following the day of notification of such a

measure. The Council shall meet without delay. Acting by a qualified majority it may amend or rescind the measure in question.

Article 6

1. Without prejudice to the application of Article 5, the Commission may authorize a Member State to take safeguard measures to counteract the disturbances or difficulties referred to in Article 5.

If the Commission receives a request from the Member State concerned, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

3. For the purpose of implementing this Article, priority shall be given to such measures as would least disturb the functioning of the common market.

Article 7

1. Without prejudice to the application of Article 6, the Member State or States concerned may, in an emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure the Commission shall, within five working days of the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken the safeguard measures, the Commission's decision shall be

suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

3. For the purpose of applying this Article, priority must be given to such measures as would least disturb the functioning of the common market.

Article 8

Articles 5, 6 and 7 shall not affect application, in accordance with the procedures laid down therein,

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

Done at Luxembourg, 24 June 1975.

of the safeguard clauses provided for in the Treaty, and in particular in Articles 108 and 109 thereof.

Article 9

This Regulation shall enter into force on 1 July 1975.

It shall remain applicable until the entry into force of the ACP-EEC Lomé convention, and until 29 February 1976 at the latest.

If necessary, the Council may decide that this Regulation shall remain applicable beyond that date and until the entry into force of the ACP-EEC Lomé convention.

For the Council

The President

G. FITZGERALD

ANNEX I

List of States referred to in Article 1, first subparagraph

| | |
|--------------------------------|---------------------|
| Bahamas | Liberia |
| Barbados | Malagasy Republic |
| Botswana | Malawi |
| Burundi | Mali |
| Cameroon | Mauritania |
| Central African Republic | Mauritius |
| Chad | Niger |
| People's Republic of the Congo | Nigeria |
| Dahomey | Rwanda |
| Equatorial Guinea | Senegal |
| Ethiopia | Sierra Leone |
| Fiji | Somali |
| Gabon | Sudan |
| Gambia | Swaziland |
| Ghana | Tanzania |
| Grenada | Togo |
| Guinea | Tonga |
| Guinea Bissau | Trinidad and Tobago |
| Guyana | Uganda |
| Ivory Coast | Upper Volta |
| Jamaica | Western Samoa |
| Kenya | Zaire |
| Lesotho | Zambia |

ANNEX II

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

1. For the purpose of implementing the Regulation and without prejudice to paragraphs 3 and 4, the following products shall be considered as products originating in an ACP State, under the condition that they were transported directly, within the meaning of Article 5:

- (a) products wholly obtained in one or more ACP States,
- (b) products obtained in one or more ACP States in the manufacture of which products other than those referred to in (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing paragraph 1, the ACP States are considered as being one territory.

3. When products wholly obtained in the Community or in the countries and territories defined in Explanatory Note 9 undergo working or processing in one or more ACP States, they shall be considered as having been wholly produced in that or those ACP States, under the condition that the products were transported directly within the meaning of Article 5.

4. Working and processing carried out in the Community or in the 'countries and territories', shall be considered as having been carried out in one or more ACP States, when the final products undergo working or processing in one or more ACP States, under the condition that the products were transported directly within the meaning of Article 5.

5. For the purpose of implementing the previous paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the products obtained in one or more ACP States shall be considered as products originating in the ACP State where the last working or processing took place. For this purpose the working or processing listed in Article 3 (3) (a), (b), (c) and (d) shall not be

considered as working or processing, nor shall a combination of such working or of such processing.

6. The products in List C of Annex 4 shall be temporarily excluded from the scope of this Annex.

Article 2

The following shall be considered as wholly obtained either in one or more ACP States, in the Community or in the 'countries and territories' within the meaning of Article 1 (1) (a) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (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 subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted therein;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1 (1) (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 specified in List A of Annex 2, where the special provisions of that list apply;
- (b) working or processing specified in List B of Annex 3.

'Sections', 'chapters' and 'tariff headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits in Lists A and B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed tariff heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 3 (1) (a) the following shall always be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of tariff heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) 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;
- (c) (i) changes of packaging and breaking up and assembly of consignments,
(ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating either in the Community, in an ACP State or in the 'countries and territories';
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where Lists A and B referred to in Article 3 provide that goods obtained in an ACP State shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for 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 Community, the ACP State or the 'country or territory' where manufacture takes place;

— and on the other hand, the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1 (1), (3) and (4), originating products whose transport is effected without entering into territory other than that of the parties concerned are considered as transported directly from the ACP States to the Community or from the Community or the 'countries and territories' to the ACP States. Originating goods constituting one single consignment may be transported through territory other than that of the Community or the ACP States or the 'countries and territories', with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons or the needs of transport and that the products have not entered into commerce or been delivered for home use and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Interruptions or changes in the method of transport due to *force majeure* or consequent upon conditions, at sea shall not affect the application of the preferential treatment laid down in this Annex, provided that the goods have not, during these interruptions or changes, entered into commerce or been delivered for home use and have not undergone any operations other than those designed to preserve them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit;
- (b) or a certificate issued by the customs authorities of the country of transit:
- giving an exact description of the goods,
 - stating the dates of unloading and re-loading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative cooperation

Article 6

1. Originating products within the meaning of this Annex shall be admitted upon importation into the Community to the benefits of the provisions of this Regulation upon the presentation of a movement certificate EUR.1 of which a specimen is given in Annex 5, on condition that the exporting ACP State respects the rules laid down in this Annex or ensures that they will be respected.

However, the evidence of originating status, within the meaning of this Annex, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, is given by a form EUR.2, of which a specimen is given in Annex 6 to this Annex.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and

included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

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

2. In exceptional circumstances a movement certificate EUR.1 may also be issued after exportation of the goods to which it relates if it was not issued at the time of 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.

3. A movement certificate EUR.1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex 5 to this Annex, which shall be completed in accordance with this Annex.

4. A movement certificate EUR.1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Regulation.

5. Applications for movement certificates EUR.1 must be preserved for at least three years by the customs authorities of the exporting country.

Article 8

1. The movement certificate EUR.1 shall be issued by the customs authorities of the exporting ACP State, if the goods can be considered 'originating products' within the meaning of this Annex.

2. For the purpose of verifying whether the conditions stated in paragraph 1 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.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are 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 all 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.

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

Article 9

Movement certificates EUR.1 shall be made out on the form of which a specimen is given in Annex 5 to this Annex. This form shall be printed in one or more of the official languages of the Community. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210×297 mm, a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR.1.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR.1.

Article 11

1. A movement certificate EUR.1 must be submitted, within five months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

2. When the products enter territories other than those of the ACP States, the Community or the 'countries and territories', the time limit laid down in paragraph 1 for the submission of the certificate is extended to 10 months.

Article 12

Movement certificates EUR.1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by 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 Regulation.

Article 13

1. A movement certificate EUR.1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR.1 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate nul and void if it is duly established that the certificate does correspond to the goods submitted.

Article 15

Form EUR.2, a specimen of which is given in Annex 6, shall be completed by the exporter. It shall be made out in one of the official languages of the Community and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters.

Form EUR.2 shall be composed of two parts, each part being 210×148 mm. The paper used shall

be white-sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by printers they have approved. In the latter case each form must include a reference to such approval. In addition, each part must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR.2 shall be completed for each postal consignment. After completing and signing the two parts of the form, the exporter shall, in the case of consignments by parcel post, attach the two parts to the dispatch note. In the case of consignments by letter post, the exporter shall attach Part 1 firmly to the consignment and insert Part 2 inside it.

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

Article 16

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products to the benefits of the provisions of this Annex without requiring the production of a movement certificate EUR.1 or the completion of a form EUR.2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, 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 recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view. 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 travellers' personal luggage.

Article 17

1. Goods sent from an ACP State for exhibition in a country other than an ACP State, a Member State or one 'country or territory' and sold after the exhibition for importation into the Community shall benefit on importation from the provisions of the

Regulation on condition that the goods meet the requirements of this Annex entitling them to be recognized as originating in an ACP State and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from an ACP State 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 the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to the Community in the state 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 EUR.1 must be produced to the customs authorities 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.

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 18

1. When a certificate is issued within the meaning of Article 7 (2) of this Annex after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Annex:

- indicate the place and date of exportation of the goods to which the certificate relates,
- certify that no movement certificate EUR.1 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 EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

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

Article 19

In the event of the theft, loss or destruction of a movement certificate EUR.1, the exporter may apply to the customs authorities which issued it for a duplicate 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,' 'DUPLICAAAT', 'DUPLICATE'.

Article 20

1. When paragraphs 2, 3 and 4 of Article 1 are applied, for the issue of a movement certificate EUR.1, the competent customs office in the ACP State requested to issue the certificate for products in the manufacture of which products coming from other ACP States, the Community or 'countries or territories' are used, shall take into consideration the declaration, of which a specimen is given in Annex 7, given by the exporter in the State, country or territory from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 21 and of which a specimen is given in Annex 8, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 21

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 20 (2), or at the initiative of this exporter, by the competent customs office in the State, country or territory from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the movement certificate

EUR.1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least three years.

Article 22

The ACP States shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR.1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 23

In order to ensure the proper application of this Title, the Member States, the 'countries and territories' and the ACP States shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR.1 and the accuracy of the information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR.2 and the authenticity and accuracy of the information certificates envisaged in Article 20.

Article 24

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up, or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR.1 or a form EUR.2 containing incorrect particulars.

Article 25

1. Subsequent verifications of movement certificates EUR.1 and of forms EUR.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.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR.1 or Part 2 of form EUR.2, 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 2 of form EUR.2 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 execution of the Regulation while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. 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 EUR.1 or form EUR.2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

Article 26

The subsequent verification of the information certificate referred to in Article 20 shall be carried out in the circumstances envisaged in Article 25 following a similar procedure to that envisaged in that Article.

Article 27

The Council shall examine, if necessary, the application of the provisions of this Annex and their economic effects, with a view to making any necessary changes, notably at the request of the ACP States, when the development of existing industries or the creation of new industries necessitates derogations from this Annex.

Article 28

1. For goods which conform to Title I and which, at the time of the entry into force of the Regulation are either being transported or being held in the Community or in an ACP State in temporary

storage, in bonded warehouses or in free zones, the proof of originating status within the meaning of this Annex is given by the submission, within four months of that date, to the customs authorities of the importing State of:

- (a) a movement certificate EUR.1 issued retrospectively by the customs authorities of the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State, or
- (c) a movement certificate of the model previously used in the context of preferential trade between, on the one hand, the Community and the African and Malagasy States or the Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, on the other hand, or
- (d) for goods destined for importation into Ireland or the United Kingdom of Great Britain and Northern Ireland, a certificate of the type previously used in the context of Commonwealth preferences.

2. The movement certificates mentioned in paragraph 1 (c) may continue to be used, under the conditions laid down in this Annex, until 31 December 1975.

3. Until 1 July 1977, Article 1 (3) and (4) shall not be applicable in respect of products obtained in one or more ACP States from:

- products of one or more Member States of the Community as originally constituted and exported to one or more new Member States, or
- products of one or more new Member States and exported to one or more Member States of the Community as originally constituted;

where the products referred to in the two above indents have been the subject only of working or processing within the meaning of Article 3 (3).

*Annex 1 to Annex II***EXPLANATORY NOTES****Note 1 — Articles 1 and 2**

The terms 'one or more ACP States', 'the Community' and 'countries and territories' shall also cover their territorial waters.

Vessels operating on the high seas, including factory ships, on which the fish caught is worked or processed shall be considered as part of the territory of the ACP States, the Community or the 'countries and territories' to which they belong, provided that they satisfy the conditions set out in Explanatory Note 6

Note 2 — Article 1 (1) (b) (3) and (4)

In order to determine whether goods originate in one or more of the ACP States, the Community or in 'countries and territories', it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Article 1

Where a percentage rule is applied in determining originating status of a product obtained in an ACP State, the value added by the working or processing referred to in Article 1 shall correspond to the ex-works price of the product obtained less the customs value of third products imported into the Community, the ACP States or the 'countries and territories'.

Note 4 — Article 3 (1) and (2) and Article 4

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of tariff heading for any non-originating product used.

Note 5 — 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 utilization value and is of a durable nature, apart from its function as packing.

Note 6

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

- which are registered or recorded in a Member State or an ACP State;
- which sail under the flag of a Member State or an ACP State;
- which are owned to an extent of at least 50% by nationals of Member States or ACP States or by a company 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 board, are nationals of these States and of which, in addition in the case of partnerships or limited companies, at least half the capital belongs to Member States or to ACP States, or to public bodies or nationals of such States;
- of which at least 50% of the crew, captain and officers included, are nationals of Member States or ACP States.

Note 7 — Article 4

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

Note 8 — Article 23

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various ACP States, Member States or 'countries and territories' concerned.

Note 9 — Article 1 (3)

Within the meaning of Annex II 'countries and territories' shall mean the countries and territories referred to in Part 4 of the Treaty establishing the European Economic Community and in Article 24 of the Act of Accession.

Annex 2 to 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 obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products 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 heading 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; smoking of fish, whether cooked or not | |
| 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 heading 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 heading 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 heading Nos 08.01 to 08.09 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 | |
| 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 pig fat 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 'premier jus') obtained from those unrendered fats | Manufacture from products of heading 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 neat's-foot oil and fats from bones or waste) | Manufacture from products of Chapter 2 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|---|
| CCT heading No | Description | | |
| ex 15.07 | Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtlewax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products | 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 | |
| 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 sugars; 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 the value of which exceeds 30% of the value of the finished product | |
| 17.05 | Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion | Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product | |
| 18.06 | Chocolate and other food preparations containing cocoa | Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product | |
| 19.01 | Malt extract | Manufacture from products of heading No 11.07 | |
| 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 derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 19.03 | Macaroni, spaghetti and similar products | | Manufacture from durum wheat |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|---|
| CCT heading No | Description | | |
| 19.04 | Tapioca and sago; tapioca and sago substitutes from potato or other starches | Manufacture from potato starch | |
| 19.05 | Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products) | Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 19.06 | Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products | Manufacture from products of Chapter 11 | |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit | Manufacture from products of Chapter 11 | |
| 19.08 | Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion | Manufacture from products of Chapter 11 | |
| 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 | |
| 20.03 | Fruit preserved by freezing, containing added sugar | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| 20.04 | Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized) | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 20.05 | Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| 20.06 | Fruit otherwise prepared or preserved whether or not containing added sugar or spirit: | | |

⁽¹⁾ This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|--|
| CCT heading No | Description | | |
| 20.06 (cont'd) | A. Nuts | | Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product |
| | B. Other fruits | Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 20.07 | Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 21.01 | Roasted chicory and extracts thereof | Manufacture from chicory roots, fresh or dried | |
| 21.05 | Soups and broths in liquid, solid or powder forms; homogenized food preparations | Manufacture from products of heading No 20.02 | |
| 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 | Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 22.06 | Vermouths, and other wines of fresh grapes flavoured with aromatic extracts | 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 | |

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| ex 23.03 | Residues from the manufacture of maize starch (excluding concentrated steeping liquours), of a protein content, calculated on the dry product, exceeding 40% dry 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 from products of heading No 24.01 of which at least 70 % by quantity are 'originating products' |
| ex 28.38 | Aluminium sulphate | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 30.03 | Medicaments (including veterinary medicaments) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 32.06 | Colour lakes | Manufacture from materials of heading No 32.04 or 32.05 ⁽¹⁾ | |
| 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 ⁽¹⁾ | |
| 33.05 | Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses | Manufacture from products of heading No 33.01 ⁽¹⁾ | |
| 35.05 | Dextrins and dextrin glues; soluble or roasted starches; starch glues | | Manufacture from maize or potatoes |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 37.01 | Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth | Manufacture from products of heading No 37.02 ⁽¹⁾ | |
| 37.02 | Film in rolls, sensitized, unexposed, perforated or not | Manufacture from products of heading No 37.01 ⁽¹⁾ | |
| 37.04 | Sensitized plates and film, exposed but not developed, negative or positive | Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾ | |
| 38.11 | Disinfectants, insecticides, fungicides, weed-killers, 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, fly-papers) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| ex 38.14 | Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 38.15 | Prepared rubber accelerators | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 38.17 | Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 38.18 | Composite solvents and thinners for varnishes and similar products | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| ex 38.19 | <p>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:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble 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 and mixed alkyl-naphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|--|---|
| CCT heading No | Description | | |
| ex 39.02 | Polymerization products | | Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product |
| 39.07 | Articles of materials of the kinds described in heading Nos 39.01 to 39.06 | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 41.08 | Patent leather and imitation patent leather; metallized leather | | Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian 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 skin leather used does not exceed 50% of the value of the finished product |
| 43.03 | Articles of furskin | Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) ⁽¹⁾ | |
| 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 |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------------|--|---|--|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 49.09 | Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings | Manufacture from products of heading No 49.11 | |
| 49.10 | Calendars of any kind, of paper or paperboard, including calendar blocks | Manufacture from products of heading No 49.11 | |
| 50.04 ⁽¹⁾ | Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale | | Manufacture from products other than those of heading No 50.04 |
| 50.05 ⁽¹⁾ | Yarn spun from silk waste other than noil, not put up for retail sale | | Manufacture from products of heading No 50.03 |
| 50.06 ⁽¹⁾ | Yarn spun from noil silk, not put up for retail sale | | Manufacture from products of heading No 50.03 |
| 50.07 ⁽¹⁾ | Silk yarn and yarn spun from noil or other waste silk, put up for retail sale | | Manufacture from products of heading Nos 50.01 to 50.03 |
| ex 50.08 ⁽¹⁾ | Imitation catgut of silk | | Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 50.09 ⁽¹⁾ | Woven fabrics of silk or of waste silk other than noil | | Manufacture from products of heading No 50.02 or 50.03 |
| 50.10 ⁽¹⁾ | Woven fabrics of noil silk | | Manufacture from products of heading No 50.02 or 50.03 |
| 51.01 ⁽²⁾ | Yarn of man-made fibres (continuous), not put up for retail sale | | Manufacture from chemical products or textile pulp |
| 51.02 ⁽²⁾ | Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials | | Manufacture from chemical products or textile pulp |
| 51.03 ⁽²⁾ | Yarn of man-made fibres (continuous), put up for retail sale | | Manufacture from chemical products or textile pulp |
| 51.04 ⁽¹⁾ | 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 |
| 52.01 ⁽²⁾ | Metallized yarn, being textile yarn spun with metal or covered with metal by any process | | Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed |
| 52.02 ⁽¹⁾ | Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like | | Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste |
| 53.06 ⁽²⁾ | Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale | | Manufacture from products of heading No 53.01 or 53.03 |
| 53.07 ⁽²⁾ | Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale | | Manufacture from products of heading No 53.01 or 53.03 |

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 53.08 ⁽¹⁾ | Yarn of fine animal hair (carded or combed), not put up for retail sale | | Manufacture from raw fine animal hair of heading No 53.02 |
| 53.09 ⁽¹⁾ | 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 |
| 53.10 ⁽¹⁾ | Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale | | Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04 |
| 53.11 ⁽²⁾ | Woven fabrics of sheep's or lambs' wool or of fine animal hair | | Manufacture from materials of heading Nos 53.01 to 53.05 |
| 53.12 ⁽²⁾ | Woven fabrics of coarse animal hair other than horsehair | | Manufacture from products of heading Nos 53.02 to 53.05 |
| 53.13 ⁽²⁾ | Woven fabrics of horsehair | | Manufacture from horsehair of heading No 05.03 |
| 54.03 ⁽¹⁾ | Flax or ramie yarn, not put up for retail sale | | Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02 |
| 54.04 ⁽¹⁾ | Flax or ramie yarn, put up for retail sale | | Manufacture from materials of heading No 54.01 or 54.02 |
| 54.05 ⁽²⁾ | Woven fabrics of flax or of ramie | | Manufacture from materials of heading No 54.01 or 54.02 |
| 55.05 ⁽¹⁾ | Cotton yarn, not put up for retail sale | | Manufacture from materials of heading No 55.01 or 55.03 |
| 55.06 ⁽¹⁾ | Cotton yarn, put up for retail sale | | Manufacture from materials of heading No 55.01 or 55.03 |
| 55.07 ⁽²⁾ | Cotton gauze | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |
| 55.08 ⁽²⁾ | Terry towelling and similar terry fabrics, of cotton | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |
| 55.09 ⁽²⁾ | Other woven fabrics of cotton | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 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 |
| 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 | | Manufacture from chemical products or textile pulp |
| 56.04 | Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning | | Manufacture from chemical products or textile pulp |
| 56.05 ⁽¹⁾ | Yarn of man-made fibres (discontinuous or waste), not put up for retail sale | | Manufacture from chemical products or textile pulp |
| 56.06 ⁽¹⁾ | Yarn of man-made fibres (discontinuous or waste), put up for retail sale | | Manufacture from chemical products or textile pulp |
| 56.07 ⁽²⁾ | Woven fabrics of man-made fibres (discontinuous or waste) | | Manufacture from products of heading Nos 56.01 to 56.03 |
| 57.05 ⁽¹⁾ | Yarn of true hemp | | Manufacture from raw true hemp |
| 57.06 ⁽¹⁾ | Yarn of jute or of other textile bast fibres of heading No 57.03 | | Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03 |
| 57.07 ⁽¹⁾ | Yarn of other vegetable textile fibres | | Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04 |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|--|
| CCT heading No | Description | | |
| 57.08 | Paper yarn | | Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste, neither carded nor combed |
| 57.09 ⁽¹⁾ | Woven fabrics of true hemp | | Manufacture from products of heading No 57.01 |
| 57.10 ⁽¹⁾ | Woven fabrics of jute or of other textile bast fabrics of heading No 57.03 | | Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03 |
| 57.11 ⁽¹⁾ | Woven fabrics of other vegetable textile fibres | | Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07 |
| 57.12 | Woven fabrics of paper yarn | | Manufacture from paper, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste |
| 58.01 ⁽²⁾ | Carpets, carpeting and rugs, knotted (made up or not) | | Manufacture from materials of heading 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 ⁽²⁾ | Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not) | | Manufacture from materials of heading 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, 57.01 to 57.04 or from coir yarn of heading No 57.07 |
| 58.04 ⁽²⁾ | Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05) | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp |

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30 % where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20 % where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30 % where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------------|--|---|--|
| CCT heading No | Description | | |
| 58.05 ⁽¹⁾ | 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 materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 58.06 ⁽¹⁾ | Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.07 ⁽¹⁾ | 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 | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.08 ⁽¹⁾ | Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.09 ⁽¹⁾ | 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 | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.10 | Embroidery, in the piece, in strips or in motifs | | Manufacture in which the value of the product used does not exceed 50% of the value of finished product |
| 59.01 ⁽¹⁾ | Wadding and articles of wadding; textile flock and dust and mill neps | | Manufacture either from natural fibres or from chemical products or textile pulp |
| 59.02 ⁽¹⁾ | Felt and articles of felt whether or not impregnated | | Manufacture either from natural fibres or from chemical products or textiles pulp |
| ex 59.02 ⁽¹⁾ | Needled felt, whether or not impregnated or coated | | Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|--|
| CCT heading No | Description | | |
| 59.03 ⁽¹⁾ | Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated | | Manufacture either from natural fibres or from chemical products or textile pulp |
| 57.04 ⁽¹⁾ | Twine, cordage, ropes and cables, plaited or not | | Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07 |
| 59.05 ⁽¹⁾ | 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 or from coir yarn of heading No 57.07 |
| 59.06 ⁽¹⁾ | 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 or from coir yarn of heading No 57.07 |
| 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 ⁽¹⁾ | 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 either from yarn or from textile fibres |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|------------------------------|---|---|---|
| CCT heading No | Description | | |
| 59.11 | Rubberized textile fabrics, other than rubberized knitted or crocheted goods | | Manufacture from yarn |
| 59.12 | Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like | | Manufacture from yarn |
| 59.13 ⁽¹⁾ | Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads | | Manufacture from single yarn |
| 59.15 ⁽¹⁾ | Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 59.16 ⁽¹⁾ | Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 59.17 ⁽¹⁾ | Textile fabrics and textile articles, of a kind commonly used in machinery or plant | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| ex Chapter 60 ⁽¹⁾ | Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp |
| ex 60.02 | Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽²⁾ |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex 60.03 | Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.04 | Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.05 | Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.06 | Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| 61.01 | Men's and boys' outer garments | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.01 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Women's, girls' and infants' outer garments, not embroidered | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Women's, girls' and infants' outer garments, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 61.03 | Men's and boys' under garments, including collars, shirt fronts and cuffs | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| 61.04 | Women's, girls' and infants' under garments | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.05 | Handkerchiefs, not embroidered | | Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ ⁽³⁾ |
| ex 61.05 | Handkerchiefs, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| ex 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered | | Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ ⁽²⁾ |
| ex 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 61.07 | Ties, bow ties and cravats | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 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 ⁽¹⁾ ⁽²⁾ |
| 61.10 | Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex 61.10 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| 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 ⁽¹⁾ ⁽²⁾ |
| 62.01 | Travelling rugs and blankets | | Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾ |
| ex 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered | | Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾ |
| ex 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product |
| 62.03 | Sacks and bags, of a kind used for the packing of goods | | Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾ |
| 62.04 | Tarpaulins, sails, awnings, sun-blinds, tents and camping goods | | Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾ |
| 62.05 | Other made up textile articles (including dress patterns) | | Manufacture in which the value of the products used does not exceed 40% of the value of the finished product |
| 64.01 | Footwear with outer soles and uppers of rubber or artificial plastic material | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 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 | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |
| 64.03 | Footwear with outer soles of wood or cork | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |
| 64.04 | Footwear with outer soles of other materials | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but 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 textile fibres |
| 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 either from yarn or from textile fibres |
| 66.01 | Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| ex 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 | Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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) | | |
| 73.07 | Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel | Manufacture from products of heading No 73.06 | |
| 73.08 | Iron or steel coils re-rolling | Manufacture from products of heading No 73.07 | |
| 73.09 | Universal plates of iron or steel | Manufacture from products of heading No 73.07 or 73.08 | |
| 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 | Manufacture from products of heading No 73.07 | |
| 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 | Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13 | |
| 73.12 | Hoop and strip, of iron or steel, hot-rolled or cold-rolled | Manufacture from products of heading Nos 73.07 to 73.09 or 73.13 | |
| 73.13 | Sheets and plates, of iron or steel, hot-rolled or cold-rolled | Manufacture from products of heading Nos 73.07 to 73.09 | |
| 73.14 | Iron or steel wire, whether or not coated, but not insulated | Manufacture from products of heading No 73.10 | |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 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, bed-plates, ties and other material specialized for joining or fixing rails | | Manufacture from products of heading No 73.06 |
| 73.18 | Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits | | Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07 |
| 74.03 | Wrought bars, rods, angles, shapes and sections, of copper; copper wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.04 | Wrought plates, sheets and strip, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.06 | Copper powder and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.07 | Tubes and pipes and blanks therefor, of copper; hollow bars of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.08 | Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 74.09 | Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.12 | Expanded metal, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.13 | Chain and parts thereof, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.16 | Springs, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.19 | Other articles of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.02 | Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.03 | Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.05 | Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.06 | Other articles of nickel | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 76.02 | Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.03 | Wrought plates, sheets and strip, of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 76.05 | Aluminium powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.06 | Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.07 | Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.08 | Structures, complete or incomplete, whether or not assembled, 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 | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.11 | Containers of aluminium for compressed or liquified gas | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.13 | Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 76.14 | Expanded metal, of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.16 | Other articles of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 77.03 | Other articles of magnesium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 78.02 | Wrought bars, rods, angles, shapes and sections, of lead; lead wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 78.03 | Wrought plates, sheets and strip, of lead | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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/m ² ; lead powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 78.06 | Other articles of lead | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 79.02 | Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 79.03 | Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 79.05 | Gutters, roof capping, skylight frames, and other fabricated building components, of zinc | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 79.06 | Other articles of zinc | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 80.02 | Wrought bars, rods, angles, shapes and sections, of tin; tin wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 80.03 | Wrought plates, sheets and strip, of tin | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished 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 screwdriving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 82.06 | Knives and cutting blades, for machines or for mechanical appliances | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾ |
| ex Chapter 84 | Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41) | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 84.15 | Refrigerators and refrigerating equipment (electrical and other) | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

⁽²⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of Annex II determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| ex 84.41 | Sewing machines, including furniture for sewing machines | | <p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p> |
| ex Chapter 85 | Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15 | | <p>Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product</p> |
| 85.14 | Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers | | <p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾</p> |

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

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|---|
| CCT heading No | Description | | |
| 85.15 | Radiotelegraphic and radio-telephonic 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾ |
| 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) | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| ex Chapter 87 | Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 87.09 | Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| ex Chapter 90 | Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |

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

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 90.05 | Refracting telescopes (monocular and binocular), prismatic or not | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.07 | Photographic cameras; photographic flashlight apparatus | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.08 | Cinematographic cameras projectors, sound recorders and sound reproducers; any combination of these articles | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.12 | Compound optical microscopes, whether or not provided with means for photographing or projecting the image | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.26 | Gas, liquid and electricity supply or production meters; calibrating meters therefor | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex Chapter 91 | Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 91.04 | Other clocks | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 91.08 | Clock movements, assembled | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product |
| 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾</p> |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| Chapter 93 | Arms and ammunition; parts thereof | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 97.03 | Other toys; working models of a kind used for recreational purposes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

Annex 3 to Annex II

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

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|--|
| CCT heading No | Description | |
| | | Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product |
| 13.02 | Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished 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 deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent 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 squared by sawing, of a thickness not exceeding 25 cm | Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm |
| ex 25.16 | Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm | Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm |
| ex 25.18 | Calcined dolomite; agglomerated dolomite (including tarred dolomite) | Calcination of unworked dolomite |
| Chapters 28 to 37 | Products of the chemical and allied industries excluding mineral or chemical fertilizers, potassic: calcined, crushed and powdered natural aluminium calcium phosphates (ex 31.03) and essential oils other than of citrus fruit, terpeneless (ex 33.01) | Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|---|
| CCT heading No | Description | |
| ex 31.03 | Mineral or chemical fertilizers, potassic: calcined, crushed and powdered natural aluminium calcium phosphates | Crushing and powdering of calcined natural aluminium calcium phosphates |
| ex 33.01 | Essential oils other than of citrus fruit, terpeneless | Deterpenation of essential oils other than of citrus fruit |
| ex Chapter 38 | Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined (ex 38.07) | Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product |
| ex 38.05 | Refined tall oil | Refining of crude tall oil |
| ex 38.07 | Sulphate turpentine, purified | Purification consisting of the distillation or refining of raw sulphate turpentine |
| ex Chapter 39 | Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02) | Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product |
| ex 39.02 | Ionomer film | Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium |
| ex 40.01 | Slabs 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 wool from sheep- and lamb-skins in the wool |
| ex 41.02 | Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08 | Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned |
| ex 41.03 | Retanned sheep- and lamb-skin leather, except leather of heading Nos 41.06 to 41.08 | Retanning of sheep- and lamb-skin leather, not further prepared than tanned |
| ex 41.04 | Retanned goat and kid skin leather, except leather of heading Nos 41.06 to 41.08 | Retanning of goat and kid skin leather, not further prepared than tanned |
| ex 41.05 | Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08 | Retanning of other kinds of leather, not further prepared than tanned |
| ex 43.02 | Assembled furskins | Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins |
| ex 50.03 | Silk waste carded or combed | Carding or combing waste silk |

| Finished products | | Working or processing that confers the status of originating products |
|--|---|---|
| CCT heading No | Description | |
| 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 59.14 | Incandescent gas mantles | Manufacture from tubular gas mantle fabric |
| 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 finished product |
| 70.13 | Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses | Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished 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 and 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 and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought silver and silver alloys |
| ex 71.05 | Silver, including silver gilt and platinum-plated silver, unwrought | Alloying or electrolytic separation of unwrought silver and silver alloys |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|---|
| CCT heading No | Description | |
| ex 71.06 | Rolled silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought rolled silver |
| ex 71.07 | Gold, including platinum-plated gold, semi-manufactured | Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold |
| ex 71.07 | Gold, including platinum-plated gold, unwrought | Alloying or electrolytic separation of unwrought gold or gold alloys |
| ex 71.08 | Rolled gold on base metal or silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought 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 or other metals of the platinum group |
| ex 71.09 | Platinum and other metals of the platinum group, unwrought | Alloying or electrolytic separation of unwrought platinum or 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 unwrought rolled platinum or other unwrought platinum group metals or precious metal |
| ex 73.15 | Alloy steel and high carbon steel: — in the forms mentioned in heading Nos 73.07 to 73.13 — in the forms mentioned in heading No 73.14 | Manufacture from products in the forms mentioned in heading No 73.06 Manufacture from products in the forms mentioned in heading No 73.06 or 73.07 |
| 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 alloy | Fusion and thermal treatment of refined copper, copper waste or scrap |
| ex 75.01 | Unwrought nickel (excluding electro-plating anodes of heading No 75.05) | Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy |
| ex 75.01 | Unwrought nickel except nickel alloys | Refining of waste by electrolysis, by melting or by chemical means of waste and scrap |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| ex 76.01 | Unwrought aluminium | Manufacture by thermal or electrolytic treatment of unalloyed aluminium and scrap |
| ex 77.04 | Beryllium wrought | Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product |
| ex 78.01 | Refined lead | Manufacture by thermal refining from bullion lead |
| ex 81.01 | Tungsten, wrought | Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product |
| ex 81.02 | Molybdenum, wrought | Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product |
| ex 81.03 | Tantalum, wrought | Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product |
| ex 81.04 | Other base metals, wrought | Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product |
| ex 83.06 | Indoor ornaments made from base metals other than statuettes | Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product |
| 84.06 | Internal combustion piston engines | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| ex 84.08 | Engines and motors, excluding reaction engines and gas turbines | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 84.16 | Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|--|
| CCT heading No | Description | |
| ex 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, for wood, paper pulp, paper and paperboard manufacturing industries | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| 84.31 | Machinery for making or finishing cellulosic pulp, paper or paperboard | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| 84.33 | Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| ex 84.41 | Sewing machines, including furniture specially designed for sewing machines | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products |
| 85.14 | Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾ |
| 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 | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾ |
| 87.06 | Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03 | Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product |

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

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:

- (i) the value of imported products,
- (ii) the value of products of undetermined origin.

⁽²⁾ The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| ex 94.01 | Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals | Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾ |
| ex 94.03 | Other furniture of base metal | Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾ |
| ex 95.01 | Articles of tortoise-shell | Manufacture from worked tortoise-shell |
| 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 (excluding whalebone) | Manufacture from worked bone (excluding whalebone) |
| 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, of wood, root or other materials | Manufacture from roughly shaped blocks |

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

Annex 4 to Annex II

LIST C

List of products excluded from the scope of Annex II

| CCT heading No . | Description |
|----------------------|---|
| ex 27.07 | Assimilated 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 benzole), 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 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, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax |
| ex 38.14 | Prepared additives for lubricants |

Annex 5 to Annex II
MOVEMENT CERTIFICATE

| | | | |
|--|---|---|--|
| 1. Exporter (Name, full address, country) | EUR.1 No A 000.000 | | |
| | See notes overleaf before completing this form | | |
| 3. Consignee (Name, full address, country) (Optional) | 2. Certificate used in preferential trade between and (insert appropriate countries, groups of countries or territories) | | |
| | 4. Country, group of countries or territory in which the products are considered as originating ⁽¹⁾ | 5. Country, group of countries or territory of destination | |
| 6. Transport details (Optional) | 7. Remarks | | |
| 8. Item number; marks and numbers; Number and kind of packages ⁽²⁾ ; Description of goods | 9. Gross weight (kg) or other measure (litres, m ³ , etc.) | 10. Invoices (Optional) | |

⁽¹⁾ Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

⁽²⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

⁽³⁾ Complete only where the regulations of the exporting country or territory require.

| | |
|---|---|
| 11. CUSTOMS ENDORSEMENT Declaration certified Export document ⁽³⁾ Form No Customs office Issuing country or territory Date (Signature) | 12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate. Place and date: (Signature) |
|---|---|

Stamp

| | |
|--|--|
| <p>13. REQUEST FOR VERIFICATION, to</p> | <p>14. RESULT OF VERIFICATION,</p> |
| <p>Verification of the authenticity and accuracy of this certificate is requested.</p> | <p>Verification carried out shows that this certificate ⁽¹⁾</p> |
| | <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> |
| <p>..... (Place and date)</p> | <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> |
| <p>Stamp</p> | <p>..... (Place and date)</p> |
| | <p>Stamp</p> |
| | |
| <p>..... (Signature)</p> | <p>..... (Signature)</p> |
| | <p>⁽¹⁾ Insert X in the appropriate box.</p> |

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations 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 endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

| | | | |
|---|--|--|--|
| <p>1, Exporter (Name, full address, country)</p> | <p>EUR. 1 No A 000.000</p> | | |
| | <p>See notes overleaf before completing this form</p> | | |
| <p>3, Consignee (Name, full address, country) (Optional)</p> | <p>2. Application for a certificate to be used in preferential trade between</p> <p>.....</p> <p style="text-align: center;">and</p> <p>.....</p> <p style="text-align: center;">(insert appropriate countries, groups of countries or territories)</p> | | |
| | <p>4. Country, group of countries or territory in which the products are considered as originating ⁽¹⁾</p> | <p>5. Country, group of countries or territory of destination</p> | |
| <p>6. Transport details (Optional)</p> | <p>7. Remarks</p> | | |
| <p>8. Item number; marks and numbers; Number and kind of packages ⁽²⁾; Description of goods</p> | <p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p> | <p>10. Invoices (Optional)</p> | |

⁽¹⁾ Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

⁽²⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

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

SUBMIT the following supporting documents ⁽¹⁾:

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

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

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

Before completing this form read carefully the instructions on the back of Part 1.

(1) (2) (3) (See footnotes on back of part 1).

| | | | | | | | |
|---|--|--|--|---|--|---------------------------------|--|
| | | | | | | | |
| 11 Authorities in the exporting country responsible for verification of the declaration by the exporter | | 10 Description of goods | | 5 Remarks (2) | | 3 Name and address of consignee | |
| 9 Gross weight | | 7 Country, group of countries or territory in which the products are considered as originating (2) | | 6 Signature of exporter | | 1 Name and address of exporter | |
| 8 Country of destination | | 4 Place and date | | 4 Declaration by the exporter | | 2 Declaration by the exporter | |
| | | | | <p>— DECLARE that the goods are situated in ... (exporting country) under the conditions necessary for completion of this form in accord with the provisions governing trade between ... (1); and that the goods have the status of originating products within the meaning of the said provisions;</p> <p>— UNDERTAKE to submit to the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection by them of my accounts and any check by them on the process of manufacture of the goods described below.</p> | | | |

FORM EUR. 2 No A 000 000

(Part 1)

| REQUEST FOR VERIFICATION | RESULT OF VERIFICATION |
|---|--|
| <p>The undersigned customs officer requests that the declaration by the exporter on the front of this form be verified (*) (1)</p> <p style="text-align: center;">..... (Place and date of signature)</p> <div style="border: 1px dashed black; width: 50px; height: 50px; 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> <p><input type="checkbox"/> the statements and particulars given in this form are accurate (1);</p> <p><input type="checkbox"/> this form does not meet the requirements as to authenticity and accuracy (see remarks appended) (1)</p> <p style="text-align: center;">..... (Place and date of signature)</p> <div style="border: 1px dashed black; width: 50px; height: 50px; margin: 10px auto; text-align: center;">Official stamp</div> <p style="text-align: center;">..... (Signature of customs officer)</p> <p>(1) Place an x where applicable</p> |

(*) Verification of the form is made on a sampling basis 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 to the authorities of the exporting country responsible for verification, specifying the reasons of substance 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 the form are inaccurate.

If the customs authorities of the importing country decide to suspend 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 may be considered necessary.

Annex 6 to Annex II

Before completing this form read carefully the instructions on the back of Part 1.

FORM EUR. 2 No A 000 000

(Part 2)

| | | | | |
|--|---|---|---------------------------------|-----------------------|
| 1 Name and address of exporter | 2 Declaration by the exporter I, the undersigned, exporter of the goods described below and contained in this postal consignment, — DECLARE that the goods are situated in _____ (exporting country) under the conditions necessary for completion of this form in accordance with the provisions governing trade between _____ ⁽¹⁾ ; and that the goods have the status of originating products within the meaning of the said provisions; — UNDERTAKE to submit to the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection by them of my accounts and any check by them on the processes of manufacture of the goods described below. | | | |
| 3 Name and address of consignee | 4 Place and date | 6 Signature of exporter | | |
| 5 Remarks ⁽²⁾ | 7 Country, group of countries or territory in which the products are considered as originating ⁽³⁾ | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">8 Country of destination</td> </tr> <tr> <td style="padding: 5px;">9 Gross weight</td> </tr> </table> | 8 Country of destination | 9 Gross weight |
| 8 Country of destination | | | | |
| 9 Gross weight | | | | |
| 10 Description of goods | 11 Authorities in the exporting country responsible for verification of the declaration by the exporter | | | |

⁽¹⁾ ⁽²⁾ ⁽³⁾ (See footnotes on back of part 1).

Footnotes for both forms

(1) Indicate the Contracting Parties to the transaction in respect of which the form has been completed.

(2) Refer to any verification already carried out by the appropriate authorities.

(3) Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

Instructions for the completion of form EUR.2

A. A form EUR.2 may be made out only for goods which in the exporting country meet the conditions specified by the provisions governing the trade referred to in space 2.

Those provisions must be studied carefully before the form is completed.

B. The exporter must give the reference 'EUR.2' followed by the serial number of the form either on green label C 1 or on customs declaration C 2/CP 3.

C. After completing and signing the two parts of the form, the exporter must,

— in the case of a consignment by parcel post, attach the two parts to the dispatch note,

— in the case of a consignment by letter post, attach Part 1 firmly to the consignment and insert Part 2 inside it.

Annex 7 to Annex II

SPECIMEN OF DECLARATION

I, the undersigned, declare that the goods listed on this invoice were obtained in

.....
(indicate the State(s) partner to the convention in which the products were obtained)

and (as appropriate):

(a) (*) satisfy the rules on the definition of the concept of 'wholly produced products'

or

(b) (*) were produced from the following products:

| Description | Country of origin | Value (*) |
|-------------|-------------------|-----------|
| | | |
| | | |
| | | |
| | | |
| | | |

and have undergone the following processes:

..... (indicate processings)

in

..... (indicate the State(s) partner to the convention in which the products were obtained)

.....
(Place and date)

.....
(Signature)

(*) To be completed as necessary.

Annex 8 to Annex II

EUROPEAN COMMUNITIES

| | | | |
|--|---|---|---|
| <p>1. Supplier ⁽¹⁾</p> | <p>INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the</p> <div style="border: 1px solid black; padding: 10px; text-align: center; margin: 10px auto; width: 80%;"> <p>EUROPEAN ECONOMIC COMMUNITY and THE ACP STATES</p> </div> | | |
| <p>2. Consignee ⁽¹⁾</p> | <p>4. State in which the working or processing has been carried out</p> | | |
| <p>3. Processor ⁽¹⁾</p> | | | |
| <p>6. Customs office of importation ⁽²⁾</p> | <p>5. For official use</p> | | |
| <p>7. Import document ⁽³⁾ Form No Series Date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/></p> | | | |
| <p>GOODS SENT TO THE MEMBER STATE OF DESTINATION</p> | | | |
| <p>8. Marks, numbers, quantity and kind of package</p> | <p>9. Tariff heading number and description of goods</p> | <p>10. Quantity ⁽⁴⁾</p> | |
| | | <p>11. Value ⁽⁴⁾</p> | |
| <p>IMPORTED GOODS USED</p> | | | |
| <p>12. Tariff heading number and description</p> | <p>13. Country of origin</p> | <p>14. Quantity ⁽⁵⁾</p> | <p>15. Value ⁽⁵⁾(⁶⁾</p> |
| <p>16. Nature of the working or processing carried out</p> | | | |
| <p>17. Remarks</p> | | | |
| <p>18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/></p> <div style="border: 1px solid black; width: 100px; height: 50px; margin: 10px auto; text-align: center;"> <p>Official stamp</p> </div> <p>..... (Signature)</p> | | <p>19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate</p> <p>..... <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> (Place) (date)</p> <p>..... (Signature)</p> | |

⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ See footnotes on verso.

| | |
|---|--|
| <p>REQUEST FOR VERIFICATION</p> <p>The undersigned customs official requests verification of the authenticity and accuracy of this information certificate</p> <p>..... (Place and date)</p> <div style="border: 1px solid black; width: 80px; height: 50px; margin: 10px auto; display: flex; align-items: center; justify-content: center;"> <p>Official stamp</p> </div> <p>..... (Official's signature)</p> | <p>RESULT OF VERIFICATION</p> <p>Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>(a) was issued by the customs office indicated and that the information contained therein is accurate (*)</p> <p>(b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)</p> <p>..... ice and date)</p> <div style="border: 1px solid black; width: 80px; height: 50px; margin: 10px auto; display: flex; align-items: center; justify-content: center;"> <p>Official stamp</p> </div> <p>..... (Official's signature)</p> <p>..... (*) Delete where not applicable.</p> |
|---|--|

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) The value must be indicated in accordance with the provisions on rules of origin.

28. 6. 75

Official Journal of the European Communities

No L 166/67

REGULATION (EEC) No 1599/75 OF THE COUNCIL
of 24 June 1975

on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'

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 Council Regulation (EEC) No 1059/69 ⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No 1491/73 ⁽²⁾, and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the ACP-EEC Lomé convention hereinafter called 'the convention', between the African, Caribbean and Pacific States, hereinafter called the 'ACP States', and the European Economic Community was signed on 28 February 1975;

Whereas Article 2 (2) (a) of that convention lays down that: 'Products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty; or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy;

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at the time of importation do not provide, apart

from customs duties, for the application of any other measure relating to their importation;

- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure, as a general rule, more favourable treatment than the general treatment applicable to the same products originating in third countries to which the most-favoured-nation clause applies';

Whereas, when this convention was signed, the Community and the ACP States agreed in an exchange of letters to apply autonomously from 1 July 1975 certain provisions of the convention relating to trade in goods, including those of Article 2 (2) (a);

Whereas the application of these provisions is to be deferred with regard to products falling within heading Nos 06.03 and 06.04 of the Common Customs Tariff, by virtue of the statement entered in the minutes of the signature of the convention whereby the date from which these products will be admitted to the Community free of customs duties will be notified to the ACP States as soon as possible, as the Community must first settle problems related to Community import arrangements for these products;

Whereas, for the remainder, Council Regulation (EEC) No 1598/75 of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé convention relating to trade in goods applies from 1 July 1975;

Whereas Article 1 (2) stipulates that paragraph 1 shall not prejudice the application of Article 38 of the Act of Accession; and whereas the customs duties which are temporarily provided under the aforesaid Article 38 therefore remain generally applicable;

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 151, 7. 6. 1973, p. 1.

Whereas

- Council Regulation (EEC) No 805/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 1855/74 ⁽²⁾.

- Council Regulation (EEC) No 2142/70 ⁽³⁾ of 20 October 1970 on the common organization of the market in fishery products, as last amended by Regulation (EEC) No 1182/75 ⁽⁴⁾,

- Council Regulation No 136/66/EEC ⁽⁵⁾ of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 1707/73 ⁽⁶⁾,

- Council Regulation No 120/67/EEC ⁽⁷⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 665/75 ⁽⁸⁾,

- Council Regulation No 359/67/EEC ⁽⁹⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 668/75 ⁽¹⁰⁾,

- Council Regulation (EEC) No 1035/72 ⁽¹¹⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72 ⁽¹²⁾,

- Council Regulation (EEC) No 865/68 ⁽¹³⁾ of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No 981/75 ⁽¹⁴⁾,

- Regulation (EEC) No 1059/69,

- Council Regulation (EEC) No 727/70 ⁽¹⁵⁾ of 21 April 1970 on the common organization of

the market in raw tobacco, as last amended by the Act of Accession ⁽¹⁶⁾,

- Council Regulation (EEC) No 1308/70 ⁽¹⁷⁾ of 29 June 1970 on the common organization of the market in flax and hemp, as last amended by the Act of Accession,

- Council Regulation (EEC) No 1696/71 ⁽¹⁸⁾ of 26 July 1971 on the common organization of the market in hops, as last amended by the Act of Accession,

- Council Regulation (EEC) No 234/68 ⁽¹⁹⁾ of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage, as last amended by the Act of Accession,

- Council Regulation (EEC) No 2358/71 ⁽²⁰⁾ of 26 October 1971 on the common organization of the market in seeds, as last amended by Regulation (EEC) No 671/75 ⁽²¹⁾,

- Council Regulation (EEC) No 827/68 ⁽²²⁾ of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty, as last amended by Regulation (EEC) No 1067/74 ⁽²³⁾, and

- Council Regulation (EEC) No 1067/74 of 30 April 1974 on the common organization of the market in dehydrated fodder, as last amended by Regulation (EEC) No 1420/75 ⁽²⁴⁾,

establish trade arrangements with third countries;

Whereas, on the one hand, these arrangements provide only for the application of custom duties on the importation of a number of products; whereas it should therefore be ensured that the exemption from duties provided for in Article 2 (2) (a) (i) of the convention is applied from 1 July 1975;

Whereas, on the other hand, these trade arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 195, 18. 7. 1974, p. 14.

⁽³⁾ OJ No L 236, 27. 10. 1970, p. 5.

⁽⁴⁾ OJ No L 118, 8. 5. 1975, p. 1.

⁽⁵⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁶⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽⁷⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽⁸⁾ OJ No L 72, 20. 3. 1975, p. 14.

⁽⁹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽¹⁰⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽¹¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽¹²⁾ OJ No L 291, 28. 12. 1972, p. 14.

⁽¹³⁾ OJ No L 153, 1. 7. 1968, p. 8.

⁽¹⁴⁾ OJ No L 95, 17. 4. 1975, p. 2.

⁽¹⁵⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽¹⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽¹⁷⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽¹⁸⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽¹⁹⁾ OJ No L 55, 2. 3. 1968, p. 1.

⁽²⁰⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²¹⁾ OJ No L 72, 20. 3. 1975, p. 21.

⁽²²⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽²³⁾ OJ No L 120, 1. 5. 1974, p. 2.

⁽²⁴⁾ OJ No L 141, 3. 6. 1975, p. 1.

respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables and oils and fats; whereas the obligations of the Community towards the ACP States arising from Article 2 (2) (a) (ii) of the convention may be fulfilled by granting total or partial exemption from import charges for the products in question where they originate in the ACP States;

Whereas, in order to make exports of beef and veal easier for the ACP States concerned, provision should temporarily be made for the possibility of partially offsetting the import charges arising from present trends in the world market situation;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, annexed to the convention;

Whereas, until the entry into force of the convention, the provisions relating to the definition of the concept of 'originating products' and methods of administrative cooperation laid down in Annex II to Council Regulation (EEC) No 1598/75 are applicable;

Whereas, furthermore, these advantages should, according to the case, be combined with certain conditions and limited to certain annual and multiannual quantities;

Whereas the safeguard clauses provided for in the Regulations on the common organization of markets are applicable;

Whereas in addition specific safeguard clauses must be provided for certain products;

Whereas there have traditionally been trade flows from the ACP States towards the French overseas departments, and whereas provision should therefore be made for measures favouring imports of certain products originating in the ACP States into these French overseas departments to meet their supply requirements;

Whereas provisions similar to those for products originating in the ACP States are envisaged for agricultural products and certain goods resulting from the processing of agricultural products originating in the 'overseas countries and territories' associated with the European Economic Community, hereinafter called 'countries and territories';

Whereas a Council Regulation is envisaged to define the interim arrangements for trade with the 'countries and territories'; whereas, pending the entry into force of that Regulation, the rules of origin laid down in Regulation (EEC) No 1598/75 should be applied *mutatis mutandis* to products imported from the 'countries and territories'; whereas, following the entry into force of the Regulation on the interim arrangements for trade with the 'countries and territories', the provisions of the said Regulation relating to origin should be applied to those products,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States listed in Annex I or in the 'countries and territories' listed in Annex II.

2. The rules of origin applicable to such of these products as are imported from the ACP States shall be those set out in Annex II to Regulation (EEC) No 1598/75. Until the entry into force of the Council Regulation on the interim arrangements for trade with the 'countries and territories' these same rules of origin shall apply *mutatis mutandis* to products imported from the 'countries and territories' referred to in paragraph 1.

After the entry into force of the said Regulation, its provisions on origin shall apply to imports from the 'countries and territories' of the products covered by this Regulation.

TITLE I

Beef and veal

Article 2

1. The beef and veal products referred to in Article 1 of Regulation (EEC) No 805/68 shall be imported free of customs duties.

2. Until 31 December 1975, the duties on imports from ACP States of the products referred to in Article 1 (a) of Regulation (EEC) No 805/68 shall be reduced by an amount to be fixed quarterly by the Commission and corresponding to 90% of the average of the import duties during the reference period referred to in paragraph 4.

3. Paragraph 2 shall apply to all imports for which the importer proves that an export tax of an amount corresponding to the reduction referred to in paragraph 2 has been charged by the exporter State.

4. The arrangements for applying paragraphs 2 and 3 shall be adopted in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 805/68,

These arrangements shall, in particular, cover:

- (a) the basis for calculation and the reference period to be taken into consideration for fixing the amount by which the import duties are reduced;
- (b) the rules for fixing the corresponding amount to be charged by the exporter State;
- (c) admissible proof and inspection measures.

Article 3

Where, in the course of a year, imports into the Community of beef and veal falling within subheading 02.01 A II a) of the Common Customs Tariff and originating in an ACP State or 'country or territory' exceed a quantity equivalent to that of imports into the Community during the years between 1969 and 1974 inclusive in which the greatest quantity of Community imports of the origin in question was recorded, plus an annual growth rate of 7%, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE II

Fishery products

Article 4

The fishery products referred to in Article 1 of Regulation (EEC) No 2142/70 shall be imported free of customs duties.

TITLE III

Oils and fats

Article 5

The oils and fats products referred to in Article 1 (2) (a) and (b) of Regulation No 136/66/EEC shall be imported free of customs duties.

Article 6

Should the volume of imports of any of the oil seeds falling within subheading ex 12.01 B of the

Common Customs Tariff, referred to in Article 1 (2) (a) of Regulation No 136/66/EEC, undergo appreciable changes in relation to the present situation, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt special measures.

TITLE IV

Cereals

Article 7

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation No 120/67/EEC, reduced by 1.50 units of account per metric ton.

2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum following within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Council Regulation No 120/67/EEC, reduced by 50 %.

TITLE V

Rice

Article 8

The levy applicable to imports of rice falling within heading No 10.06 of the Common Customs Tariff shall be equal, per 100 kg of product, to the levy applicable to imports of rice from third countries, reduced as follows:

- (a) for paddy rice falling within subheading 10.06 A I of the Common Customs Tariff:
 - by 50%, and
 - by 0.30 unit of account;
- (b) for husked rice falling within subheading 10.06 A II of the Common Customs Tariff:
 - by 50%, and
 - by 0.30 unit of account;
- (c) for semi-milled rice falling within subheading 10.06 B I of the Common Customs Tariff:
 - by the amount for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC, converted by reference to the conversion rate between milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation;

- by 50% of the levy thus reduced, and
- by 0.45 unit of account;

(d) for milled rice falling within subheading 10.06 B II of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC;
- by 50% of the levy thus reduced, and
- by 0.45 unit of account;

(e) for broken rice falling within subheading 10.06 C of the Common Customs Tariff;

- by 50%, and
- by 0.25 unit of account.

Article 9

1. The provisions of Article 8 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States or in the 'countries and territories' is at the time of exportation, for that quantity, equal to or more than:

- for husked rice, milled rice and broken rice, the threshold price of each of these products, reduced by amounts of 0.30, 0.45 and 0.25 unit of account respectively;
- for paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the husked state to the paddy state, reduced by an amount of 0.30 unit of account;
- for semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the round grained milled state to the round grain semi-milled state, reduced by an amount of 0.45 unit of account.

2. In order to permit the necessary checks, the documents accompanying the goods must show the cif price at which the product is sold and the date of exportation, together with all details regarding quality enabling the product to be defined. This document must be stamped by the competent authorities in the exporting ACP State, 'country or territory'.

Article 10

1. Article 13 (2) of Regulation No 359/67/EEC shall not apply to the levies to be charged on

imports of rice originating in the ACP States or in the 'countries and territories'.

2. As regards such imports, however, the levy applicable on the day of exportation shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of the above Regulation, to an importation to be effected during the period of validity of the licence.

Article 11

Where, in the course of a year, imports into the Community of rice originating in an ACP State or in a 'country or territory' exceed a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the past three years for which statistics are available plus 5%, the provisions of Article 8 shall be totally or partially suspended in respect of the products of the origin in question in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC.

In such a case, the Commission shall report to the Council which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE VI

Products processed from cereals and rice

Article 12

1. The levy applicable to imports of the products listed in Annex A to Regulation No 120/67/EEC and of the products listed in Article 1 (1) (c) of Regulation No 359/67/EEC shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.

2. The variable component of the levy shall be reduced:

- by 0.15 unit of account per 100 kg for the products falling within subheading 07.06 A of the Common Customs Tariff;
- by 0.30 unit of account per 100 kg for the products falling within heading No 11.06 of the Common Customs Tariff;
- by 50% for the products falling within subheading 11.08 A V of the Common Customs Tariff.

3. The variable component of the levy shall not be charged in respect of the following products originating in the 'countries and territories':

| CCT heading No | Description of goods |
|----------------|--|
| 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: ex A. Manioc arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes: — Arrowroot |
| 11.06 | Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06: ex A. Denatured: — Flours and meal of arrowroot B. Other: ex I. For the manufacture of starches: — Flours and meal of arrowroot ex II. Other: — Flours and meal of arrowroot |
| 11.08 | Starches; inulin: A. Starches: ex V. Other: — Arrowroot starch |

TITLE VII

Fruit and vegetables

Article 13

1. The products listed below shall be imported free of customs duties:

| CCT heading No | Description of goods |
|----------------|--|
| 07.01 | Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other |

| CCT heading No | Description of goods |
|----------------|---|
| 08.02 | Citrus fruit, fresh or dried: D. Grapefruit E. Other |
| 08.08 | Berries, fresh: E. Papaws ex F. Other: — Passion fruit |
| 08.09 | Other fruit, fresh |

2. The products listed below shall be imported subject to customs duties equal to 20% of the Common Customs Tariff duties:

| CCT heading No | Description of goods |
|----------------|---|
| 08.02 | Citrus fruit, fresh or dried: A. Oranges B. Mandarins including tangerines and satsumas; clementines, wilkings and other similar citrus hybrids |

Article 14

1. Any decision taken under Article 29 (2) and (3) of Regulation (EEC) No 1035/72 and relating to the products listed in Article 13 of this Regulation shall be communicated to the ACP States concerned.

2. Furthermore, if serious disruptions occur as a result of a large increase in imports of products listed in Article 13 (1) and (2) of this Regulation and originating in the ACP States or in the 'countries and territories', or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, Articles 5, 6, 7 and 8 of Regulation (EEC) No 1598/75 or the corresponding rules concerning the countries and territories shall apply.

TITLE VIII

Products processed from fruit and vegetables

Article 15

1. The products listed in Article 1 of Regulation (EEC) No 865/68 shall be imported free of customs duties.

2. Levies shall not be charged on imports of the products listed below:

| CCT heading No | Description of goods |
|----------------|---|
| 20.06 | <p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>B. Other:</p> <p>I. Containing added spirit:</p> <p>b) Pineapples, in immediate packings of a net capacity:</p> <p>1. Of more than 1 kg:</p> <p>aa) With a sugar content exceeding 17% by weight</p> <p>2. Of 1 kg or less:</p> <p>aa) With a sugar content exceeding 19% by weight</p> <p>e) Other fruits:</p> <p>ex 1. With a sugar content exceeding 9% by weight:</p> <p>— Grapefruit segments</p> <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 17% by weight</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 pineapples, papaws and pomegranate</p> <p>ex bb) Other:</p> <p>— Mixtures of pineapples, papaws and pomegranate</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>5. Pineapples:</p> <p>aa) With a sugar content exceeding 19% by weight</p> |

| CCT heading No | Description of goods |
|-------------------|---|
| 20.06 (cont'd) | B. II. b) 9. Mixtures of fruit: ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits: — Mixtures of pineapples, papaws and pomegranate ex bb) Other: — Mixtures of pineapples, papaws and pomegranate |
| 20.07 | Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: B. Of a specific gravity of 1.33 or less at 15° C: II. Other: b) Of a value of 30 u.a. or less per 100 kg net weight: 5. Pineapple juice: aa) With an added sugar content exceeding 30% by weight 8. Mixtures: bb) Other: ex 11. With an added sugar content exceeding 30% by weight: — Pineapple, papaw and pomegranate juice |

TITLE IX

Unmanufactured tobacco

Article 16

The tobacco products listed in Article 1 of Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 17

1. Any decision taken pursuant to Article 10 (2) and (3) of Regulation (EEC) No 727/70 shall be communicated to the ACP States concerned.

2. Furthermore, if serious disruptions occur as a result of a large increase in duty-free imports of the products falling within heading No 24.01 of the Common Customs Tariff, originating in the ACP States or in the 'countries and territories', or if these imports create difficulties which bring about a deterioration in the economic situation of a region

of the Community, the Community may take the necessary safeguard measures, including those intended to offset any deflection of trade. For the purpose of implementing the safeguard measures *vis-à-vis* the ACP States or the 'countries and territories', Articles 5, 6, 7 and 8 of Regulation (EEC) No 1598/75 or the corresponding rules concerning the countries and territories shall apply.

TITLE X

Goods to which Regulation (EEC) No 1059/69 applies

Article 18

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 1059/69 applies.

2. The variable component shall not be charged on imports of the goods listed below:

| CCT heading No | Description of goods |
|-------------------|---|
| 17.04 | Sugar confectionery, not containing cocoa: C. White chocolate |
| 18.06 | Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa |
| 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: B. Other: I. Containing no milk fats or containing less than 1.5 % by weight of such fats: d) Containing 45 % or more but less than 65 % by weight of starch |
| 19.04 | Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit: D. Other, containing by weight of starch: ex II. 50 % or more, excluding ships' biscuits |
| 19.08 | Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: B. Other: IV. Containing 50 % or more but less than 65 % by weight of starch: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): ex I. Containing no milk fats or containing less than 1.5 % by weight of such fats: — Biscuits V. Containing 65 % or more by weight of starch: ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): — Biscuits ex b) Other: — Biscuits |

TITLE XI

Other markets subject to common organization

Article 19

The products referred to in Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 2358/71 and (EEC) No 1067/74 shall be imported free of customs duties, with the exception of the products listed below:

| CCT heading No | Description of goods |
|----------------|--|
| 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 |
| 06.04 | Foliage, branches and other parts (other than flowers or buds under 06.03) of trees, shrubs or bushes and other plants, and mosses, lichens and grasses, being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared |

TITLE XII

Provisions relating to the French overseas departments

Article 20

The levies shall not be applied to imports into the French overseas departments of the products listed below originating in the ACP States or in the 'countries and territories':

| CCT heading No | Description of goods |
|----------------|--|
| 01.02 | Live animals of the bovine species: A. Domestic species: II. Other |
| 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: II. Of bovine animals: a) Of domestic bovine animals |
| 10.06 | Rice |

Article 21

1. The levy applicable to imports into the French overseas departments of maize falling within subheading 10.05 B of the Common Customs Tariff originating in the ACP States or in the 'countries and territories' shall be that fixed in accordance with Article 13 of Regulation No 120/67/EEC reduced by six units of account per metric ton.

2. If imports into the French overseas departments of maize originating in the ACP States or in the 'countries and territories' have exceeded 4 500 metric tons in a year, and if such imports are causing or are likely to cause serious disturbances in the market, the Commission shall take the necessary measures, at the request of a Member State or on its own initiative.

3. Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may amend or declare void the measure in question, acting by a qualified majority.

TITLE XIII

General and final provisions

Article 22

1. The reductions provided for by this Regulation shall be calculated by reference to the levies and variable components applicable, at any given time, to imports from third countries into the Community as originally constituted.

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

Done at Luxembourg, 24 June 1975.

However, the amount resulting from such reduction may not be less than the highest accession compensatory amount actually applicable, where appropriate, by the importing Member State on the day of importation in its trade with the other Member States.

2. The exemption referred to in Article 12 (3), Article 15 (2) and Article 18 (2) shall be limited to the highest accession compensatory amount actually applicable, where appropriate, by the importing Member State on the day of importation in its trade with the other Member States.

Article 23

If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of the agricultural markets.

Article 24

This Regulation shall enter into force on 1 July 1975.

It shall apply until the convention enters into force and until 29 February 1976 at the latest.

The Council may decide to extend the application of this Regulation beyond that date.

For the Council

The President

G. FITZGERALD

ANNEX I

List of States referred to in Article 1 (1)

| | |
|--------------------------------|---------------------|
| Bahamas | Liberia |
| Barbados | Malagasy Republic |
| Botswana | Malawi |
| Burundi | Mali |
| Cameroon | Mauritania |
| Central African Republic | Mauritius |
| Chad | Niger |
| People's Republic of the Congo | Nigeria |
| Dahomey | Rwanda |
| Equatorial Guinea | Senegal |
| Ethiopia | Sierra Leone |
| Fiji | Somali |
| Gabon | Sudan |
| Gambia | Swaziland |
| Ghana | Tanzania |
| Grenada | Togo |
| Guinea | Tonga |
| Guinea Bissau | Trinidad and Tobago |
| Guyana | Uganda |
| Ivory Coast | Upper Volta |
| Jamaica | Western Samoa |
| Kenya | Zaire |
| Lesotho | Zambia |

ANNEX II

List of the 'countries and territories' referred to in Article 1 (1)

1. Overseas countries of the Kingdom of the Netherlands:
 - Surinam,
 - The Netherlands Antilles (Aruba, Bonaire, Curaçao and St Martin, Saba, St Eustatius).

 2. Overseas territories of the French Republic:
 - Saint Pierre and Miquelon,
 - The Comoro Archipelago,
 - The Territory of the Afars and Issas,
 - New Caledonia and Dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.

 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean: Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla,
 - Cayman Islands,
 - Falkland Islands and Dependencies,
 - Gilbert and Ellice Islands,
 - British Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and Dependencies,
 - The Seychelles,
 - British Antarctic Territory,
 - British Indian Ocean Territory.

 4. Anglo-French Condominium of the New Hebrides.
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28. 6. 75

Official Journal of the European Communities

No L 166/81

REGULATION (EEC) No 1600/75 OF THE COUNCIL

of 24 June 1975

on the opening, allocation and administration of a Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States

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 ACP-EEC Lomé convention, signed on 28 February 1975, provides in Article 2 (1), together with Protocol 7 annexed thereto, that until the entry into force of a common organization of the market in spirits, products falling within tariff subheading 22.09 C I (rum, arrack, tafia), originating in the ACP States, shall be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the European Economic Community, these growth rates being based on foreseeable internal demand in each Member State; whereas the exchange of letters at Lomé on 28 February 1975 relating to the advance implementation of certain provisions of the said convention provides in particular that the Community shall apply the said Protocol 7 autonomously as from 1 July 1975;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistical information is available;

Whereas, initially, conditions should be laid down for the advance implementation of the provisions concerned for the period from 1 July to 31 December 1975; whereas for that period, on the basis of statistical information and taking into account a

higher estimated consumption during the second half of each calendar year, the volume of the tariff quota should be fixed at 109 200 hectolitres of pure alcohol;

Whereas it seems likely that arrangements for using the tariff quota based on allocation between the United Kingdom and the Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninterrupted application of the duty free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are 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

From 1 July until 31 December 1975 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 109 200 hectolitres of pure alcohol.

These products are considered as originating in the ACP States if they fulfil the conditions laid down in Council Regulation (EEC) No 1598/75 of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé convention relating to trade in goods.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment of 83 200 hectolitres of pure alcohol shall be for United Kingdom consumption. The second instalment of 26 000 hectolitres of pure alcohol shall be allocated among the other Member States.

2. The share of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall be valid until the end of the period stipulated in Article 1 and shall consist of the following quantities, indicated in hectolitres of pure alcohol:

| | |
|----------|---------|
| Benelux: | 2 275, |
| Denmark: | 1 885, |
| Germany: | 16 900, |
| France: | 3 900, |
| Ireland: | 650, |
| Italy: | 390. |

Article 3

Member States shall manage the shares allocated to them in accordance with their own arrangements.

Article 4

Member States shall inform the Commission each month of imports actually charged against the tariff quota.

The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

Article 5

Articles 5, 6, 7 and 8 of Regulation (EEC) No 1598/75 shall apply in respect of the products covered by this Regulation.

Article 6

The Member States and the Commission shall cooperate closely in order to ensure compliance with this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1975.

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

Done at Luxembourg, 24 June 1975.

For the Council

The President

G. FITZGERALD

28. 6. 75

Official Journal of the European Communities

No L 166/83

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING IN COUNCIL

of 24 June 1975

opening tariff preferences for products within the province of that Community originating
in the African, Caribbean and Pacific States and in the overseas countries and territories
associated with the Community

(75/371/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES OF THE EUROPEAN
COAL AND STEEL COMMUNITY MEETING IN
COUNCIL,

Whereas the Member States have concluded with each other the Treaty establishing the European Coal and Steel Community;

Whereas the Agreement on products within the province of the European Coal and Steel Community, hereinafter called the 'Agreement', between the Member States of that Community and the African, Caribbean and Pacific States, hereinafter called the 'ACP States', was signed on 28 February 1975 at the same time as the ACP-EEC Lomé convention and whereas that Agreement is being submitted for ratification;

Whereas when the Agreement was signed, the European Economic Community, its Member States and the ACP States agreed in an exchange of letters to apply autonomously from 1 July 1975 certain provisions of the convention relating to trade in goods;

Desiring to apply likewise autonomously and concurrently the tariff suspensions contained in the Agreement;

Whereas a Council Regulation is envisaged to define the interim arrangements for trade with the overseas countries and territories associated with the European Economic Community; whereas it will not apply to products within the province of the European Coal and Steel Community, and whereas the association's arrangements should nevertheless be extended to these products;

Whereas, until the rules of origin which will be laid down by the abovementioned Regulation enter into force, the rules of origin laid down in Regulation (EEC) No 1598/75 should be applied to products imported from the 'countries and territories' *mutatis mutandis* with products imported from the ACP States, and whereas thereafter the rules of origin laid down by the Regulation on the interim arrangements for trade with the 'countries and territories' should be applied;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

From 1 July 1975, the duties applicable in the Community to imports of products within the

province of the European Coal and Steel Community, originating in the ACP States listed in Annex I or in the 'overseas countries and territories' listed in Annex II, and charges having equivalent effect, or the levying of such duties and charges, shall be suspended. The treatment applied to such products may not be more favourable than that accorded by the Member States among themselves.

For purposes of the implementation of the first subparagraph, account shall not be taken of residual customs duties and charges having equivalent effect arising from the application of Articles 32 and 36 of the Act of Accession.

Article 2

The provisions defining the rules of origin provided for in Council Regulation (EEC) No 1598/75 of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé convention relating to trade in goods shall apply to products referred to in Article 1 imported from the ACP States.

They shall apply *mutatis mutandis* to products referred to in Article 1 imported from the 'countries and territories' until the entry into force of the Council Regulation on the interim arrangements for trade with the 'countries and territories'. After the

entry into force of that Regulation, its provisions on origin shall apply to products imported from the said 'countries and territories'.

Article 3

The Member States shall decide by mutual agreement on any safeguard measures suggested by one or more Member States or by the Commission.

Article 4

This Decision shall remain applicable until the entry into force of the Agreement and at the latest until 29 February 1976.

Where necessary, the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting in Council, may decide to keep this Decision in force beyond that date and until the entry into force of the Agreement aforesaid.

Article 5

The Member States shall take all the measures necessary for the implementation of this Decision.

Done at Luxembourg, 24 June 1975.

The President
G. FITZGERALD

ANNEX I

List of States referred to in Article 1, first subparagraph

| | |
|--------------------------------|---------------------|
| Bahamas | Liberia |
| Barbados | Malagasy Republic |
| Botswana | Malawi |
| Burundi | Mali |
| Cameroon | Mauritania |
| Central African Republic | Mauritius |
| Chad | Niger |
| People's Republic of the Congo | Nigeria |
| Dahomey | Rwanda |
| Equatorial Guinea | Senegal |
| Ethiopia | Sierra Leone |
| Fiji | Somali |
| Gabon | Sudan |
| Gambia | Swaziland |
| Ghana | Tanzania |
| Grenada | Togo |
| Guinea | Tonga |
| Guinea Bissau | Trinidad and Tobago |
| Guyana | Uganda |
| Ivory Coast | Upper Volta |
| Jamaica | Western Samoa |
| Kenya | Zaire |
| Lesotho | Zambia |

ANNEX II

List of the 'countries and territories' referred to in Article 1, first subparagraph

1. Overseas countries of the Kingdom of the Netherlands:
 - Surinam,
 - The Netherlands Antilles (Aruba, Bonaire, Curaçao and St Martin, Saba, St Eustatius)
 2. Overseas territories of the French Republic:
 - Saint Pierre and Miquelon,
 - The Comoro Archipelago,
 - The Territory of the Afars and Issas,
 - New Caledonia and Dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean: Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla,
 - Cayman Islands,
 - Falkland Islands and Dependencies,
 - Gilbert and Ellice Islands,
 - British Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and Dependencies,
 - The Seychelles,
 - British Antarctic Territory,
 - British Indian Ocean Territory.
 4. Anglo-French Condominium of the New Hebrides.
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1. 7. 75

Official Journal of the European Communities

No L 168/1

REGULATION (EEC) No 1650/75 OF THE COUNCIL
of 26 June 1975

derogating from the definition of the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain textile products

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 1598/75⁽¹⁾ of 24 June 1975 on the advance implementation of certain provisions of the ACP/EEC Lomé convention relating to trade in goods brought the said provisions into force as from 1 July 1975; whereas Article 27 of Annex II to that Regulation lays down that the rules of origin may be changed when the development of existing industries or the creation of new industries necessitates derogations from the said Annex;

Whereas Decision No 47/74 of the EEC/AASM Association Council lays down that, in order to enable the industries concerned in Mauritius to adapt their production to conditions which comply with the definition of the concept of 'originating products', textile products manufactured in Mauritius and falling within heading Nos 60.01, 61.01, 61.02, 61.03, 61.04, 61.07, 61.09 and 61.10 shall be considered as 'originating products' within the limit of certain amounts and under certain conditions;

Whereas the adoption of Regulation (EEC) No 1598/75 makes it necessary to extend the validity of

the measures laid down by the abovementioned Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding the special provisions in List A in Annex 2 to Annex II to Regulation (EEC) No 1598/75 relating to textile products manufactured in Mauritius and falling within heading Nos 60.01, 61.01, 61.02, 61.03, 61.04, 61.07, 61.09 and 61.10 shall be considered as products originating in Mauritius under the conditions set out hereinafter.

Article 2

The derogation provided for by this Regulation shall relate for the period 1 July to 31 December 1975, to the amounts indicated below for the products concerned, which may be increased by a figure of up to 20 % for any one heading by the quantities not used in the course of the year 1974; from this total shall be deducted the quantities, which upon presentation of an A.Y.1, have come under a preferential system in the Community in the period 1 January to 30 June 1975.

(in metric tons)

| Heading No | Description | Total |
|------------|---|-------|
| 60.01 | Knitted or crocheted fabric, not elastic or rubberized | 260 |
| 61.01 | Men's and boys' outer garments | 120 |
| 61.02 | Women's, girls' and infants' outer garments | 120 |
| 61.03 | Men's and boys' under garments, including collars, shirt fronts and cuffs | 120 |
| 61.04 | Women's, girls' and infants' under garments | 120 |
| | | 480 |

(in metric tons)

| Heading No | Description | Total |
|------------|--|-------|
| 61.07 | Ties, bow ties and cravats | 25 |
| 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 | 20 |
| 61.10 | Gloves, mittens, stockings, socks and sockettes, not being knitted or crocheted goods | 15 |
| | | 60 |
| | | 800 |

Article 3

The Mauritian authorities shall take the necessary steps to verify the quality and quantity of exports of the products referred to in Article 2.

Article 4

Movement certificates EUR.1 issued pursuant to this Regulation shall bear one of the following entries:

- 'Originating products by virtue of Council Regulation (EEC) No 1650/75 of 26 June 1975';
- 'Marchandises réputées originaires en vertu du règlement (CEE) n° 1650/75 du Conseil du 26 juin 1975';
- 'Ursprungszeugnisse im Sinne der Verordnung (EWG) Nr. 1650/75 des Rates vom 26. Juni 1975';
- 'Merci originarie in virtù del regolamento (CEE) n. 1650/75 del Consiglio, del 26 giugno 1975';
- 'Goederen van oorsprong uit hoofde van Verordening (EEG) nr. 1650/75 van de Raad van 26 juni 1975';
- 'Varer med oprindelsesstatus i henhold til Rådets forordning (EØF) nr. 1650/75 af 26. juni 1975'.

This entry shall be in red ink under the heading 'Observations'.

Article 5

Should imports under the derogation provided for by this Regulation give rise or seem likely to give rise to difficulties resulting in deterioration in an economic situation in a region of the Community, the latter may, pursuant to Articles 5, 6 and 7 of Regulation (EEC) No 1598/75, take or authorize the Member State concerned to take the necessary protective measures.

Article 6

The following movement certificates for goods may continue to be used until 31 December 1975:

- Certificates A.Y.1 of the type previously used in preferential trade between the Community and the African States and the Malagasy Republic;
- For goods which are to be imported into Ireland or the United Kingdom, a certificate of the type previously used in the context of Commonwealth preferences.

Article 7

This Regulation shall enter into force on 1 July 1975.

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

Done at Luxembourg, 26 June 1975.

For the Council

The President

P. BARRY

REGULATION (EEC) No 1651/75 OF THE COMMISSION (*)
of 30 June 1975
fixing the import levies on cereals and on wheat or rye flour groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 85/75⁽²⁾, and in particular Article 13(5) thereof;

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2524/74⁽³⁾ and subsequent amending Regulations;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2524/74 to the

offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1975.

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

Done at Brussels, 30 June 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(*) A similar text containing other statistics appears regularly in the Official Journal. It is suggested that the latest Official Journal be consulted.

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 11, 16. 1. 1975, p. 1.

⁽³⁾ OJ No L 271, 5. 10. 1974, p. 9.

ANNEX

to the Commission Regulation of 30 June 1975 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)

| CCT heading No | Description of goods | Levies |
|----------------|--|-------------------------------------|
| 10.01 A | Common wheat and meslin | 53.19 |
| 10.01 B | Durum wheat | 49.84 ⁽¹⁾ ⁽²⁾ |
| 10.02 | Rye | 50.83 ⁽⁴⁾ |
| 10.03 | Barley | 54.21 |
| 10.04 | Oats | 44.17 |
| 10.05 B | Maize other than hybrid maize for sowing | 31.19 ⁽²⁾ ⁽³⁾ |
| 10.07 A | Buckwheat | 17.49 |
| 10.07 B | Millet | 7.64 ⁽⁴⁾ |
| 10.07 C | Grain sorghum | 46.15 ⁽⁴⁾ |
| 10.07 D | Canary seed; other cereals | 0 ⁽⁵⁾ |
| 11.01 A | Wheat or meslin flour | 93.81 |
| 11.01 B | Rye flour | 90.52 |
| 11.02 A I a | Durum wheat groats and meal | 96.20 |
| 11.02 A I b | Common wheat groats and meal | 100.02 |

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽²⁾ Where maize originated in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./metric ton as provided for in Regulation (EEC) No 1599/75.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./metric ton subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 % subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

⁽⁵⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1234/71 and Commission Regulation (EEC) No 2622/71.

1. 7. 75

Official Journal of the European Communities

No L 168/73

REGULATION (EEC) No 1681/75 OF THE COMMISSION

of 27 June 1975

concerning the issue of import licences, during the period of application of protective measures, for products originating in Botswana, Kenya, Madagascar and Swaziland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 805/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 1855/74 ⁽²⁾, and in particular Article 21 (2) thereof;

Whereas the safeguard measures taken in the beef sector were made more flexible by *inter alia* Commission Regulation (EEC) No 780/75 of 25 March 1975 concerning the arrangements for the importation, during the period of application of protective measures of products originating in Botswana, Kenya, Madagascar and Swaziland which allowed the importing of certain quantities of beef originating in these third countries, signatories of the Lomé convention, whose traditional exports of beef into the Community are an essential element in their economic development;

Whereas the motives underlying Commission Regulation (EEC) No 780/75 remain valid; whereas having regard to the particular difficulties encountered by these third countries during the first months of that Regulation's application, notably on account of the market price situation in the exporting countries and in the Community, these imports have not been able to proceed at the anticipated rate; whereas it is therefore appropriate to make certain amendments concerning the time limit for the application and period of validity of import certificates; whereas it is also necessary to take into consideration the remaining quantities covered by the Communities undertaking to the ACP countries, which up to the present have been unable to be imported in entirety within the framework of other measures taken by the Commission; whereas the quantities covered by this Regulation also include quantities remaining from the first allocation and the entire amount of the second, referred to in Regulation (EEC) No 780/75;

Whereas the detailed rules in respect of new import licences were laid down in Commission Regulation

(EEC) No 193/75 ⁽³⁾ of 17 January 1975 and in Commission Regulation (EEC) No 2637/70 ⁽⁴⁾ of 23 December 1970, as last amended by Regulation (EEC) No 1331/75 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Licences for the importation of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland shall be issued as provided in this Regulation for the following maximum quantities, expressed in metric tons of boned meat:

| | |
|--------------|--------|
| — Botswana | 6 898, |
| — Kenya | 111, |
| — Madagascar | 4 218, |
| — Swaziland | 2 407. |

100 kg of boned meat shall be equal to 130 kg of unboned meat.

Article 2

1. Applications for import licences may be lodged with the competent agencies of the Member States only during the first 10 days of each month.

The country of origin shall be entered in Section 14 of the application for a licence as well as in the licence. The licence shall carry with it an obligation to import from that country.

2. On the first working day following expiry of the time limit for the lodging of applications, Member States shall inform the Commission by telex of the total quantity in respect of which applications as specified in paragraph 1 have been lodged, broken down by the relevant third country.

The Commission shall, for each of the third countries concerned, decide to what extent licences may be granted. If the quantities in respect of which licences for products originating in a given country have been applied for exceed the quantity available for that country, the Commission shall determine a single percentage by which the quantities requested are to be reduced.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 195, 18. 7. 1974, p. 14.

⁽³⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁴⁾ OJ No L 283, 29. 12. 1970, p. 15.

⁽⁵⁾ OJ No L 135, 27. 5. 1975, p. 9.

3. If the total quantity in respect of which applications relating to a given third country have been received is less than the quantity available for that country the Commission shall declare what quantity remains over.

4. The period of validity of the import licences shall end on 31 December 1975.

5. Licences shall be issued on the twenty-first day following the first day of the period during which applications are lodged.

6. Subject to the provisions of Article 18 of Regulation (EEC) No 193/75, the security shall be released immediately in respect of quantities for which no import licence has been issued.

Article 3

Importation shall be authorized only if the origin of the products in question has been certified by the competent authorities of the exporting country:

(a) by documentary evidence, issued as provided in the Protocol on origin to the Lomé convention on or after the date on which that convention is put into effect, in the case of products originating in the third countries specified in (b);

(b) before the date referred to in (a), by:

(aa) the AY.1 movement certificate provided for in Regulation (EEC) No 1251/71 ⁽¹⁾, in the case of products originating in Madagascar,

(bb) the AA.1 movement certificate provided for in Regulation (EEC) No 1289/71 ⁽²⁾, in the case of products originating in Kenya,

(cc) a certificate of origin endorsed by the customs authorities, in the case of products originating in Botswana and Swaziland.

Article 4

At the request of those concerned, the period of validity of the import licences issued in accordance with Regulation (EEC) No 780/75 shall be extended until 31 December 1975.

Article 5

Regulation (EEC) No 780/75 is hereby repealed.

Article 6

This Regulation shall enter into force on 1 July 1975.

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

Done at Brussels, 27 June 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 135, 21. 6. 1971, p. 1.

⁽²⁾ OJ No L 141, 27. 6. 1971, p. 1.

REGULATION (EEC) No 1725/75 OF THE COMMISSION
of 4 July 1975

on detailed rules for the application of the arrangements governing the importation of beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and to certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 2 (4) thereof;

Whereas Article 2 (2) of Regulation (EEC) No 1599/75 provides for a reduction in import charges on beef and veal originating in the signatory countries to the Lomé convention, provided that an equivalent tax was imposed on exportation from the country of origin;

Whereas customs duties are not applied to the imports under discussion; whereas the level of the levy applicable may be affected by the accession and monetary compensatory amounts; whereas, since these amounts vary according to the system to which each Member State is subject, the import charge also varies;

Whereas, however, a strict application of the compensatory amounts would lead to complex management problems and would oblige the non-member countries concerned to levy different charges depending on the destination within the Community; whereas it thus appears desirable to provide for a standard method of calculation of these amounts based on a division of the Community into two regions, namely on the one hand the new Member States which are still applying the accession compensatory amounts and on the other hand the other Member States, and to apply for each of these regions the compensatory amounts applicable to imports into that Member State which imports the largest quantity of the products concerned;

Whereas these amounts may moreover be regarded as being close to the average for the compensatory amounts applicable to each Member State;

Whereas proof that the export charge has been paid may be provided by an entry on the movement certificate provided for by Council Regulation (EEC) No 1598/75 of 24 June 1975 on the advance imple-

mentation of certain provisions of the ACP-EEC Lomé convention relating to trade in goods;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount referred to in Article 2 (2) of Regulation (EEC) No 1599/75 shall for each product intended for import into Ireland or into the United Kingdom be equal to 90 % of the balance of the average levy, minus the accession compensatory amount, applicable to imports into the United Kingdom from non-member countries during the period of reference, and the monetary compensatory amount applicable to imports into this Member State during the last full week of such period.

2. The amount referred to in Article 2 (2) of Regulation (EEC) No 1599/75 shall for each product intended for import into a Member State other than those mentioned in paragraph 1 be equal to 90 % of the balance of the average levy applicable during the period of reference, and the monetary compensatory amount applicable for France during the last full week of such period.

Article 2

The period of reference for each quarter shall be the preceding quarter.

Article 3

1. The amount as fixed in accordance with Article 1 shall not be deducted from the import charge unless the movement certificate EUR.1 as prescribed in section 5 of Annex II to Regulation (EEC) No 1598/75 shows:

- (a) in section 5, the group of countries of destination, showing for Member States referred to in Article 1 (1) the figure '1' and for Member States referred to in Article 1 (2) the figure '2';
- (b) in section 7, the amount of the export tax levied per hundred kilogrammes;

(c) in section 8, the CCT subheading for the product concerned.

A separate certificate shall be drawn up for each CCT subheading.

2. Application of this Regulation may in no case result in payment of an amount to the importer.

3. The export tax applicable shall be that in force on the day on which customs export formalities are completed.

The amount of the reduction of the import charge shall be that in force on the day on which customs import formalities are completed in the region of the Community mentioned in section 5 of the movement certificate.

Article 4

This Regulation shall enter into force on 7 July 1975.

It shall apply to imports effected on or before 31 December 1975.

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

Done at Brussels, 4 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

REGULATION (EEC) No 1726/75 OF THE COMMISSION**of 4 July 1975****fixing the amounts by which the import charges on beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and to certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 2 thereof;

Whereas Article 2 (2) of Regulation (EEC) No 1599/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 1 of Regulation (EEC) No 1725/75⁽²⁾ of 4 July 1975 on

detailed rules for the application of the arrangements governing the importation of beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which the import charges on beef and veal are to be reduced pursuant to Article 2 (2) of Regulation (EEC) No 1599/75 shall in respect of the period 1 July to 30 September 1975 be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 July 1975.

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

Done at Brussels, 4 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| N° du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UC/100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater UC/RE/UA/100 kg |
|--|--|--|
| 01.02 A II a) | 19,252 | 39,438 |
| 01.02 A II b) | 19,252 | 39,438 |
| 02.01 A II a) 1 aa) 11 | 37,698 | 74,932 |
| 02.01 A II a) 1 aa) 22 | 30,075 | 59,945 |
| 02.01 A II a) 1 aa) 33 | 45,322 | 89,919 |
| 02.01 A II a) 1 bb) 11 | 37,698 | 74,932 |
| 02.01 A II a) 1 bb) 22 | 30,075 | 59,945 |
| 02.01 A II a) 1 bb) 33 | 45,322 | 89,919 |
| 02.01 A II a) 1 cc) 11 | 77,396 | 112,398 |
| 02.01 A II a) 1 cc) 22 | 81,762 | 128,568 |
| 02.01 A II a) 2 aa) | 44,048 | 78,569 |
| 02.01 A II a) 2 bb) | 35,155 | 62,855 |
| 02.01 A II a) 2 cc) | 55,164 | 98,212 |
| 02.01 A II a) 2 dd) 11 | 86,123 | 117,854 |
| 02.01 A II a) 2 dd) 22 aaa) | 53,859 | 98,212 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 53,859 | 98,212 |
| 02.01 A II a) 2 dd) 22 ccc) | 90,867 | 135,139 |
| 02.06 C I a) 1 | 79,736 | 112,398 |
| 02.06 C I a) 2 | 74,409 | 128,568 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges et certifikat, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

31. 7. 75

Official Journal of the European Communities

No L 201/5

REGULATION (EEC) No 1957/75 OF THE COUNCIL

of 30 July 1975

on the interim trade arrangements with the 'overseas countries and territories'
associated with the European Economic Community

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to Part 4 of the Treaty establishing the
European Economic Community, and in particular
Article 136 thereof;

Having regard to the recommendation from the
Commission;

Having regard to the Opinion of the European
Parliament;

Whereas the ACP-EEC Lomé convention between
the African, Caribbean and Pacific States and the
European Economic Community was signed on
28 February 1975;

Whereas, when the convention was signed, the Com-
munity and the ACP States agreed in an exchange
of letters to apply autonomously from 1 July 1975
certain provisions of this convention concerning
trade in goods;

Whereas interim arrangements for trade in goods
with the 'overseas countries and territories' associated
with the European Economic Community, hereinafter
referred to as 'countries and territories' should be
established along the lines of those for products
originating in the ACP States;

Whereas the development needs of the 'countries
and territories' and the needs of their industrializa-
tion justify the maintenance of the possibility of
levying customs duties and imposing quantitative
restrictions,

HAS ADOPTED THIS REGULATION:

Article 1

1 Products originating in the 'countries and terri-
tories' listed in Annex I, other than those:

— listed in Annex II to the Treaty when they come
under a common organization of the market
within the meaning of Article 40 of the Treaty,

— subject, on importation into the Community, to
specific rules introduced as a result of the imple-
mentation of the common agricultural policy,

shall be imported into the Community free of
customs duties and charges having equivalent effect,
but the treatment applied to these products may not
be more favourable than that applied by the Member
States among themselves.

2. For the purpose of implementing the provisions
of paragraph 1 concerning the treatment applied by
the Member States among themselves, account shall
not be taken of the customs duties and charges
having equivalent effect applied pursuant to
Articles 32, 36 and 59 of the Act.

Article 2

1. The Community shall not apply to imports of
products originating in the 'countries and territories'
any quantitative restrictions or measures having
equivalent effect other than those which the Member
States apply among themselves.

2. Paragraph 1, however, shall not prejudice the
import treatment applied to the products referred
to in the first indent of Article 1 (2).

3. This Article shall not prejudice the treatment
which the Community applies to certain products
in implementation or world commodity agreements
to which the Community is signatory.

Article 3

The responsible authorities of a 'country or territory'
may retain or introduce, in respect of imports of
products originating in the Community or in other
'countries or territories', such customs duties or
quantitative restrictions as they consider necessary,
in view of their development needs.

Article 4

Articles 2 and 3 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security, the protection of health and life of humans, animals and plants, the protection of national treasures possessing artistic, historic or archaeological value or the protection of industrial and commercial property.

Such prohibitions or restrictions shall not, however, constitute a means arbitrary discrimination or a disguised restriction on trade between the 'countries and territories' and the Community.

Article 5

1. The trade arrangements applied in respect of the Community by the 'countries and territories' shall not give rise to any discrimination between Member States nor be less favourable than the most-favoured-nation treatment.

2. Paragraph 1 shall not preclude a 'country or territory' from granting certain other 'countries or territories' or other developing countries more favourable treatment than accorded to the Community.

Article 6

1. For the purpose of implementing this Chapter, the concept of 'originating products', and the methods of administrative cooperation relating thereto, are laid down in Annex II.

2. The Council acting unanimously on a recommendation from the Commission, may adopt any amendment to Annex II.

3. If for any product the concept of 'originating products' has not been defined pursuant to paragraphs 1 or 2, the Community and the responsible

authorities of the 'countries and territories' shall continue to apply their own rules.

Article 7

1. If, as a result of implementing the provisions of this Chapter, serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or their external financial stability is jeopardized, or if difficulties arise which may result in a deterioration in a sector of the economy of a region of the Community, the Commission may, in accordance with the procedure specified in Annex III, take or authorize the Member States concerned to take the necessary safeguard measures.

2. For the purpose of implementing paragraph 1, priority shall be given to such measures as would least disturb the functioning of the association and the Community. These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

Article 8

This Regulation shall not apply to the products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia), which shall be the subject of a special Regulation.

Article 9

This Regulation shall enter into force on 1 August 1975. It shall remain applicable until the entry into force of the Decision on the association of the 'overseas countries and territories' with the European Economic Community, and until 29 February 1976 at the latest.

If necessary, the Council may decide that this Regulation shall remain applicable beyond that date and until the entry into force of the said Decision.

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

Done at Brussels, 30 July 1975.

For the Council

The President

M. RUMOR

ANNEX I

List of the 'countries and territories' referred to in Article 1 (1)

1. Overseas countries of the Kingdom of the Netherlands:
 - Surinam,
 - The Netherlands Antilles (Aruba, Bonaire, Curaçao and St Martin, Saba, St Eustatius).

 2. Overseas territories of the French Republic:
 - Saint Pierre and Miquelon,
 - The Comoro Archipelago,
 - The Territory of the Afars and Issas,
 - New Caledonia and Dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories

 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean: Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla,
 - Cayman Islands,
 - Falkland Islands and Dependencies,
 - Gilbert and Ellice Islands,
 - British Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and Dependencies,
 - The Seychelles,
 - British Antarctic Territory,
 - British Indian Ocean Territory.

 4. Anglo-French Condominium of the New Hebrides.
-

ANNEX II

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*

1. For the purpose of implementing the Regulation and without prejudice to paragraphs 3 and 4, the following products shall be considered as:

(a) products originating in the Community :

1. products wholly obtained in the Community,
2. products obtained in the Community, in the manufacture of which products other than those wholly obtained in the Community are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3;

(b) products originating in the 'countries and territories':

1. products wholly obtained in one more 'countries or territories',
2. products obtained in one or more 'countries or territories' in the manufacture of which products other than those wholly obtained in the 'countries and territories' are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing paragraph 1 (b), the 'countries and territories' are considered as being one territory.

3. For the purpose of implementing paragraph 1 (a) (1), products wholly obtained in one or more 'countries or territories' which undergo working or processing in the Community shall be considered as having been wholly obtained in the Community.

For the purpose of implementing paragraph 1 (a) (2), working or processing in one or more 'countries or territories' shall be considered as having been carried out in the Community, where the products thus obtained undergo subsequent working or processing in the Community.

This paragraph shall be applicable on condition that the products in question were transported in accordance with Article 5.

4. For the purpose of implementing paragraph 1 (b) (1), products wholly obtained in the Community or in one or more ACP States, which undergo working or processing in one or more 'countries or territories', shall be considered as having been wholly obtained in that or those 'countries or territories'.

For the purpose of implementing paragraph 1 (b) (2), working or processing in the Community or in one or more ACP States shall be considered as having been carried out in one or more 'countries or territories' where the products thus obtained undergo subsequent working or processing in that or those 'countries or territories'.

This paragraph shall be applicable on condition that the products in question were transported in accordance with Article 5.

5. For the purpose of implementing the previous paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the products obtained in two or more 'countries or territories' or in the Community shall be considered as products originating in the 'countries or territory' where the last working or processing took place or as products originating in the Community if the last working or processing took place in the Community. For this purpose the working or processing listed in Article 3 (3) (a), (b), (c) and (d) shall not be considered as working or processing, nor shall a combination of such working or of such processing.

6. The products in List C in Annex 4 shall be temporarily excluded from the scope of this Annex.

Article 2

The following shall be considered as wholly obtained either in one or more 'countries and territories' in the Community or in one or more ACP States, within the meaning of Article 1 (1) (a) (1), (b) (1) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;

- (e) products obtained by hunting or fishing conducted therein;
- (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 subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted therein;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1 (1) (a) (2) and (b) (2) 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 heading other than that covering each of the products worked or processed, except, however, working or processing specified in List A in Annex 2, where the special provisions of that list apply;
- (b) working or processing specified in List B in Annex 3.

'Sections', 'chapters' and 'headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits in List A and in List B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 3 (1) (a) the following shall always be considered as insuf-

ficient working or processing to confer the status of originating products, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) 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;
- (c) (i) changes of packaging and breaking up and assembly of consignments;
- (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this Annex to enable them to be considered as originating either in the Community, in the 'countries and territories' or in an ACP State;
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where the Lists A and B referred to in Article 3 provide that goods obtained in the Community or in one or more 'countries or territories' shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for 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 Community or in one of the 'countries and territories' where manufacture takes place;
- and on the other hand, the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

- stating the dates of unloading and reloading of the goods or of their embarkation or disembarkation, identifying the ships used,
- certifying the conditions under which the goods remained in the transit country;

(c) or failing these, any substantiating documents.

Article 5

1. For the purpose of implementing Article 1 (1), (3) and (4), originating products whose transport is effected without entering into territory other than that of the 'countries and territories' of ACP States are considered as transported directly from the 'countries and territories' to the Community or to the ACP States or from the Community or from the ACP States to the 'countries and territories'. Originating goods constituting one single consignment may be transported through territory other than that of the Community or the ACP States or the 'countries and territories', with should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons or the needs of transport and that the products have not entered into commerce or been delivered for home use and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Interruptions or changes in the method of transport due to *force majeure* or consequent upon conditions at sea shall not affect the application of the preferential treatment laid down in this Annex, provided that the goods have not, during these interruptions or changes, entered into commerce or been delivered for home use and have not undergone any operations other than those designed to preserve them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community by the production of:

- (a) a through bill of lading issued in the exporting Member State, 'country or territory' covering the passage through the country of transit;
- (b) or a certificate issued by the customs authorities of the country of transit:
- giving an exact description of the goods,

TITLE II

Arrangements for administrative cooperation

Article 6

1. Evidence of originating status, within the meaning of this Annex, of products is given by a movement certificate EUR. 1 of which a specimen is given in Annex 5 to this Annex.

However, the evidence of originating status, within the meaning of this Annex, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, is given by a form EUR. 2, of which a specimen is given in Annex 6 to this Annex.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting Member State or 'country or territory' when the goods to which it relates are exported. It shall be made

available to the exporter as soon as actual exportation has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after exportation of the goods to which it relates if it was not issued at the time of 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.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex 5 to this Annex, which shall be completed in accordance with this Annex.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Regulation.

5. Applications for movement certificates EUR. 1 must be preserved for at least three years by the customs authorities of the exporting Member State, 'country or territory'.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting Member State, 'country or territory', if the goods can be considered 'originating products' within the meaning of this Annex.

2. For the purpose of verifying whether the conditions stated in paragraph 1 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.

3. It shall be the responsibility of the customs authorities of the exporting Member State, 'country or territory' to ensure that the forms referred to in Article 9 are 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 all 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.

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

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex 5 to this Annex. This form shall be printed in one or more of the official languages of the Community. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting Member State, 'country or territory'; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting Member States and the responsible authorities of the exporting 'countries and territories' may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

1. A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the customs authorities of the exporting Member State, 'country or territory', to the customs authorities of the importing Member State, 'country or territory' where the goods are entered.

2. When the products enter territories other than those of the Community, the 'countries and territories', or the ACP States, the time limit laid down in paragraph 1 for the submission of the certificate is extended to 10 months.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing Member State, 'country or territory', in accordance with the procedures laid down by that Member State, 'country or territory'. 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 convention.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing Member State, 'country or territory' after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing Member State, 'country or territory' may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted 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 if it is duly established that the certificate does correspond to the goods submitted.

Article 15

Form EUR. 2, a specimen of which is given in Annex 6, shall be completed by the exporter. It shall be made out in one of the official languages of the Community and in accordance with the provisions of the domestic law of the exporting Member State,

'country or territory'. If it is handwritten it must be completed in ink and in capital letters.

Form EUR. 2 shall be composed of two parts, each part being 210 × 148 mm. The paper used shall be white-sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting Member States, and the responsible authorities of the exporting 'countries or territories' may reserve the right to print the forms themselves or may have them printed by printers they have approved. In the latter case each form must include a reference to such approval. In addition, each part must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment. After completing and signing the two parts of the form, the exporter shall, in the case of consignments by parcel post, attach the two parts to the dispatch note. In the case of consignments by letter post, the exporter shall attach Part 1 firmly to the consignment and insert Part 2 inside it.

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

Article 16

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products to the benefits of the provisions of this Annex without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, 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 recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view. Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of accounts in the case of the contents of travellers' personal luggage.

Article 17

1. Goods sent from a Member State or from a 'country or territory' for exhibition in a country other than a Member State, a 'country or territory' or an ACP State and sold after the exhibition for importation into the Community or into a different 'country or territory' shall benefit on importation from the provisions of this Annex on condition that the goods meet the requirements of this Annex entitling them to be recognized as originating in a 'country or territory' and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from the Community or from a 'country or territory' 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 the Community or in a 'country or territory';
- (c) the goods have been consigned during the exhibition or immediately thereafter to the Community in the state 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 EUR. 1 must be produced to the customs authorities 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.

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 18

1. When a certificate is issued within the meaning of Article 7 (2) of this Annex after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Annex:

- indicate the place and date of exportation of the goods to which the certificate relates;
- certify that no movement certificate EUR. 1 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 EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

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

Article 19

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued it for a duplicate 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'.

Article 20

1. When paragraphs 2, 3 and 4 of Article 1 are applied, for the issue of a movement certificate EUR. 1, the competent customs office in the Member State, 'country or territory' requested to issue the certificate for products in the manufacture of which products coming from other Member States, other 'countries or territories' or ACP States are used, shall take into consideration the declaration, of which a specimen is given in Annex 7, given by the exporter in the State, 'country or territory' from which these products came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 21 and of which a specimen is given in Annex 8, may however be requested of the exporter by the customs office concerned, either for checking the authenticity

and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 21

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 20 (2), or at the initiative of this exporter, by the competent customs office in the State, 'country or territory' from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the movement certificate EUR. 1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least three years.

Article 22

Member States and the competent authorities of the 'countries and territories' shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 23

In order to ensure the proper application of this Title, the Member States and the responsible authorities of the 'countries and territories' shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2 and the authenticity and accuracy of the information certificates envisaged in Article 20.

Article 24

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up, or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 25

1. A *posteriori* verification of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing Member State, 'country or territory' 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.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing Member State, 'country or territory' shall return the movement certificate EUR. 1 or Part 2 of form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting Member State, 'country or territory', 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 2 of form EUR. 2 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 Member State, 'country or territory' decide to suspend execution of the Regulation while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing Member State, 'country or territory' shall be informed of the results of the *a posteriori* verification within three months. These results must be such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

When such disputes cannot be settled between the customs authorities of the importing Member State, 'country or territory' and those of the exporting Member State, 'country or territory', or when they raise a question as to the interpretation of this Annex, they shall be submitted to the Committee on Origin set up under Council Regulation (EEC) No 802/68 ⁽¹⁾ of 27 June 1968 on the common definition of the concept of the origin of goods.

In all cases the settlement of disputes between the importer and the customs authorities of the importing Member State, 'country or territory' shall be under the legislation of the said State.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

Article 26

The subsequent verification of the information certificate referred to in Article 20 shall be carried out in the circumstances envisaged in Article 25 following a similar procedure to that envisaged in that Article.

Article 27

The Council shall examine annually the application of the provisions of this Annex and their economic effects with a view to making any necessary changes. This examination may be carried out at more frequent intervals at the request either of the competent authorities of a Member State or of a 'country or territory' notably when the development of existing industries in a country or territory or the creation of new industries in a 'country or territory' necessitates derogations from this Annex. In those cases, the Member State concerned shall notify the Community of the particulars of the case and the reasons justifying the need for such derogation.

The Council, on the basis of a report by the Committee on Origin, shall, immediately after, arrange for the examination of the application(s) and take every step to ensure that a decision is reached as early as possible, at any rate not later than six months after receipt of the application(s).

Article 28

1. For goods which conform to the provisions of this Annex and which, at the time of the entry into force of the Regulation are either being transported or being held in the Community or in a 'country or territory' in temporary storage, in bonded warehouses or in free zones, the proof of originating status within the meaning of this Annex is given by the submission, within four months of that date, to the customs authorities of the importing Member State, 'country or territory' of:

- (a) a movement certificate EUR. 1 issued retrospectively by the customs authorities of the exporting Member State, 'country or territory', or
- (b) a certificate of origin issued by the competent authorities in that Member State, 'country or territory', or
- (c) a movement certificate of the model previously used in the context of preferential trade between the Community and the 'countries and territories',

(d) for goods destined for importation into Ireland or the United Kingdom of Great Britain and Northern Ireland, a certificate of the type previously used in the context of Commonwealth preferences.

2. The movement certificates mentioned in paragraph 1 (c) may continue to be used, under the conditions laid down in this Annex, until 31 December 1975.

3. Until 1 July 1977, Article 1 (3) and (4) shall not be applicable in respect of products obtained in one or more 'countries or territories' from:

- products of one or more Member States of the Community as originally constituted, exported to one or more new Member States or to one or more 'countries or territories' referred to in Article 24 of the Act of Accession, or
- products of one or more new Member States, exported to one or more Member States of the Community as originally constituted, or to one or more 'countries or territories' referred to in Council Decision No 71/231/EEC⁽¹⁾ of 7 June 1971 on the definition of the concept of 'originating products' and on methods of administrative cooperation for the application of the Decision of 29 September 1970 on the Association of the overseas countries and territories with the European Economic Community,

where the products referred to in the two above indents have been the subject only of working or processing within the meaning of Article 3 (3).

Article 29

Movement certificates EUR. 1 and forms EUR. 2 printed in the Member States before the date of the entry into force of the Regulation, which indicate the exporting country, group of countries or territory in boxes 4 and 7 respectively, may continue to be used until stocks are exhausted, under the conditions laid down by this Annex.

⁽¹⁾ OJ No L 141, 27. 6. 1971, p. 47.

Annex 1 to Annex II

EXPLANATORY NOTES

Note 1 — Articles 1 and 2

The terms 'Member States', 'countries and territories' and 'ACP States' shall also cover their territorial waters.

Vessels operating on the high seas, including factory ships, on which the fish caught is worked or processed shall be considered as part of the territory of the Member State, 'country or territory' or ACP State to which they belong, provided that they satisfy the conditions set out in explanatory note 6.

Note 2 — Article 1 (1) (b), (3) and (4)

In order to determine whether goods originate in the Community, 'countries and territories' or in one or more of the ACP States, it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Article 1

Where a percentage rule is applied in determining originating status of a product obtained in a Member State or a 'country or territory' the value added by the working or processing referred to in Article 1 shall correspond to the ex-works price of the product obtained less the customs value of third products imported into the Community or the 'countries and territories'.

Note 4 — Article 3 (1) and (2) and Article 4

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of heading for any non-originating product used.

Note 5 — 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 utilization value and is of a durable nature, apart from its function as packing.

Note 6

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

- which are registered or recorded in a Member State, a 'country or territory' or an ACP State;
- which sail under the flag of a Member State, a 'country or territory' or an ACP State;
- which are owned to an extent of at least 50% by nationals of Member States, 'countries and territories' or ACP States, or by a company with its head office in a Member State, 'country and territory' or ACP State, 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 Member States, 'countries and territories' or ACP States and of which, addition in the case of partnerships or limited companies, at least half the capital belongs to Member States, 'countries and territories' or ACP States or to public bodies or nationals of Member States, 'countries and territories' or ACP States;
- of which at least 50% of the crew, captain and officers included, are nationals of Member States, 'countries and territories' or ACP States.

Note 7 — Article 4

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the convention concerning the Valuation of Goods for Customs Purposes signed in Brussels on 15 December 1950.

Note 8 — Article 23

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various Member States, 'countries and territories' or ACP States concerned.

Note 9 — Article 1 (4)

Within the meaning of Annex II 'ACP States' shall mean the countries referred to as ACP States in the ACP-EEC Lomé convention.

Annex 2 to 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 obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products 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 heading 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; smoking of fish, whether cooked or not | |
| 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 heading 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 heading 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 heading Nos 08.01 to 08.09 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 | |
| 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 pig fat 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 'premier jus') obtained from those unrendered fats | Manufacture from products of heading 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 neat's-foot oil and fats from bones or waste) | Manufacture from products of Chapter 2 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|---|
| C.C.T heading No | Description | | |
| ex 15.07 | Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtlewax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products | 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 | |
| 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 sugars; 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 the value of which exceeds 30% of the value of the finished product | |
| 17.05 | Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion | Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product | |
| 18.06 | Chocolate and other food preparations containing cocoa | Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product | |
| 19.01 | Malt extract | Manufacture from products of heading No 11.07 | |
| 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 derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 19.03 | Macaroni, spaghetti and similar products | | Manufacture from durum wheat |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|---|
| CCT heading No | Description | | |
| 19.04 | Tapioca and sago; tapioca and sago substitutes from potato or other starches | Manufacture from potato starch | |
| 19.05 | Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products) | Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 19.06 | Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products | Manufacture from products of Chapter 11 | |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit | Manufacture from products of Chapter 11 | |
| 19.08 | Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion | Manufacture from products of Chapter 11 | |
| 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 | |
| 20.03 | Fruit preserved by freezing, containing added sugar | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| 20.04 | Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized) | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 20.05 | Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| 20.06 | Fruit otherwise prepared or preserved whether or not containing added sugar or spirit: | | |

⁽¹⁾ This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|--|--|
| CCT heading No | Description | | |
| 20.06 (cont'd) | A. Nuts | | Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product |
| | B. Other fruits | Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 20.07 | Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit | Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product | |
| ex 21.01 | Roasted chicory and extracts thereof | Manufacture from chicory roots, fresh or dried | |
| 21.05 | Soups and broths in liquid, solid or powder forms; homogenized food preparations | Manufacture from products of heading No 20.02 | |
| 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 | Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product | |
| 22.06 | Vermouths, and other wines of fresh grapes flavoured with aromatic extracts | 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 | |

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| ex 23.03 | Residues from the manufacture of maize starch (excluding concentrated steeping liquours), of a protein content, calculated on the dry product, exceeding 40% dry 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 from products of heading No 24.01 of which at least 70 % by quantity are 'originating products' |
| ex 28.38 | Aluminium sulphate | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 30.03 | Medicaments (including veterinary medicaments) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 32.06 | Colour lakes | Manufacture from materials of heading No 32.04 or 32.05 ⁽¹⁾ | |
| 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 ⁽¹⁾ | |
| 33.05 | Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses | Manufacture from products of heading No 33.01 ⁽¹⁾ | |
| 35.05 | Dextrins and dextrin glues; soluble or roasted starches; starch glues | | Manufacture from maize or potatoes |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 37.01 | Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth | Manufacture from products of heading No 37.02 ⁽¹⁾ | |
| 37.02 | Film in rolls, sensitized, unexposed, perforated or not | Manufacture from products of heading No 37.01 ⁽¹⁾ | |
| 37.04 | Sensitized plates and film, exposed but not developed, negative or positive | Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾ | |
| 38.11 | Disinfectants, insecticides, fungicides, weed-killers, 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, fly-papers) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| ex 38.14 | Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 38.15 | Prepared rubber accelerators | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 38.17 | Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 38.18 | Composite solvents and thinners for varnishes and similar products | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| ex 38.19 | <p>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:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble 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 and mixed alkyl-naphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|--|---|
| CCT heading No | Description | | |
| ex 39.02 | Polymerization products | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 39.07 | Articles of materials of the kinds described in heading Nos 39.01 to 39.06 | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 41.08 | Patent leather and imitation patent leather; metallized leather | | Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian 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 skin leather used does not exceed 50% of the value of the finished product |
| 43.03 | Articles of furskin | Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) ⁽¹⁾ | |
| 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 |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|------------------------|--|---|--|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 49.09 | Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings | Manufacture from products of heading No 49.11 | |
| 49.10 | Calendars of any kind, of paper or paperboard, including calendar blocks | Manufacture from products of heading No 49.11 | |
| 50.04 ⁽¹⁾ | Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale | | Manufacture from products other than those of heading No 50.04 |
| 50.05 ⁽¹⁾ | Yarn spun from silk waste other than noil, not put up for retail sale | | Manufacture from products of heading No 50.03 |
| 50.06 ⁽¹⁾ | Yarn spun from noil silk, not put up for retail sale | | Manufacture from products of heading No 50.03 |
| 50.07 ⁽¹⁾ | Silk yarn and yarn spun from noil or other waste silk, put up for retail sale | | Manufacture from products of heading Nos 50.01 to 50.03 |
| x>50.08 ⁽¹⁾ | Imitation catgut of silk | | Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 50.09 ⁽¹⁾ | Woven fabrics of silk or of waste silk other than noil | | Manufacture from products of heading No 50.02 or 50.03 |
| 50.10 ⁽¹⁾ | Woven fabrics of noil silk | | Manufacture from products of heading No 50.02 or 50.03 |
| 51.01 ⁽²⁾ | Yarn of man-made fibres (continuous), not put up for retail sale | | Manufacture from chemical products or textile pulp |
| 51.02 ⁽²⁾ | Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials | | Manufacture from chemical products or textile pulp |
| 51.03 ⁽²⁾ | Yarn of man-made fibres (continuous), put up for retail sale | | Manufacture from chemical products or textile pulp |
| 51.04 ⁽¹⁾ | 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 |
| 52.01 ⁽²⁾ | Metallized yarn, being textile yarn spun with metal or covered with metal by any process | | Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed |
| 52.02 ⁽¹⁾ | Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like | | Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste |
| 53.06 ⁽²⁾ | Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale | | Manufacture from products of heading No 53.01 or 53.03 |
| 53.07 ⁽²⁾ | Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale | | Manufacture from products of heading No 53.01 or 53.03 |

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 53.08 ⁽¹⁾ | Yarn of fine animal hair (carded or combed), not put up for retail sale | | Manufacture from raw fine animal hair of heading No 53.02 |
| 53.09 ⁽¹⁾ | 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 |
| 53.10 ⁽¹⁾ | Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale | | Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04 |
| 53.11 ⁽²⁾ | Woven fabrics of sheep's or lambs' wool or of fine animal hair | | Manufacture from materials of heading Nos 53.01 to 53.05 |
| 53.12 ⁽²⁾ | Woven fabrics of coarse animal hair other than horsehair | | Manufacture from products of heading Nos 53.02 to 53.05 |
| 53.13 ⁽²⁾ | Woven fabrics of horsehair | | Manufacture from horsehair of heading No 05.03 |
| 54.03 ⁽¹⁾ | Flax or ramie yarn, not put up for retail sale | | Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02 |
| 54.04 ⁽¹⁾ | Flax or ramie yarn, put up for retail sale | | Manufacture from materials of heading No 54.01 or 54.02 |
| 54.05 ⁽²⁾ | Woven fabrics of flax or of ramie | | Manufacture from materials of heading No 54.01 or 54.02 |
| 55.05 ⁽¹⁾ | Cotton yarn, not put up for retail sale | | Manufacture from materials of heading No 55.01 or 55.03 |
| 55.06 ⁽¹⁾ | Cotton yarn, put up for retail sale | | Manufacture from materials of heading No 55.01 or 55.03 |
| 55.07 ⁽²⁾ | Cotton gauze | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |
| 55.08 ⁽²⁾ | Terry towelling and similar terry fabrics, of cotton | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |
| 55.09 ⁽²⁾ | Other woven fabrics of cotton | | Manufacture from materials of heading No 55.01, 55.03 or 55.04 |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|---|
| CCT heading No | Description | | |
| 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 |
| 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 | | Manufacture from chemical products or textile pulp |
| 56.04 | Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning | | Manufacture from chemical products or textile pulp |
| 56.05 ⁽¹⁾ | Yarn of man-made fibres (discontinuous or waste), not put up for retail sale | | Manufacture from chemical products or textile pulp |
| 56.06 ⁽¹⁾ | Yarn of man-made fibres (discontinuous or waste), put up for retail sale | | Manufacture from chemical products or textile pulp |
| 56.07 ⁽²⁾ | Woven fabrics of man-made fibres (discontinuous or waste) | | Manufacture from products of heading Nos 56.01 to 56.03 |
| 57.05 ⁽¹⁾ | Yarn of true hemp | | Manufacture from raw true hemp |
| 57.06 ⁽¹⁾ | Yarn of jute or of other textile bast fibres of heading No 57.03 | | Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03 |
| 57.07 ⁽¹⁾ | Yarn of other vegetable textile fibres | | Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04 |

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|--|
| CCT heading No | Description | | |
| 57.08 | Paper yarn | | Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste, neither carded nor combed |
| 57.09 ⁽¹⁾ | Woven fabrics of true hemp | | Manufacture from products of heading No 57.01 |
| 57.10 ⁽¹⁾ | Woven fabrics of jute or of other textile bast fabrics of heading No 57.03 | | Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03 |
| 57.11 ⁽¹⁾ | Woven fabrics of other vegetable textile fibres | | Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07 |
| 57.12 | Woven fabrics of paper yarn | | Manufacture from paper, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste |
| 58.01 ⁽²⁾ | Carpets, carpeting and rugs, knotted (made up or not) | | Manufacture from materials of heading 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 ⁽²⁾ | Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not) | | Manufacture from materials of heading 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, 57.01 to 57.04 or from coir yarn of heading No 57.07 |
| 58.04 ⁽²⁾ | Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05) | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp |

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------------|--|---|--|
| CCT heading No | Description | | |
| 58.05 ⁽¹⁾ | 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 materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 58.06 ⁽¹⁾ | Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.07 ⁽¹⁾ | 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 | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.08 ⁽¹⁾ | Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.09 ⁽¹⁾ | 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 | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp |
| 58.10 | Embroidery, in the piece, in strips or in motifs | | Manufacture in which the value of the product used does not exceed 50% of the value of finished product |
| 59.01 ⁽¹⁾ | Wadding and articles of wadding; textile flock and dust and mill neps | | Manufacture either from natural fibres or from chemical products or textile pulp |
| 59.02 ⁽¹⁾ | Felt and articles of felt whether or not impregnated | | Manufacture either from natural fibres or from chemical products or textiles pulp |
| ex 59.02 ⁽¹⁾ | Needled felt, whether or not impregnated or coated | | Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|----------------------|---|---|--|
| CCT heading No | Description | | |
| 59.03 ⁽¹⁾ | Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated | | Manufacture either from natural fibres or from chemical products or textile pulp |
| 59.04 ⁽¹⁾ | Twine, cordage, ropes and cables, plaited or not | | Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07 |
| 59.05 ⁽¹⁾ | 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 or from coir yarn of heading No 57.07 |
| 59.06 ⁽¹⁾ | 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 or from coir yarn of heading No 57.07 |
| 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 ⁽¹⁾ | 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 either from yarn or from textile fibres |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|------------------------------|---|---|---|
| CCT heading No | Description | | |
| 59.11 | Rubberized textile fabrics, other than rubberized knitted or crocheted goods | | Manufacture from yarn |
| 59.12 | Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like | | Manufacture from yarn |
| 59.13 ⁽¹⁾ | Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads | | Manufacture from single yarn |
| 59.15 ⁽¹⁾ | Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 59.16 ⁽¹⁾ | Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| 59.17 ⁽¹⁾ | Textile fabrics and textile articles, of a kind commonly used in machinery or plant | | Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp |
| ex Chapter 60 ⁽¹⁾ | Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp |
| ex 60.02 | Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽²⁾ |

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex 60.03 | Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.04 | Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.05 | Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| ex 60.06 | Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape) | | Manufacture from yarn ⁽¹⁾ |
| 61.01 | Men's and boys' outer garments | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.01 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Women's, girls' and infants' outer garments, not embroidered | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| ex 61.02 | Women's, girls' and infants' outer garments, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 61.03 | Men's and boys' under garments, including collars, shirt fronts and cuffs | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| 61.04 | Women's, girls' and infants' under garments | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.05 | Handkerchiefs, not embroidered | | Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ ⁽³⁾ |
| ex 61.05 | Handkerchiefs, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| ex 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered | | Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ ⁽²⁾ |
| ex 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 61.07 | Ties, bow ties and cravats | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |
| ex 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 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 ⁽¹⁾ ⁽²⁾ |
| 61.10 | Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods | | Manufacture from yarn ⁽¹⁾ ⁽²⁾ |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| ex 61.10 | Fire resistant equipment of cloth covered by foil of aluminized polyester | | Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾ |
| 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 ⁽¹⁾ ⁽²⁾ |
| 62.01 | Travelling rugs and blankets | | Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾ |
| ex 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered | | Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾ |
| ex 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered | | Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product |
| 62.03 | Sacks and bags, of a kind used for the packing of goods | | Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾ |
| 62.04 | Tarpaulins, sails, awnings, sun-blinds, tents and camping goods | | Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾ |
| 62.05 | Other made up textile articles (including dress patterns) | | Manufacture in which the value of the products used does not exceed 40% of the value of the finished product |
| 64.01 | Footwear with outer soles and uppers of rubber or artificial plastic material | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 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 | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |
| 64.03 | Footwear with outer soles of wood or cork | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal | |
| 64.04 | Footwear with outer soles of other materials | Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but 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 textile fibres |
| 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 either from yarn or from textile fibres |
| 66.01 | Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| ex 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 | Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06 | |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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) | | |
| 73.07 | Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel | Manufacture from products of heading No 73.06 | |
| 73.08 | Iron or steel coils re-rolling | Manufacture from products of heading No 73.07 | |
| 73.09 | Universal plates of iron or steel | Manufacture from products of heading No 73.07 or 73.08 | |
| 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 | Manufacture from products of heading No 73.07 | |
| 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 | Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13 | |
| 73.12 | Hoop and strip, of iron or steel, hot-rolled or cold-rolled | Manufacture from products of heading Nos 73.07 to 73.09 or 73.13 | |
| 73.13 | Sheets and plates, of iron or steel, hot-rolled or cold-rolled | Manufacture from products of heading Nos 73.07 to 73.09 | |
| 73.14 | Iron or steel wire, whether or not coated, but not insulated | Manufacture from products of heading No 73.10 | |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 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, bed-plates, ties and other material specialized for joining or fixing rails | | Manufacture from products of heading No 73.06 |
| 73.18 | Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits | | Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07 |
| 74.03 | Wrought bars, rods, angles, shapes and sections, of copper; copper wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.04 | Wrought plates, sheets and strip, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.06 | Copper powder and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.07 | Tubes and pipes and blanks therefor, of copper; hollow bars of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.08 | Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 74.09 | Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.11 | Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including and less bands), of copper wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.12 | Expanded metal, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.13 | Chain and parts thereof, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.16 | Springs, of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 74.19 | Other articles of copper | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.02 | Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.03 | Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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 products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.05 | Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 75.06 | Other articles of nickel | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 76.02 | Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.03 | Wrought plates, sheets and strip, of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| 76.05 | Aluminium powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.06 | Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.07 | Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 76.08 | Structures, complete or incomplete, whether or not assembled, 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 | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.11 | Containers of aluminium for compressed or liquified gas | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.13 | Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 76.14 | Expanded metal, of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 76.16 | Other articles of aluminium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 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 products used does not exceed 50% of the value of the finished product |
| 77.03 | Other articles of magnesium | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 78.02 | Wrought bars, rods, angles, shapes and sections, of lead; lead wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 78.03 | Wrought plates, sheets and strip, of lead | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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/m ² ; lead powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 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) | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|---|
| CCT heading No | Description | | |
| 78.06 | Other articles of lead | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾ |
| 79.02 | Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 79.03 | Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 79.05 | Gutters, roof capping, skylight frames, and other fabricated building components, of zinc | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 79.06 | Other articles of zinc | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 80.02 | Wrought bars, rods, angles, shapes and sections, of tin; tin wire | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished product |
| 80.03 | Wrought plates, sheets and strip, of tin | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 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 products used does not exceed 50% of the value of the finished 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 screwdriving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾ |
| 82.06 | Knives and cutting blades, for machines or for mechanical appliances | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾ |
| ex Chapter 84 | Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41) | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 84.15 | Refrigerators and refrigerating equipment (electrical and other) | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products |

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

⁽²⁾ In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of Annex II determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| ex 84.41 | Sewing machines, including furniture for sewing machines | | <p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p> |
| ex Chapter 85 | Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15 | | <p>Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product</p> |
| 85.14 | Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers | | <p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾</p> |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
- (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|---|
| CCT heading No | Description | | |
| 85.15 | Radiotelegraphic and radio-telephonic 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾ |
| 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) | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| ex Chapter 87 | Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 87.09 | Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| ex Chapter 90 | Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |

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

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|--|---|--|
| CCT heading No | Description | | |
| 90.05 | Refracting telescopes (monocular and binocular), prismatic or not | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.07 | Photographic cameras; photographic flashlight apparatus | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.08 | Cinematographic cameras projectors, sound recorders and sound reproducers; any combination of these articles | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.12 | Compound optical microscopes, whether or not provided with means for photographing or projecting the image | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 90.26 | Gas, liquid and electricity supply or production meters; calibrating meters therefor | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| ex Chapter 91 | Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08 | | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| 91.04 | Other clocks | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 91.08 | Clock movements, assembled | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product |
| 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 | | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: <ul style="list-style-type: none"> (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾ |

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

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40 %.

| Products obtained | | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met |
|-------------------|---|---|--|
| CCT heading No | Description | | |
| Chapter 93 | Arms and ammunition; parts thereof | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |
| 97.03 | Other toys; working models of a kind used for recreational purposes | | Manufacture in which the value of the products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished 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 products used does not exceed 50% of the value of the finished product |

Annex 3 to Annex II

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

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|--|
| CCT heading No | Description | |
| | | Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product |
| 13.02 | Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished 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 deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent 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 squared by sawing, of a thickness not exceeding 25 cm | Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm |
| ex 25.16 | Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm | Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm |
| ex 25.18 | Calcined dolomite; agglomerated dolomite (including tarred dolomite) | Calcination of unworked dolomite |
| Chapters 28 to 37 | Products of the chemical and allied industries excluding calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03) and essential oils other than of citrus fruit, terpeneless (ex 33.01) | Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|---|
| CCT heading No | Description | |
| ex 31.03 | Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermically | Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermically |
| ex 33.01 | Essential oils other than of citrus fruit, terpeneless | Deterpenation of essential oils other than of citrus fruit |
| ex Chapter 38 | Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined (ex 38.07) | Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product |
| ex 38.05 | Refined tall oil | Refining of crude tall oil |
| ex 38.07 | Sulphate turpentine, purified | Purification consisting of the distillation or refining of raw sulphate turpentine |
| ex Chapter 39 | Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02) | Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product |
| ex 39.02 | Ionomer film | Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium |
| ex 40.01 | Slabs 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 wool from sheep- and lamb-skins in the wool |
| ex 41.02 | Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08 | Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned |
| ex 41.03 | Retanned sheep- and lamb-skin leather, except leather of heading Nos 41.06 to 41.08 | Retanning of sheep- and lamb-skin leather, not further prepared than tanned |
| ex 41.04 | Retanned goat and kid skin leather, except leather of heading Nos 41.06 to 41.08 | Retanning of goat and kid skin leather, not further prepared than tanned |
| ex 41.05 | Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08 | Retanning of other kinds of leather, not further prepared than tanned |
| ex 43.02 | Assembled furskins | Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins |
| ex 50.03 | Silk waste carded or combed | Carding or combing waste silk |

| Finished products | | Working or processing that confers the status of originating products |
|--|---|---|
| CCT heading No | Description | |
| 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 59.14 | Incandescent gas mantles | Manufacture from tubular gas mantle fabric |
| 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 finished product |
| 70.13 | Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses | Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished 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 and 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 and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought silver and silver alloys |
| ex 71.05 | Silver, including silver gilt and platinum-plated silver, unwrought | Alloying or electrolytic separation of unwrought silver and silver alloys |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|---|
| CCT heading No | Description | |
| ex 71.06 | Rolled silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought rolled silver |
| ex 71.07 | Gold, including platinum-plated gold, semi-manufactured | Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold |
| ex 71.07 | Gold, including platinum-plated gold, unwrought | Alloying or electrolytic separation of unwrought gold or gold alloys |
| ex 71.08 | Rolled gold on base metal or silver, semi-manufactured | Rolling, drawing, beating or grinding of unwrought 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 or other metals of the platinum group |
| ex 71.09 | Platinum and other metals of the platinum group, unwrought | Alloying or electrolytic separation of unwrought platinum or 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 unwrought rolled platinum or other unwrought platinum group metals or precious metal |
| ex 73.15 | Alloy steel and high carbon steel: | |
| | — in the forms mentioned in heading Nos 73.07 to 73.13 | Manufacture from products in the forms mentioned in heading No 73.06 |
| | — in the forms mentioned in heading No 73.14 | Manufacture from products in the forms mentioned in heading No 73.06 or 73.07 |
| 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 alloy | Fusion and thermal treatment of refined copper, copper waste or scrap |
| ex 75.01 | Unwrought nickel (excluding electro-plating anodes of heading No 75.05) | Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy |
| ex 75.01 | Unwrought nickel except nickel alloys | Refining of waste by electrolysis, by melting or by chemical means of waste and scrap |

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| ex 76.01 | Unwrought aluminium | Manufacture by thermal or electrolytic treatment of unalloyed aluminium and scrap |
| ex 77.04 | Beryllium wrought | Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product |
| ex 78.01 | Refined lead | Manufacture by thermal refining from bullion lead |
| ex 81.01 | Tungsten, wrought | Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product |
| ex 81.02 | Molybdenum, wrought | Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product |
| ex 81.03 | Tantalum, wrought | Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product |
| ex 81.04 | Other base metals, wrought | Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product |
| ex 83.06 | Indoor ornaments made from base metals other than statuettes | Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product |
| 84.06 | Internal combustion piston engines | Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product |
| ex 84.08 | Engines and motors, excluding reaction engines and gas turbines | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products |
| 84.16 | Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|--|--|
| CCT heading No | Description | |
| ex 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, for wood, paper pulp, paper and paperboard manufacturing industries | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| 84.31 | Machinery for making or finishing cellulosic pulp, paper or paperboard | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| 84.33 | Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product |
| ex 84.41 | Sewing machines, including furniture specially designed for sewing machines | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: <p>(a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p> |
| 85.14 | Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾ |
| 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 | Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾ |
| 87.06 | Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03 | Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product |

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

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of Annex II determining:
- (i) the value of imported products,
- (ii) the value of products of undetermined origin.

⁽²⁾ The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

| Finished products | | Working or processing that confers the status of originating products |
|-------------------|---|--|
| CCT heading No | Description | |
| ex 94.01 | Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals | Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾ |
| ex 94.03 | Other furniture of base metal | Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾ |
| ex 95.01 | Articles of tortoise-shell | Manufacture from worked tortoise-shell |
| 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 (excluding whalebone) | Manufacture from worked bone (excluding whalebone) |
| 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, of wood, root or other materials | Manufacture from roughly shaped blocks |

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

Annex 4 to Annex II

LIST C

List of products excluded from the scope of Annex II

| CCT heading No | Description |
|----------------------|---|
| ex 27.07 | Assimilated 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 benzole), 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 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, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax |
| ex 38.14 | Prepared additives for lubricants |

Annex 5 to Annex II
MOVEMENT CERTIFICATE

| | | | |
|--|---|--|--|
| 1. Exporter (Name, full address, country) | EUR. 1 No A 000.000 | | |
| | See notes overleaf before completing this form | | |
| 3. Consignee (Name, full address, country) (Optional) | 2. Certificate used in preferential trade between and (insert appropriate countries, groups of countries or territories) | | |
| | 4. Country, group of countries or territory in which the products are considered as originating ⁽¹⁾ | 5. Country, group of countries or territory of destination | |
| 6. Transport details (Optional) | 7. Remarks | | |
| 8. Item number ; marks and numbers ; Number and kind of packages ⁽²⁾ ; Description of goods | 9. Gross weight (kg) or other measure (litres, m ³ , etc.) | 10. Invoices (Optional) | |
| 11. CUSTOMS ENDORSEMENT Declaration certified Export document ⁽³⁾ | | 12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. | |
| Form No Customs office Issuing country or territory Date (Signature) | | Place and date: (Signature) | |

⁽¹⁾ Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

⁽²⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

⁽³⁾ Complete only where the regulations of the exporting country or territory require.

| | |
|--|---|
| <p>13. REQUEST FOR VERIFICATION, to</p> | <p>14. RESULT OF VERIFICATION,</p> |
| <p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>..... (Place and date) Stamp</p> <p>..... (Signature)</p> | <p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p> |

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations 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 endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

| | | | |
|--|---|---|-------------------|
| <p>1. Exporter (Name, full address, country)</p> | <p>EUR.1 No A 000.000</p> | | |
| <p>3. Consignee (Name, full address, country) (Optional)</p> | <p>See notes overleaf before completing this form</p> <p>2. Application for a certificate to be used in preferential trade between</p> <p>.....</p> <p>and</p> <p>.....</p> <p>(insert appropriate countries, groups of countries or territories)</p> | | |
| <p>6. Transport details (Optional)</p> | <p>4. Country, group of countries or territory in which the products are considered as originating ⁽¹⁾</p> | <p>5. Country, group of countries or territory of destination</p> | <p>7. Remarks</p> |
| <p>8. Item number; marks and numbers; Number and kind of packages ⁽²⁾; Description of goods</p> | <p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p> | <p>10. Invoices (Optional)</p> | |

⁽¹⁾ Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

⁽²⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

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

SUBMIT the following supporting documents ⁽¹⁾ :

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

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

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

Before completing this form read carefully the instructions on the back of Part 1.

| | | | | |
|---|---------------------------------|---|----------------------|--|
| <p>11 Authorities in the exporting country responsible for verification of the declaration by the exporter</p> | | <p>10 Description of goods</p> | | |
| <p>9 Gross weight</p> | <p>8 Country of destination</p> | <p>7 Country, group of countries or territory in which the products are considered as originating (*)</p> | <p>5 Remarks (*)</p> | |
| <p>6 Signature of exporter</p> | | <p>3 Name and address of consignee</p> | | |
| <p>4 Place and date</p> | | <p>1 Name and address of exporter</p> | | |
| <p>2 Declaration by the exporter I, the undersigned, exporter of the goods described below and contained in this postal consignment, — DECLARE that the goods are situated in (exporting country) under the conditions necessary for completion of this form in accordance with the provisions governing trade between and that the goods have the status of originating products within the meaning of the said provisions; — UNDERTAKE to submit to the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection by them of my accounts and any check by them on the processes of manufacture of the goods described below.</p> | | | | |

FORM EUR. 2 No A 000 000 (Part 1)

| REQUEST FOR VERIFICATION | RESULT OF VERIFICATION |
|---|---|
| <p>The undersigned customs officer requests that the declaration by the exporter on the front of this form be verified (*)</p> <p style="text-align: center;">..... (Place and date of signature)</p> <div style="border: 1px dashed black; width: 80px; height: 40px; margin: 10px auto;"></div> <p style="text-align: center;">..... (Signature of customs officer)</p> | <p>Verification carried out by the undersigned customs officer shows that:</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate ⁽¹⁾;</p> <p><input type="checkbox"/> this form does not meet the requirements as to authenticity and accuracy (see remarks appended) ⁽¹⁾</p> <p style="text-align: center;">..... (Place and date of signature)</p> <div style="border: 1px dashed black; width: 80px; height: 40px; margin: 10px auto;"></div> <p style="text-align: center;">..... (Signature of customs officer)</p> <p>⁽¹⁾ Place an x where applicable</p> |

(*) Verification of the form is made on a sampling basis 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 to the authorities of the exporting country responsible for verification, specifying the reasons of substance 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 the form are inaccurate.

If the customs authorities of the importing country decide to suspend 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 may be considered necessary.

Annex 6 to Annex II

(1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (See footnotes on back of part 1).

Before completing this form read carefully the instructions on the back of Part 1.

| | | | |
|--|---------------------------------|---|----------------------|
| <p>11 Authorities in the exporting country responsible for verification of the declaration by the exporter</p> | | <p>10 Description of goods</p> | |
| <p>9 Gross weight</p> | <p>8 Country of destination</p> | <p>7 Country, group of countries or territory in which the products are considered as originating (3)</p> | <p>5 Remarks (2)</p> |
| <p>6 Signature of exporter</p> | | <p>3 Name and address of consignee</p> | |
| <p>4 Place and date</p> | | <p>1 Name and address of exporter</p> | |
| <p>2 Declaration by the exporter I, the undersigned, exporter of the goods described below and contained in this postal consignment, DECLARE that the goods are situated in _____ (exporting country) under the conditions necessary for completion of this form in accordance with the provisions governing trade between _____ (1) and that the goods have the status of originating products within the meaning of the said provisions; — UNDERTAKE to submit to the appropriate authorities any supporting evidence which these authorities may require and to agree to any inspection by them of my accounts and any check by them on the processes of manufacture of the goods described below.</p> | | | |

(Part 2) FORM EUR.2 No A 000 000

Footnotes for both forms

- (1) Indicate the Contracting Parties to the transaction in respect of which the form has been completed.
- (2) Refer to any verification already carried out by the appropriate authorities.
- (3) Complete only in cases of exporting country not being identical to the country where the products are originating. In the contrary case, this box has to be struck through.

Instructions for the completion of form EUR.2

- A. A form EUR.2 may be made out only for goods which in the exporting country meet the conditions specified by the provisions governing the trade referred to in space 2.
 Those provisions must be studied carefully before the form is completed.
- B. The exporter must give the reference 'EUR.2' followed by the serial number of the form either on green label C 1 or on customs declaration C 2/CP 3.
- C. After completing and signing the two parts of the form, the exporter must,
 - in the case of a consignment by parcel post, attach the two parts to the dispatch note,
 - in the case of a consignment by letter post, attach Part 1 firmly to the consignment and insert Part 2 inside it.

Annex 7 to Annex II

SPECIMEN OF DECLARATION

I, the undersigned, declare that the goods listed on this invoice were obtained in

and (as appropriate):

(a) (*) satisfy the rules on the definition of the concept of 'wholly produced products'

or

(b) (*) were produced from the following products:

| Description | Country of origin | Value (*) |
|-------------|-------------------|-----------|
| | | |
| | | |
| | | |
| | | |

and have undergone the following processes:

..... (indicate processings)

in

.....

.....
(Place and date)

.....
(Signature)

.....
(*) To be completed as necessary.

Annex 8 to Annex II

EUROPEAN COMMUNITIES

| | | | |
|--|---|-----------------------------|--|
| 1. Supplier ⁽¹⁾ | <p>INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the</p> <div style="border: 1px solid black; padding: 10px; text-align: center; margin: 10px auto; width: 80%;"> <p>EUROPEAN ECONOMIC COMMUNITY and the COUNTRIES AND TERRITORIES</p> </div> | | |
| 2. Consignee ⁽¹⁾ | | | |
| 3. Processor ⁽¹⁾ | 4. State, country or territory in which the working or processing has been carried out | | |
| 6. Customs office of importation ⁽²⁾ | 5. For official use | | |
| 7. Import document ⁽²⁾ Form No Series Date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> | | | |
| GOODS SENT TO THE STATE, COUNTRY OR TERRITORY OF DESTINATION | | | |
| 8. Marks, numbers, quantity and kind of package | 9. Tariff heading number and description of goods | 10. Quantity ⁽³⁾ | |
| | | 11. Value ⁽⁴⁾ | |
| IMPORTED GOODS USED | | | |
| 12. Tariff heading number and description | 13. Country of origin | 14. Quantity ⁽⁵⁾ | 15. Value ⁽⁵⁾ (⁶⁾ |
| 16. Nature of the working or processing carried out | | | |
| 17. Remarks | | | |
| <p>18. CUSTOMS ENDORSEMENT</p> <p>Declaration certified</p> <p>Document</p> <p>Form No</p> <p>Customs office</p> <p>Date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/></p> <div style="border: 1px solid black; width: 80px; height: 50px; margin: 10px auto; text-align: center; font-size: 8px;"> <p>Official stamp</p> </div> <p>..... (Signature)</p> | <p>19. DECLARATION BY THE SUPPLIER</p> <p>I, the undersigned, declare that the information on this certificate is accurate</p> <p>..... <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/></p> <p style="text-align: center;">(Place) (date)</p> <p>..... (Signature)</p> | | |

⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ See footnotes on verso.

| | |
|---|---|
| <p>REQUEST FOR VERIFICATION</p> <p>The undersigned customs official requests verification of the authenticity and accuracy of this information certificate</p> <p>..... (Place and date)</p> <div style="border: 1px solid black; width: 80px; height: 60px; margin: 10px auto; display: flex; align-items: center; justify-content: center;"> <p>Official stamp</p> </div> <p>..... (Official's signature)</p> | <p>RESULT OF VERIFICATION</p> <p>Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>(a) was issued by the customs office indicated and that the information contained therein is accurate (*)</p> <p>(b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)</p> <p>..... (Place and date)</p> <div style="border: 1px solid black; width: 80px; height: 60px; margin: 10px auto; display: flex; align-items: center; justify-content: center;"> <p>Official stamp</p> </div> <p>..... (Official's signature)</p> <p>..... (*) Delete where not applicable.</p> |
|---|---|

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) The value must be indicated in accordance with the provisions on rules of origin.

ANNEX III

on the application of Article 7

Article 1

1. At the request of a Member State or on its own initiative the Commission may decide to apply to products originating in the 'countries and territories' the safeguard measures which the Community may take pursuant to Article 7 of the Regulation, in particular a temporary, total or partial suspension of the tariff and other measures provided for by the Regulation for the benefit of the 'countries and territories'.

If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request.

Member States shall be notified of the safeguard measures which shall apply immediately.

2. Any Member State may refer the measures taken by the Commission to the Council within 10 working days following the date of notification of such a measure. The Council shall meet without delay. Acting by a qualified majority, it may amend or rescind the measure in question.

Article 2

1. Without prejudice to the application of Article 1, the Commission may, in order to enable a Member State to face up to the disturbances or difficulties referred to in Article 7 of the Regulation, authorize that Member State to take safeguard measures.

If the Commission has received a request from the Member State concerned, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

2. Any Member State may refer the Commission decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

Article 3

1. Without prejudice to the application of Article 2, the Member State or States concerned may, in an emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure, the Commission shall, within five working days of the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken the safeguard measures, the Commission's decision shall be suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

3. For the purposes of applying this Article, priority must be given to such measures as will least disturb the functioning of the common market.

Article 4

1. Articles 1 and 2 shall not affect application of the safeguard clauses provided for in the Treaty, and in particular in Articles 108 and 109, in accordance with the procedures laid down therein.

2. This Annex shall not preclude full application of the regulations on the common organization of the agricultural markets. Articles 2 and 3 shall not be applicable to products covered by those regulations.

ANNEX IV

relating to Article 1

The duties which may be temporarily retained under Article 38 of the Act of Accession shall remain generally applicable and Article 1 (1) of the Regulation may not constitute an exception thereto.

ANNEX V

relating to Article 2

Article 2 (1) of the Regulation shall be without prejudice to certain quantitative restrictions and the special system applicable to imports of motor vehicles and the motor vehicle assembly industry in Ireland which are the subject of Protocols 6 and 7 to the Act of Accession.

31. 7. 75

Official Journal of the European Communities

No L 201/73

REGULATION (EEC) No 1958/75 OF THE COUNCIL

of 30 July 1975

extending certain transitional measures for rum, arrack and tafia in relation with certain overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof;

Having regard to the Act of Accession ⁽¹⁾, and in particular Article 119 (3) thereof;

Having regard to the Opinion of the Commission;

Whereas, with a view to the advance implementation of Article 2 (1) of the ACP-EEC Lomé convention and Protocol 7 thereto, which was announced by the Community when that convention was signed, the Council, by Regulation (EEC) No 1600/75, opened a duty-free Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the ACP States; whereas special import arrangements should therefore be made for these products when they originate in the overseas countries and territories;

Whereas Council Decision No 70/549/EEC ⁽²⁾ of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community, expired on 31 January 1975; whereas, under Decision No 75/89/EEC ⁽³⁾, Decision No 70/549/EEC and its Annexes, and the provisions adopted for their implementation continue to apply beyond 31 January 1975 until the entry into force of the provisions which are to replace this Decision or until 31 July 1975, whichever is the earlier; whereas, however, Council Decision No 75/463/EEC ⁽⁴⁾ of 22 July 1975 on the extension of certain transitional measures in relations with certain overseas countries and territories, maintains in force Decision No 70/549/EEC provided that no new provisions relating to the same fields have entered into force or until 31 July 1976, whichever is the earlier;

Whereas Regulation (EEC) No 1957/75, which enters into force on 1 August 1975, lays down interim trade arrangements with the overseas countries and territories associated with the European Economic Community similar to those laid down for products originating in the ACP States; whereas Article 1 of this Regulation provides that certain products originating in the overseas countries and territories shall be imported into the Community free of customs duties and charges having equivalent effect; whereas, however, the abovementioned Regulation provides for the adoption of a special Regulation for products falling within subheading 22.09 C I of the Common Customs Tariff;

Whereas, pursuant to Article 115 (3) of the Act of Accession the Council, by Decision No 75/462/EEC ⁽⁵⁾ maintained in force the arrangements provided for in Articles 109 (1), 114 and 119 (1) of that Act;

Whereas, pursuant to Article 119 of the Act of Accession, the arrangements resulting from Decision No 70/549/EEC shall not apply in relations between the new Member States and the overseas countries and territories;

Whereas the import arrangements for the products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the overseas countries and territories are not covered by Regulation (EEC) No 1957/75; whereas the Council has agreed to adopt texts laying down these arrangements by 30 November 1975; whereas, pending this decision, the status quo should be maintained for imports of these products,

HAS ADOPTED THIS REGULATION:

Article 1

The products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and tafia) originating in the overseas countries and territories listed in Annex I shall be subject:

(5) OJ No L 201, 31.7.1975.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 282, 28. 12. 1970, p. 83.

⁽³⁾ OJ No L 26, 31. 1. 1975, p. 9.

(4) OJ No L 201, 31.7.1975.

(a) when imported into the Member States of the Community as originally constituted, to the arrangements resulting from Decision No 70/549/EEC and from Article 119 (2), third subparagraph, of the Act of Accession;

(b) when imported into the new Member States, to the arrangements provided for in Article 119 (2), first and third subparagraphs, of the Act of Accession.

Article 2

The products falling within subheading 22.09 C I of the Common Customs Tariff (rum, arrack and

tafia) originating in the overseas countries and territories listed in Annex II shall be subject to the arrangements provided for in Article 119 (2), second and third subparagraphs, of the Act of Accession.

Article 3

This Regulation shall enter into force on 1 August 1975.

It shall continue to apply until the entry into force of the new provisions relating to the same fields or until 29 February 1976, whichever is the earlier.

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

Done at Brussels, 30 July 1975.

For the Council

The President

M. RUMOR

ANNEX I**List of the overseas countries and territories referred to in Article 1**

1. Overseas countries of the Kingdom of the Netherlands:
 - Surinam,
 - The Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).
2. Overseas territories of the French Republic:
 - Saint Pierre and Miquelon,
 - The Comoro Archipelago,
 - The Territory of the Afars and Issas,
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.

ANNEX II**List of the overseas countries and territories referred to in Article 2**

1. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean: Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla,
 - Cayman Islands,
 - Falkland Islands and Dependencies,
 - Gilbert and Ellice Islands,
 - British Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and Dependencies,
 - The Seychelles,
 - British Antarctic Territory,
 - British Indian Ocean Territory.
 2. Anglo-French Condominium of the New Hebrides.
-

30. 9. 75

Official Journal of the European Communities

No L 253/23

REGULATION (EEC) No 2474/75 OF THE COMMISSION

of 29 September 1975

fixing the amounts by which the import charges on beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and to certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 2 (2) thereof;

Whereas Article 2 (2) of Regulation (EEC) No 1599/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 1 of Regulation (EEC) No 1725/75 of 4 July 1975 on detailed rules for the application of the arrangements

governing the importation of beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which the import charges on beef and veal are to be reduced pursuant to Article 2 (2) of Regulation (EEC) No 1599/75 shall in respect of the period 1 October to 31 December 1975 be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1975.

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

Done at Brussels, 29 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| N° du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UA/100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater UC/RE/UA/100 kg |
|--|--|--|
| 01.02 A II a) | 24,858 | 39,438 |
| 01.02 A II b) | 24,858 | 39,438 |
| 02.01 A II a) 1 aa) 11 | 48,352 | 74,932 |
| 02.01 A II a) 1 aa) 22 | 38,598 | 59,945 |
| 02.01 A II a) 1 aa) 33 | 58,107 | 89,919 |
| 02.01 A II a) 1 bb) 11 | 48,352 | 74,932 |
| 02.01 A II a) 1 bb) 22 | 38,598 | 59,945 |
| 02.01 A II a) 1 bb) 33 | 58,107 | 89,919 |
| 02.01 A II a) 1 cc) 11 | 88,050 | 112,398 |
| 02.01 A II a) 1 cc) 22 | 93,929 | 128,568 |
| 02.01 A II a) 2 aa) | 53,526 | 78,569 |
| 02.01 A II a) 2 bb) | 42,736 | 62,855 |
| 02.01 A II a) 2 cc) | 67,010 | 98,212 |
| 02.01 A II a) 2 dd) 11 | 95,601 | 117,854 |
| 02.01 A II a) 2 dd) 22 aaa) | 65,705 | 98,212 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 65,705 | 98,212 |
| 02.01 A II a) 2 dd) 22 ccc) | 102,713 | 135,139 |
| 02.06 C I a) 1 | 90,390 | 112,398 |
| 02.06 C I a) 2 | 86,576 | 128,568 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelagd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges et certifikat, der opfylder de betingelser der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

1. 11. 75

Official Journal of the European Communities

No L 283/7

REGULATION (EEC) No 2833/75 OF THE COMMISSION (*)
of 31 October 1975
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community;

Having regard to Council Regulation No 359/
67/EEC⁽¹⁾ of 25 July 1967 on the common organiza-
tion of the market in rice, as last amended by Regula-
tion (EEC) No 668/75⁽²⁾, and in particular Article 11
(5) thereof;

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2231/75⁽³⁾ and
subsequent amending Regulations;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2231/75
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation No 359/
67/EEC are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 November
1975.

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

Done at Brussels, 31 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(*) A similar text containing other statistics appears regularly
in the Official Journal. It is suggested that the latest Official
Journal be consulted.

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽³⁾ OJ No L 229, 30. 8. 1975, p. 5.

ANNEX

to the Commission Regulation of 31 October 1975 fixing the import levies on rice and broken rice

| (s.a./metric ton) | | | |
|-------------------|--|-----------------|---|
| CCT heading No | Description of goods | Third countries | ACP and OCT ⁽¹⁾ / ⁽²⁾ |
| 10.06 | Rice : A. Paddy rice ; husked rice : I. Paddy rice : a) Round grain b) Long grain II. Husked rice : a) Round grain b) Long grain B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grain . b) Long grain II. Wholly milled rice : a) Round grain b) Long grain C. Broken rice : | | |
| | | 30-55 | 12-28 |
| | | 40-74 | 17-37 |
| | | 38-19 | 16-10 |
| | | 50-93 | 22-47 |
| | | 58-84 | 19-52 |
| | | 140-58 | 60-43 |
| | | 62-67 | 21-09 |
| | | 150-70 | 65-10 |
| | | 13-43 | 4-22 |

(¹) Subject to the application of the provisions of Articles 9 and 22 of Regulation (EEC) No 1599/75.

(²) In accordance with Regulation (EEC) No 1599/75 provides that the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

REGULATION (EEC) No 2849/75 OF THE COMMISSION

of 31 October 1975

on measures relating to imports of rice and broken rice originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof;

Whereas, if Article 9 of Regulation (EEC) No 1599/75 is to be correctly applied, then, before the adjustments provided for in that Article are made the cif export prices for the various qualities of rice must be rendered comparable to the price for the standard quality for which the threshold price is fixed; whereas to this end the corrective amounts provided for in Commission Regulation (EEC) No 1613/71⁽¹⁾ of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice, as last amended by Regulation (EEC) No 1057/73⁽²⁾, and the corrective amounts relating thereto should be applied; whereas, in order to facilitate import transactions for the Makalioka, Vary Lava, Surinam and Alicambo qualities of rice, which represent the major part of imports from the ACP States and the OCT, the amounts to be added to or subtracted from the cif export price should be fixed;

Whereas Article 11 of Regulation (EEC) No 1599/75 provides that where imports from the ACP States or the OCT exceed a certain quantity such imports may be partially or totally suspended; whereas to this end a procedure should be established for the rapid and frequent communication of information on imports by Member States to the Commission, so that the latter may decide, in full knowledge of the facts, on any measures to be proposed to the Council; whereas monthly communication should be sufficiently frequent to meet this requirement;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 9 of Regulation (EEC) No 1599/75, the cif export price for a given lot of rice or broken rice shall be adjusted, before the levy is added, in accordance with the following rules:

1. If the cif export price is for a bagged product that price shall be reduced by five units of account per metric ton.
2. The cif export price for the qualities Makalioka, Vary Lava, Surinam and Alicambo shall be adjusted:
 - (a) for the qualities Makalioka and Vary Lava, by increasing it by:
 - 3.20 units of account per metric ton in the case of paddy rice;
 - 4.00 units of account per metric ton in the case of husked rice;
 - 5.41 units of account per metric ton in the case of semi-milled rice;
 - 5.80 units of account per metric ton in the case of wholly milled rice;
 - (b) for the qualities Surinam and Alicambo, by reducing it:
 - in the case of paddy rice, by:
 - 8.80 units of account per metric ton of Surinam rice;
 - 16.80 units of account per metric ton of Alicambo rice;
 - in the case of husked rice, by:
 - 11.00 units of account per metric ton of Surinam rice;
 - 21.00 units of account per metric ton of Alicambo rice;
 - in the case of semi-milled rice, by:
 - 14.86 units of account per metric ton of Surinam rice;
 - 28.39 units of account per metric ton of Alicambo rice;
 - in the case of wholly milled rice, by:
 - 15.94 units of account per metric ton of Surinam rice;
 - 30.43 units of account per metric ton of Alicambo rice;

⁽¹⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽²⁾ OJ No L 105, 20. 4. 1973, p. 10.

3. For qualities of rice originating in the ACP States and the OCT other than those qualities referred to in paragraph 2, the cif export price shall be adjusted:

(a) for round grain rice, by applying:

- in the case of husked rice, the corrective amount shown in Annex I to Regulation (EEC) No 1613/71;
- in the case of rice in a form other than husked rice, the corrective amount shown in Annex I to Regulation (EEC) No 1613/71, this amount having first been multiplied by a coefficient of:
 - 0.8000 for paddy rice;
 - 1.2121 for semi-milled rice;
 - 1.2903 for wholly milled rice;

(b) for long grain rice:

- in the case of husked rice, by applying the corrective amount shown in Annex II to Regulation (EEC) No 1613/71 and allowing for the difference in value between the standard quality for which the threshold price is fixed and the variety of long grain rice representative of Community production referred to in Article 14 (2) (b) of Regulation No 359/67/EEC⁽¹⁾;
- in the case of rice in a form other than husked rice, by applying the corrective amount shown in Annex II to Regulation (EEC) No 1613/71, this amount having first been multiplied by a coefficient of:
 - 0.8000 for paddy rice;
 - 1.3513 for semi-milled rice;
 - 1.4493 for wholly milled rice;
 and

allowing for the difference in value between the standard quality for which the threshold price is fixed and the variety of long grain rice representative of Community production referred to in Article 14 (2) (b) of Regulation No 359/67/EEC, that difference having first been multiplied by a coefficient of:

- 0.8000 for paddy rice;
- 1.3513 for semi-milled rice;
- 1.4493 for wholly milled rice;

(c) for broken rice, by applying the corrective amount shown in Annex III to Regulation (EEC) No 1613/71.

Article 2

For the purposes of Article 11 of Regulation (EEC) No 1599/75, Member States shall inform the Commission, before the tenth day of each month, of the quantities of rice and broken rice, broken down by country of export and country of origin, imported during the preceding month from the ACP States and from the overseas countries and territories.

Article 3

Commission Regulation (EEC) No 430/72⁽²⁾ of 29 February 1972 on implementing measures in respect of imports of rice and broken rice originating in the Associated African States and Madagascar or in the overseas countries and territories is hereby repealed.

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

It shall apply with effect from 1 July 1975.

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

Done at Brussels, 31 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽²⁾ OJ No L 52, 1. 3. 1972, p. 41.

1. 11. 75

Official Journal of the European Communities

No L 283/69

REGULATION (EEC) No 2860/75 OF THE COMMISSION

of 31 October 1975

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2727/75 ⁽¹⁾ of 29 October 1975 on the common organization of the market in cereals, and in particular Article 14 (4) thereof;

Having regard to Council Regulation No 359/67/EEC ⁽²⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 668/75 ⁽³⁾, and in particular Article 12 (4) thereof;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2815/75 ⁽⁴⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 2.5 units of

account per metric ton of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 ⁽⁵⁾, the levies at present in force must therefore be altered as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 ⁽⁶⁾, as fixed in the Annex to Regulation (EEC) No 2815/75 are hereby altered as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 November 1975.

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

Done at Brussels, 31 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(*) A similar text containing other statistics appears regularly in the Official Journal. It is suggested that the latest Official Journal be consulted.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽³⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽⁴⁾ OJ No L 280, 31. 10. 1975, p. 16.

⁽⁵⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

to the Commission Regulation of 31 October 1975 altering the import levies on products processed from cereals and rice

| CCT heading No | Levies in u.a./metric ton | |
|------------------------|---|-----------------|
| | Third countries (other than ACP and OCT) (*) | ACP and OCT (*) |
| 11.01 D (*) | 49-57 | 44-57 |
| 11.01 E I (*) | 54-50 | 49-50 |
| 11.01 E II (*) | 30-55 | 28-05 |
| 11.01 F (*) | 16-99 | 14-49 |
| 11.01 H (*) | 22-55 | 20-05 |
| 11.01 K (*) | 31-00 | 28-50 |
| 11.02 A H (*) | 61-52 | 56-52 |
| 11.02 A IV (*) | 49-57 | 44-57 |
| 11.02 A V a) 1 (*) | 54-50 | 49-50 |
| 11.02 A V a) 2 (*) | 54-50 | 49-50 |
| 11.02 A V b) (*) | 30-55 | 28-05 |
| 11.02 A VI (*) | 16-99 | 14-49 |
| 11.02 A VIII (*) | 22-55 | 20-05 |
| 11.02 A IX (*) | 31-00 | 28-50 |
| 11.02 B I a) 2 aa) | 27-76 | 25-26 |
| 11.02 B I a) 2 bb) (*) | 47-07 | 44-57 |
| 11.02 B I a) 4 (*) | 33-96 | 31-46 |
| 11.02 B I b) 2 (*) | 47-07 | 44-57 |
| 11.02 B I b) 4 (*) | 33-96 | 31-46 |
| 11.02 B II a) (*) | 33-12 | 30-62 |
| 11.02 B II b) (*) | 44-26 | 41-76 |
| 11.02 B II c) (*) | 46-50 | 44-00 |
| 11.02 B II d) (*) | 47-20 | 44-70 |
| 11.02 C I (*) | 39-33 | 36-83 |
| 11.02 C II (*) | 52-74 | 50-24 |
| 11.02 C IV (*) | 42-12 | 39-62 |
| 11.02 C V (*) | 46-50 | 44-00 |
| 11.02 C VII (*) | 33-96 | 31-46 |
| 11.02 C VIII (*) | 47-20 | 44-70 |
| 11.02 D I (*) | 25-98 | 23-48 |
| 11.02 D II (*) | 34-53 | 32-03 |
| 11.02 D IV (*) | 27-76 | 25-26 |
| 11.02 D V (*) | 30-55 | 28-05 |
| 11.02 D VII (*) | 22-55 | 20-05 |
| 11.02 D VIII (*) | 31-00 | 28-50 |
| 11.02 E I a) 2 (*) | 27-76 | 25-26 |
| 11.02 E I a) 4 (*) | 22-55 | 20-05 |
| 11.02 E I b) 2 (*) | 54-52 | 49-52 |
| 11.02 E I b) 4 (*) | 40-39 | 35-39 |
| 11.02 E II a) (*) | 46-44 | 41-44 |
| 11.02 E II b) (*) | 61-52 | 56-52 |
| 11.02 E II c) (*) | 54-50 | 49-50 |
| 11.02 E II d) (*) | 55-29 | 50-29 |
| 11.02 E H e) 1 (*) | 29-61 | 24-61 |
| 11.02 F I (*) | 46-44 | 41-44 |
| 11.02 F II (*) | 61-52 | 56-52 |
| 11.02 F IV (*) | 49-57 | 44-57 |
| 11.02 F V (*) | 54-50 | 49-50 |
| 11.02 F VI (*) | 16-99 | 14-49 |
| 11.02 F VIII (*) | 22-55 | 20-05 |
| 11.02 F IX (*) | 31-00 | 28-50 |
| 11.02 G I | 22-27 | 17-27 |
| 11.02 G II | 25-63 | 20-63 |
| 11.06 B I | 45-18 | 25-18 (*) |
| 11.06 B H | 61-28 | 41-28 (*) |
| 11.07 A I a) | 49-98 | 40-98 |
| 11.07 A I b) | 39-62 | 30-62 |
| 11.08 A I | 45-18 | 28-18 |
| 11.08 A II | 27-58 | 2-08 |
| 11.08 A III | 31-78 | 14-78 |

| CCT heading No | Levies in u.a./metric ton | |
|------------------------------|---|----------------------|
| | Third countries (other than ACP and OCT) (*) | ACP and OCT (*) |
| 11.08 A IV | 45-18 | 28-18 |
| 11.08 A V | 45-18 | 14-09 ⁽⁵⁾ |
| 11.09 A | 176-88 | 26-88 |
| 11.09 B | 176-88 | 26-88 |
| 17.02 B II a) ⁽⁸⁾ | 116-75 | 36-75 |
| 17.02 B II b) ⁽⁸⁾ | 83-18 | 28-18 |
| 17.05 B I | 116-75 | 36-75 |
| 17.05 B II | 83-18 | 28-18 |
| 23.02 A I a) | 5-49 | 5-49 |
| 23.02 A I b) 1 | 8-78 | 8-78 |
| 23.02 A I b) 2 | 17-56 | 17-56 |
| 23.02 A II a) | 4-39 | 4-39 |
| 23.02 A II b) | 17-56 | 17-56 |
| 23.03 A I | 185-00 | 35-00 |

(*) Subject to the application of the provisions of Article 22 of Regulation (EEC) No 1599/75.

(*) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

-- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight

-- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

(*) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading No 17.02 B I is subject to the same levy as products falling within subheading No 17.02 B II.

(*) In accordance with Regulation (EEC) No 1599/75 the levy shall not be charged on the following products originating in the countries and territories:

-- arrow-root falling within sub-heading ex 07.06 A

-- flours and meal of arrow-root falling within sub-headings ex 11.06 A, ex 11.06 B I and II

-- arrow-root starch falling within sub-heading ex 11.08 A V.

REGULATION (EEC) No^o 2864/75 OF THE COMMISSION
of 3 November 1975

altering retrospectively the amounts as fixed by Regulation (EEC) No 1726/75 by which the import charges on beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 475/75⁽¹⁾ of 27 February 1975 on the exchange rates to be applied in agriculture, as amended by Regulation (EEC) No 2638/75⁽²⁾, and in particular Article 4 (1) thereof;

Whereas, in accordance with Article 2 of Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, import charges on beef and veal originating in the third countries concerned shall be reduced by 90 %, as calculated by a standard method, on the basis of the amounts applicable during a reference period, in accordance with the rules laid down by Commission Regulation (EEC) No 1725/75 of 4 July 1975; whereas the amounts by which the charges are to be reduced were fixed by Commission Regulation (EEC) No 1726/75 of 4 July 1975;

Whereas the monetary compensatory amounts applicable pursuant to Council Regulation (EEC) No 974/71⁽³⁾ of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 475/75, must be taken into account when calculating the amounts by which the import charges are to be reduced; whereas, as regards imports into Ireland and the United Kingdom, the monetary compensatory amounts to be taken into account are those fixed in

respect of the latter country; whereas the representative rate for the pound sterling in force since 3 March 1975 has been altered with effect from 4 August 1975; whereas, with effect from the date of entry into force of the new rate, the amounts by which the import charges are reduced should consequently be altered pursuant to Article 4 (1) of Regulation (EEC) No 475/75 and by way of derogation from the rules laid down in Regulations (EEC) No 1599/75 and (EEC) No 1725/75, the fixing of the new representative rate having had unforeseeable effects on the standard procedure for fixing the amounts in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. With effect from 4 August 1975, the amounts shown in the column headed 'Ireland + United Kingdom' in the Annex to Regulation (EEC) No 1726/75 are replaced by the amounts shown in the Annex to this Regulation.
2. Any reimbursement due as a result of this Regulation shall be made only at the request of the party concerned, such request to be submitted before 31 December 1975.

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, 3 November 1975.

For the Commission
P. J. LARDINOIS
Member of the Commission

⁽¹⁾ OJ No L 52, 28. 2. 1975, p. 28.

⁽²⁾ OJ No L 269, 18. 10. 1975, p. 1.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| N° du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UC/100 kg |
|--|--|
| 01.02 A II a) | 23,379 |
| 01.02 A II b) | 23,379 |
| 02.01 A II a) 1 aa) 11 | 45,539 |
| 02.01 A II a) 1 aa) 22 | 36,349 |
| 02.01 A II a) 1 aa) 33 | 54,731 |
| 02.01 A II a) 1 bb) 11 | 45,539 |
| 02.01 A II a) 1 bb) 22 | 36,349 |
| 02.01 A II a) 1 bb) 33 | 54,731 |
| 02.01 A II a) 1 cc) 11 | 85,237 |
| 02.01 A II a) 1 cc) 22 | 90,718 |
| 02.01 A II a) 2 aa) | 51,022 |
| 02.01 A II a) 2 bb) | 40,734 |
| 02.01 A II a) 2 cc) | 63,882 |
| 02.01 A II a) 2 dd) 11 | 93,097 |
| 02.01 A II a) 2 dd) 22 aaa) | 62,577 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 62,577 |
| 02.01 A II a) 2 dd) 22 ccc) | 99,585 |
| 02.06 C I a) 1 | 87,577 |
| 02.06 C I a) 2 | 83,365 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Hentførelse under denne underposition er betinget af, at der fremlægges et certifikat, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

12. 12. 75

Official Journal of the European Communities

No L 321/3

REGULATION (EEC) No 3230/75 OF THE COUNCIL

of 9 December 1975

on the opening, allocation and administration of a Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States

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 under Article 2 (1) of the Convention signed between the ACP States and the European Economic Community on 28 February 1975, and under Protocol 7 annexed thereto, until the entry into force of a common organization of the market in spirits, products falling within tariff subheading 22.09 C. I (rum, arrack, tafia), originating in the ACP States, shall be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State; whereas the exchange of letters at Lomé on 28 February 1975 relating to the advance implementation of certain provisions of the said Convention provides in particular that the European Economic Community shall apply the said Protocol 7 autonomously as from 1 July 1975;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistical information is available;

Whereas Council Regulation (EEC) No 1600/75 of 24 June 1975 on the opening, allocation and administration of a Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff originating in the ACP States laid

down conditions for the advance implementation of the provisions concerned for the period from 1 July to 31 December 1975; whereas in the light of experience, identical conditions should be laid down for the implementation of Protocol 7 of the ACP-EEC Convention of Lomé for the 12 month period ending on 30 June 1976;

Whereas the volume of the tariff quota should consequently be fixed annually on the basis of the statistical information and estimated consumption used when Regulation (EEC) No 1600/75 was drawn up; whereas the volume of the tariff quota should accordingly be fixed at 168 000 hectolitres of pure alcohol, the quantities actually imported under Regulation (EEC) No 1600/75 being deducted from this volume;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are 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

From 1 July 1975 until 30 June 1976 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 168 000 hectolitres of pure alcohol.

These products are considered as originating in the ACP States if they fulfil the conditions laid down in Council Regulation (EEC) No 1598/75⁽¹⁾ of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in goods.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment of 128 000 hectolitres of pure alcohol shall be for United Kingdom consumption. The second instalment of 40 000 hectolitres of pure alcohol shall be allocated amongst the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall be valid until the end of the period stipulated in Article 1 and shall consist of the following quantities, indicated in hectolitres, of pure alcohol :

| | |
|-----------|--------|
| Benelux : | 3 500 |
| Denmark : | 2 900 |
| Germany : | 26 000 |
| France : | 6 000 |
| Ireland : | 1 000 |
| Italy : | 600 |

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

Done at Brussels, 9 December 1975.

For the Council

The President

M. RUMOR

Article 3

The quantities actually imported under Regulation (EEC) No 1600/75 when the present Regulation enters into force shall be deducted from the volume of the quota referred to in Article 1 and the instalments and shares specified in Article 2.

Article 4

Member States shall manage the shares allocated to them in accordance with their own arrangements.

Article 5

Member States shall inform the Commission each month of imports actually charged against the tariff quota.

The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

Article 6

Articles 5, 6, 7 and 8 of Regulation (EEC) No 1598/75 shall apply in respect of the products covered by this Regulation.

Article 7

The Member States and the Commission shall cooperate closely in order to ensure compliance with this Regulation.

Article 8

This Regulation shall enter into force on 1 January 1976.

⁽¹⁾ OJ No L 166, 28. 6. 1975, p. 1.

REGULATION (EEC) No 3328/75 OF THE COUNCIL

of 18 December 1975

renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

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 2 (2) and (3) of Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories provides, as partial compensation for the import charges leviable by reason of the current trend of the world market, for a reduction in the charges, other than customs duties, on imports of the products originating in the ACP States, referred to in Article 1 (a) of Council Regulation (EEC) No 805/68 (1) of 27 June 1968 on the common organization of the market in beef and veal, as last amended by Regulation (EEC) No 1855/74 (2), provided that an export tax of a corresponding amount has been applied by the exporting country; whereas these special arrangements are to apply only until 31 December 1975 ;

Whereas this reduction in import charges applies only to those quantities for which importation is authorized under the provisions adopted pursuant to Article 21 of Regulation (EEC) No 805/68 ;

Whereas the conditions which led to the application of these measures have not altered since ; whereas, in order to enable the countries involved to maintain traditional trade flows, under the current market price situation obtaining in those countries and in the Community, it is necessary to continue to apply exceptional arrangements for the first half of 1976, while allowing for such arrangements to be revised, particularly in the event of a change in import conditions,

(1) OJ No L 148, 28. 6. 1968, p. 24.

(2) OJ No L 195, 18. 7. 1974, p. 14.

Article 1.

1. The charges on imports of the products originating in the ACP States referred to in Article 1 (a) of Regulation (EEC) No 805/68 shall be reduced, within the limits of the quantities specified in Article 2, by an amount to be fixed quarterly by the Commission and corresponding to 90 % of the average of the import charges applicable during a reference period.

2. Paragraph 1 shall apply only to imports for which the importer proves that an export tax of an amount corresponding to the reduction provided for in that paragraph has been charged by the exporting country.

Article 2

The reduction provided for in Article 1 shall be subject to an overall maximum, expressed in terms of boned meat, of 13 766 metric tons, allocated as follows :

| | |
|------------|--------------------|
| Botswana | 8 680 metric tons, |
| Kenya | 65 metric tons, |
| Madagascar | 3 478 metric tons, |
| Swaziland | 1 543 metric tons. |

Article 3

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 805/68.

These detailed rules shall concern in particular :

- the basis for calculation and the period of reference to be taken into consideration for the purpose of fixing the amount by which the import charges are to be reduced ;
- rules for fixing the corresponding amount to be charged by the exporting country ;
- the issue of import licences ;
- admissible proof and inspection measures.

2. Under the same procedure derogation may be made from the principle of quarterly fixing and from the rules concerning the reference period, if a change in the representative rate of the currency of a Member State or the transition from one marketing year to the next so requires.

3. The Council, acting by a qualified majority on a proposal from the Commission, may, in the light of changes in the beef and veal market or in the factors

governing imports into the Community of the products in question originating in the ACP States, modify or abrogate the arrangements provided for in this Regulation.

Article 4

This Regulation shall enter into force on 1 January 1976.

It shall remain applicable until 30 June 1976.

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

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS

REGULATION (EEC) No 3329/75 OF THE COUNCIL

of 18 December 1975

amending Regulation (EEC) No 1599/75 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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 19 of Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, lays down that the products referred to in Regulation (EEC) No 234/68 are to be imported free of customs duties, with the exception of products falling within heading No 06.03 or 06.04 of the Common Customs Tariff;

Whereas the exemption of those products from customs duties was deferred until it was possible to settle the problems relating to the unification of the import arrangements applied by each Member State with regard to third countries in respect of live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage;

Whereas Regulation (EEC) No 3279/75 (1) has established common import arrangements; whereas, consequently, products falling within heading No 06.03 or 06.04 and originating in the African, Caribbean and Pacific States or the overseas countries and territories should be exempted from customs duties;

Whereas Regulation (EEC) No 1599/75 lays down, in respect of the products subject to levies or variable components, total or partial exemption from such charges; whereas deflections of trade should be prevented during the period of application of accession compensatory amounts in trade in those products

between the Community as originally constituted and the new Member States; whereas appropriate provision should be made to enable measures to be taken in cases where there is a danger of deflection of trade,

HAS ADOPTED THIS REGULATION:

Article 1

Article 19 of Regulation (EEC) No 1599/75 is amended to read as follows:

'The products referred to in Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 2358/71 and (EEC) No 1067/74 shall be imported free of customs duties.'

Article 2

Article 22 of Regulation (EEC) No 1599/75 is amended to read as follows:

'The reductions provided for by this Regulation shall be calculated by reference to:

- the variable components of levies where the levies contain such components,
- the levies in other cases,

applicable to imports from third countries into the Community as originally constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as originally constituted and the new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure referred to in Article 23, if this proves necessary.'

Article 3

This Regulation shall enter into force on 1 January 1976.

(1) OJ No L 326, 18. 12. 1975, p. 1.

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

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS

REGULATION (EEC) No 3376/75 OF THE COMMISSION

of 23 December 1975

laying down rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, and in particular Article 3 (1) and (2) thereof ;

Whereas, pursuant to Article 2 (1) of Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, no customs duties are applied to the imports in question ;

Whereas the rules governing the origin of the products in question are those appearing in Annex II to Regulation (EEC) No 1598/75 of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé Convention relating to trade in goods ;

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 lays down that the charges on imports of beef and veal originating in the African, Caribbean and Pacific States are to be reduced, provided that a tax of corresponding amount is collected when the goods are exported from the country of origin ;

Whereas the import charges result from the level of the levy applicable ; whereas that levy may be adjusted by accession and monetary compensatory amounts ; whereas since those amounts differ according to the arrangements applicable in each Member State, the import charges also differ ;

Whereas, however, the precise application of those amounts would result in complex administrative problems and would oblige the non-member countries concerned to levy different amounts according to

the destination within the Community ; whereas provision should therefore be made for a standard method of calculating the amounts, on the basis of only two Community regions, namely the new Member States, which still apply accession compensatory amounts, and the other Member States ; whereas, in each of those two regions, the compensatory amounts applicable to imports in the Member State which absorbs most of the imports in question should be taken as a basis, it being possible also to consider those amounts as close to the average of the compensatory amounts applicable for each of the Member States ;

Whereas there is good reason to derogate from the quarterly fixing of the amounts of reduction pursuant to Article 3 (2) of Regulation (EEC) No 3328/75 because of the new marketing year for the beef and veal sector beginning 1 March 1976 ;

Whereas proof that the export tax has been collected may be supplied by entering the relevant amount on the movement certificate provided for in Council Regulation (EEC) No 1598/75 ;

Whereas detailed rules for the application of the system of import licences for the products coming from the beef and veal sector are specified in Commission Regulation (EEC) No 193/75 (1) of 17 January 1975, as amended by Regulation (EEC) No 2104/75 (2) and Commission Regulation (EEC) No 2045/75 (3) of 25 July 1975 ; whereas there is good reason to take special measures for the delivery of import licences within the framework of the present Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland, under the conditions laid down in this Regulation and within the limit of the quantities

(1) OJ No L 25, 31. 1. 1975, p. 10.

(2) OJ No L 214, 12. 8. 1975, p. 20.

(3) OJ No L 213, 11. 8. 1975, p. 21.

expressed in metric tons of boned meat as fixed in Regulation (EEC) No 3328/75 :

| | |
|------------|--------------------|
| Botswana | 8 680 metric tons, |
| Kenya | 65 metric tons, |
| Madagascar | 3 478 metric tons, |
| Swaziland | 1 543 metric tons. |

100 kg of boned meat shall be equivalent to 130 kg of unboned meat.

Article 2

1. Applications for import licences may be submitted to the competent agencies of the Member States only during the first 10 days of each month.

The country of origin shall be indicated in box 14 of the application for a licence and of the licence.

The licence entails the obligation to import from the country indicated.

2. On the working day following the last working day of the period for the submission of applications, Member States shall inform the Commission, by telex, of the total quantity for each of the non-member countries which are the subject of the applications referred to in paragraph 1.

The Commission shall decide, for each non-member country concerned, which applications can be accepted. If the quantities of products originating in a non-member country in respect of which licences are applied for exceed the quantity available from that non-member country, the Commission shall fix a single percentage for the reduction of the quantities applied for.

3. If the total quantity forming the subject of applications relating to a non-member country is lower than the quantity available from that non-member country, the Commission shall decide what shall be done with the remaining quantity.

4. The import licences shall be valid only until 30 June 1976.

5. The licences shall be issued on the 21st day following the first day of the period for the submission of applications.

6. Subject to the provisions of Article 18 of Regulation (EEC) No 193/75, the security shall be released immediately for a quantity in respect of which no import licence has been issued.

Article 3

Importation to benefit from the system of import charge reductions may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in conformity

with the rules of origin applicable to the products in question in accordance with the provisions of Annex II to Regulation (EEC) No 1598/75.

Article 4

1. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into Ireland or the United Kingdom shall be equal to 90 % of the amount resulting from the levy reduced by the accession compensatory amount applicable to imports into the United Kingdom from non-member countries and by the monetary compensatory amounts, valid for imports into that Member State during the week :

- (a) beginning 5 January 1976, for imports to be effected in January and February 1976 ;
- (b) beginning 1 March 1976, for imports to be effected in March 1976 ;
- (c) beginning 22 March 1976, for imports to be effected in the second quarter of 1976.

2. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into a Member State other than those mentioned in paragraph 1 shall be equal to 90 % of the amount resulting from the levy corrected, if such should be the case, by any monetary compensatory amount applicable for France during the week :

- (a) beginning 5 January 1976, for imports to be effected in January and February 1976 ;
- (b) beginning 1 March 1976, for imports to be effected in March 1976 ;
- (c) beginning 22 March 1976, for imports to be effected in the second quarter of 1976.

Article 5

1. The import charges shall be reduced by the amount fixed in accordance with Article 4 only if the model of the certificate for the movement of goods EUR.1 contained in Annex 5 to Annex II to Regulation (EEC) No 1598/75 indicates :

- (a) in box 5, the group of countries of destination, by means of the figure '1' for the Member States referred to in Article 4 (1) and by means of the figure '2' for the Member States referred to in paragraph 2 of that Article ;
- (b) in box 7, the amount of the export tax collected per 100 kg ;
- (c) in box 8, the subheading of the Common Customs Tariff for the product in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. The application of this Regulation may not in any event give rise to the granting of an amount.

3. The export tax to be collected shall be that in force at the date of completion of the customs export formalities.

The amount by which the import charges shall be reduced shall be that valid on the day of completion of the customs import formalities in the Community region indicated in box 5 of the certificate.

Article 6

This Regulation shall enter into force on 1 January 1976.

It shall apply until 30 June 1976.

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

Done at Brussels, 23 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

31. 12. 75

Official Journal of the European Communities

No L 334/67

REGULATION (EEC) No 3406/75 OF THE COMMISSION

of 30 December 1975

fixing the amounts by which the import charges on beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of the import charges on beef and veal products originating in the African, Caribbean and Pacific States, and in particular Article 1 thereof;

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of the arrangements of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduc-

tion of the import charges on beef and veal products originating in the African, Caribbean and Pacific States,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which the import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of the importations to be made during the months of January and February 1976, be as shown in the Annex hereto.

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 Commission

G. M. THOMSON

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UA/100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater UC/RE/UA/100 kg |
|--|--|--|
| 01.02 A II a) | 31-217 | 43-614 |
| 01.02 A II b) | 31-217 | 43-614 |
| 02.01 A II a) 1 aa) 11 | 60-337 | 82-867 |
| 02.01 A II a) 1 aa) 22 | 48-176 | 66-293 |
| 02.01 A II a) 1 aa) 33 | 72-487 | 99-440 |
| 02.01 A II a) 1 bb) 11 | 60-337 | 82-867 |
| 02.01 A II a) 1 bb) 22 | 48-176 | 66-293 |
| 02.01 A II a) 1 bb) 33 | 72-487 | 99-440 |
| 02.01 A II a) 1 cc) 11 | 103-714 | 124-300 |
| 02.01 A II a) 1 cc) 22 | 112-082 | 142-182 |
| 02.01 A II a) 2 aa) | 65-166 | 86-669 |
| 02.01 A II a) 2 bb) | 52-050 | 69-335 |
| 02.01 A II a) 2 cc) | 81-562 | 108-337 |
| 02.01 A II a) 2 dd) 11 | 111-021 | 130-004 |
| 02.01 A II a) 2 dd) 22 aaa) | 80-419 | 108-337 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 80-419 | 108-337 |
| 02.01 A II a) 2 dd) 22 ccc) | 121-045 | 149-071 |
| 02.06 C I a) 1 | 105-892 | 124-300 |
| 02.06 C I a) 2 | 105-242 | 142-182 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Hensfærel under denne underposition er betinget af, at der fremlægges et certifikat, der opfylder de betingelser der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

27. 1. 76

Official Journal of the European Communities

No L 18/1

COUNCIL REGULATION (EEC) No 157/76
of 20 January 1976
on the safeguard measures provided for in the ACP-EEC Convention of Lomé

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 ACP-EEC Convention of Lomé was signed on 28 February 1975;

Whereas the detailed rules for implementing the safeguard clause provided for in Article 10 of the Convention should be laid down, it being understood that the procedures concerning the safeguard clauses provided for in the Treaty establishing the European Economic Community and in the Regulations on the common organization of agricultural markets are also applicable,

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 African, Caribbean and Pacific States safeguard measures under the power reserved to the Community in Article 10 of the Convention.

If the Commission receives a request from a Member State it shall take a decision thereon within three working days following receipt of the request.

Member States shall be notified of the safeguard measures, which shall apply immediately.

2. Any Member State may refer any measure taken by the Commission to the Council within 10 working days following the day of notification of such a

measure. The Council shall meet without delay. Acting by a qualified majority, it may amend or rescind the measure in question.

Article 2

1. Without prejudice to the application of Article 1, the Commission may authorize a Member State to take safeguard measures to counteract the disturbances or difficulties referred to in Article 10 of the Convention.

If the Commission receives a request from the Member State concerned, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

3. The Member State concerned shall notify the other Member States and the Commission of the measures taken in implementation of the decision of the Commission, or where appropriate of the Council, and of any amendment which it makes thereto.

Article 3

1. Without prejudice to the application of Articles 1 and 2, the Member State or States concerned may, in an emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure the Commission shall, within five working days of the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken the measures, the Commission's decision shall be suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

Article 4

This Regulation shall not preclude application of Regulations establishing a common organization of

agricultural markets or of Community or national administrative provisions derived therefrom or of the special Regulations adopted under Article 235 of the Treaty for processed agricultural products; it shall be implemented as a complement to those instruments.

Article 5

The Community's notification, as provided for in Article 10 of the Convention, shall be made to the ACP-EEC Council of Ministers by the Commission.

Article 6

This Regulation shall enter into force at the same time as the ACP-EEC Convention of Lomé.

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

Done at Brussels, 20 January 1976.

For the Council

The President

G. THORN

27. 1. 76

Official Journal of the European Communities

No L 18/3

COUNCIL REGULATION (EEC) No 158/76

of 20 January 1976

on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Convention of Lomé was signed on 28 February 1975;

Whereas Article 17 of the Convention establishes the list of commodities covered by the system for stabilizing export earnings of the ACP States;

Whereas it is proposed to extend this system to the overseas countries and territories associated with the Community, hereinafter called the 'countries and territories';

Whereas it is necessary to institute a system of cross-checking of statistics between the Community and the ACP States and between the Community and the countries and territories in order to implement the system for stabilizing export earnings,

HAS ADOPTED THIS REGULATION:

Article 1

Before the end of each month, the Member States shall forward to the Commission a statement of imports during the previous month of the products listed in the Annex to this Regulation:

— from the ACP States listed in Annex I to Regulation (EEC) No 1598/75 until the Convention enters into force and thereafter from the ACP States to which the Convention applies;

— from the countries and territories listed in Annex I to Regulation (EEC) No 1957/75 and subsequently from those covered by the Decision to be adopted by the Council on the association of the countries and territories.

Article 2

The statement referred to in Article 1 shall give details of all products:

- which are released for home use in the Member State concerned,
- which are brought under the inward processing arrangements there in order to be processed.

Article 3

The statement referred to in Article 1 shall show the country of origin of the products, according to the common geographical code in force, the quantities imported and the cif values of these imports.

Article 4

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 January 1976.

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

Done at Brussels, 20 January 1976.

For the Council

The President

G. THORN

ANNEX

List of products which are the subject of this Regulation

| Nimexe code | Tariff description |
|--|--|
| (a) <i>Ground-nut products</i> 12.01.31 to 12.01.35 15.07.74 and 15.07.87 23.04.10 | Oil seeds and oleaginous fruit, whole or broken : Ground-nuts, in shell or shelled Ground-nut oil for the manufacture of foodstuffs for human consumption, crude Ground-nut oil for the manufacture of foodstuffs for human consumption, other Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other : Of ground-nuts |
| (b) <i>Cocoa products</i> 18.01.00 18.03.10 to 18.03.30 18.04.00 | Cocoa beans, whole or broken, raw or roasted Cocoa paste (in bulk or in block), whether or not defatted : Not defatted Wholly or partly defatted Cocoa butter (fat or oil) |
| (c) <i>Coffee products</i> 09.01.11 to 09.01.17 21.02.10 | Coffee, whether or not roasted or freed of caffeine ; coffee husks and skins ; containing coffee in any proportion Coffee, unroasted : Not freed of caffeine ; freed of caffeine Coffee, roasted : Not freed of caffeine ; freed of caffeine Extracts, essences or concentrates of coffee ; preparations with a basis of coffee extracts, essences or concentrates |
| (d) <i>Cotton products</i> 55.01.10 to 55.01.90 55.02.10 to 55.02.90 | Cotton, not carded or combed Cotton linters, raw and other |
| (e) <i>Coconut products</i> 08.01.71 to 08.01.75 12.01.42 15.07.77 and 15.07.92 | Coconuts : Desiccated coconut : Other Oil-seeds and oleaginous fruit, whole or broken : Copra Coconut or copra oil for the manufacture of foodstuffs for human consumption, crude Coconut or copra oil for the manufacture of foodstuffs for human consumption, other |

| Nimexe code | Tariff description |
|---|--|
| 23.04.20 | Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other Of copra (-- of coconut) |
| (f) <i>Palm, palm nut and kernel products</i> 15.07.19 and 15.07.61 and 15.07.63 | Palm oil, for technical or industrial uses, crude Palm oil, for the manufacture of foodstuffs for human consumption, crude Palm oil, for the manufacture of foodstuffs for human consumption, other |
| 15.07.31 and 15.07.78 and 15.07.93 | Palm kernel oil, for technical or industrial uses, crude Palm kernel oil, for the manufacture of foodstuffs for human consumption, solid or fluid, other than in packings of 1 kg or less, crude Palm kernel oil, for the manufacture of foodstuffs for human consumption, solid or fluid, other than in packings of 1 kg or less, other |
| 23.04.30 | Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other : Of palm nuts or kernels |
| 12.01.44 | Oil seeds and oleaginous fruit, whole or broken : Palm nuts and kernels |
| (g) <i>Raw hides, skins and leather</i> 41.01.11 to 41.01.95 | Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool |
| 41.02.05 to 41.02.50 | Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| 41.03.10 to 41.03.99 | Sheep and lamb skin leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| 41.04.10 to 41.04.99 | Goat and kid skin leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| (h) <i>Wood products</i> 44.03.20 to 44.03.99 | Wood in the rough, whether or not stripped of its bark or merely roughed down |
| 44.04.20 to 44.04.98 | Wood, roughly squared or half-squared, but not further manufactured |
| 44.05.10 to 44.05.79 | Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm |
| (i) <i>Fresh bananas</i> 08.01.31 | Bananas : Fresh |

| Nimexe code | Tariff description |
|---|---|
| (j) <i>Tea</i> 09.02.10 to 09.02.90 | Tea in immediate packings of a net capacity not exceeding 3 kg : Other |
| (k) <i>Raw sisal</i> 57.04.10 | Sisal fibres and other fibres of the Agave family, including waste of such fibres and pulled or garnetted rags or ropes |
| (l) <i>Iron ore</i> 26.01.12 to 26.01.18 | Metallic ores and concentrates and roasted iron pyrites : Iron ores and concentrates and roasted iron pyrites |

COMMISSION REGULATION (EEC) No 188/76 (*)

of 28 January 1976

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation No 359/67/EEC of 25 July 1967 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 668/75⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied to calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation No 359/67/EEC; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first twenty-five days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation, is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for

these products and for compound feedingstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1997/75⁽⁷⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 2.5 units of account per metric ton from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁸⁾ laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽⁹⁾, as amended by Regulation (EEC) No 3329/75⁽¹⁰⁾;

Whereas Article 4 (2) of Regulation (EEC) No 2744/75 provides that the levy to be charged on the products listed in the Annex to that Regulation under heading No 07.06 A is limited, with effect from the date of entry into force of the Geneva Protocol (1967) annexed to the General Agreement on Tariffs and Trade, to the amount resulting from application of the rate of duty bound within GATT;

(*) A similar text containing other statistics appears regularly in the Official Journal. It is suggested that the latest Official Journal be consulted.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 72, 20. 3. 1975, p. 18.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 1. 8. 1975, p. 57.

⁽⁸⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽⁹⁾ OJ No L 166, 28. 6. 1975, p. 67.

⁽¹⁰⁾ OJ No L 329, 23. 12. 1975, p. 6.

Whereas, if the levy system is to operate normally, levies 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 the previous subparagraph;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation No 359/67/EEC and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 1976.

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

Done at Brussels, 28 January 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

| CCT heading No | Nomenclature in simplified wording | Levies in u.s./metric ton | |
|----------------|---|---|------------------------------------|
| | | Third countries (other than ACP and OCT) | ACP and OCT |
| 07.06 A | Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes | 4.77 ⁽¹⁾ | 3.27 ⁽¹⁾ ⁽²⁾ |
| 11.01 C | Barley flour ⁽²⁾ | 52.66 | 47.66 |
| 11.01 D | Oat flour ⁽²⁾ | 35.49 | 30.49 |
| 11.01 E I | Maize flour, of a fat content not exceeding 1.5 % by weight ⁽²⁾ | 69.84 | 64.84 |
| 11.01 E II | Maize flour, of a fat content exceeding 1.5 % by weight ⁽²⁾ | 39.24 | 36.74 |
| 11.01 F | Rice flour ⁽²⁾ | 23.64 | 21.14 |
| 11.01 G | Buckwheat flour ⁽²⁾ | 12.07 | 7.07 |
| 11.01 H | Millet flour ⁽²⁾ | 25.56 | 23.06 |
| 11.01 I J | Canary seed flour ⁽²⁾ | 2.50 | 0 |
| 11.01 K | Grain sorghum flour ⁽²⁾ | 37.63 | 35.13 |
| 11.01 L | Cereals flours, other than flour of wheat, meslin, rye, barley, oats, maize, rice, buckwheat, millet, canary seed or grain sorghum ⁽²⁾ | 2.50 | 0 |
| 11.02 A II | Rye groats and meal ⁽²⁾ | 103.10 | 98.10 |
| 11.02 A III | Barley groats and meal ⁽²⁾ | 52.66 | 47.66 |
| 11.02 A IV | Oat groats and meal ⁽²⁾ | 35.49 | 30.49 |
| 11.02 A V a) 1 | Maize groats and meal, of a fat content not exceeding 1.5 % by weight, for the brewing industry ⁽²⁾ | 69.84 | 64.84 |
| 11.02 A V a) 2 | Maize groats and meal, of a fat content not exceeding 1.5 % by weight, other than for the brewing industry ⁽²⁾ | 69.84 | 64.84 |
| 11.02 A V b) | Maize groats and meal, of a fat content exceeding 1.5 % by weight ⁽²⁾ | 39.24 | 36.74 |
| 11.02 A VI | Rice groats and meal ⁽²⁾ | 23.64 | 21.14 |
| 11.02 A VII | Buckwheat groats and meal ⁽²⁾ | 12.07 | 7.07 |
| 11.02 A VIII | Millet groats and meal ⁽²⁾ | 25.56 | 23.06 |

| CCT heading No | Nomenclature in simplified wording | Levies in u.s./metric ton | |
|--------------------|--|---|----------------|
| | | Third countries (other than ACP and OCT) | ACP and OCT |
| 11.02 A IX | Grain sorghum groats and meal (*) | 37.63 | 35.13 |
| 11.02 A X | Cereals groats and meal, other than groats and meal of wheat, meslin, rye, barley, oats, maize, rice, buckwheat, millet or grain sorghum (*) | 2.50 | 0 |
| 11.02 B I a) 1 | Hulled (shelled or husked) barley (*) | 44.87 | 42.37 |
| 11.02 B I a) 2 aa) | Clipped oats | 19.78 | 17.28 |
| 11.02 B I a) 2 bb) | Hulled (shelled or husked) oats other than clipped oats (*) | 32.99 | 30.49 |
| 11.02 B I a) 3 | Hulled (shelled or husked) buckwheat (*) | 8.79 | 6.29 |
| 11.02 B I a) 4 | Hulled (shelled or husked) millet (*) | 38.68 | 36.18 |
| 11.02 B I b) 1 | Hulled and sliced or kibbled barley ('Grütze' or 'Grutten') (*) | 44.87 | 42.37 |
| 11.02 B I b) 2 | Hulled and sliced or kibbled oats ('Grütze' or 'Grutten') (*) | 32.99 | 30.49 |
| 11.02 B I b) 3 | Hulled and sliced or kibbled buckwheat ('Grütze' or 'Grutten') (*) | 8.79 | 6.29 |
| 11.02 B I b) 4 | Hulled and sliced or kibbled millet ('Grütze' or 'Grutten') (*) | 38.68 | 36.18 |
| 11.02 B II a) | Hulled (shelled or husked) wheat, whether or not sliced or kibbled (*) | 52.07 | 49.57 |
| 11.02 B II b) | Hulled (shelled or husked) rye, whether or not sliced or kibbled (*) | 74.99 | 72.49 |
| 11.02 B II c) | Hulled (shelled or husked) maize, whether or not sliced or kibbled (*) | 60.13 | 57.63 |
| 11.02 B II d) | Hulled (shelled or husked) grain sorghum, whether or not sliced or kibbled (*) | 57.60 | 55.10 |
| 11.02 B II e) | Hulled (shelled or husked) grains, whether or not sliced or kibbled, other than those of wheat, rye, maize, barley, oats, buckwheat, millet or grain sorghum (*) | 2.50 | 0 |
| 11.02 C I | Pearled wheat (*) | 62.13 | 59.63 |
| 11.02 C II | Pearled rye (*) | 89.70 | 87.20 |
| 11.02 C III | Pearled barley (*) | 71.20 | 66.20 |
| 11.02 C IV | Pearled oats (*) | 29.60 | 27.10 |
| 11.02 C V | Pearled maize (*) | 60.13 | 57.63 |
| 11.02 C VI | Pearled buckwheat (*) | 8.79 | 6.29 |
| 11.02 C VII | Pearled millet (*) | 38.68 | 36.18 |
| 11.02 C VIII | Pearled grain sorghum (*) | 57.60 | 55.10 |
| 11.02 C IX | Pearled grains other than grains of wheat, rye, barley, oats, maize, buckwheat, millet or grain sorghum (*) | 2.50 | 0 |

| CCT heading No | Nomenclature in simplified wording | Levies in u.s./metric ton | |
|-----------------|---|---|----------------|
| | | Third countries (other than ACP and OCT) | ACP and OCT |
| 11.02 D I | Wheat not otherwise worked than kibbled (*) | 40.52 | 38.02 |
| 11.02 D II | Rye not otherwise worked than kibbled (*) | 58.09 | 55.59 |
| 11.02 D III | Barley not otherwise worked than kibbled (*) | 29.51 | 27.01 |
| 11.02 D IV | Oats not otherwise worked than kibbled (*) | 19.78 | 17.28 |
| 11.02 D V | Maize not otherwise worked than kibbled (*) | 39.24 | 36.74 |
| 11.02 D VI | Buckwheat not otherwise worked than kibbled (*) | 6.51 | 4.01 |
| 11.02 D VII | Millet not otherwise worked than kibbled (*) | 25.56 | 23.06 |
| 11.02 D VIII | Grain sorghum not otherwise worked than kibbled (*) | 37.63 | 35.13 |
| 11.02 D IX | Grains not otherwise worked than kibbled, other than grains of wheat, rye, barley, oats, maize, buckwheat, millet or grain sorghum (*) | 2.50 | 0 |
| 11.02 E I a) 1 | Rolled barley (*) | 29.51 | 27.01 |
| 11.02 E I a) 2 | Rolled oats (*) | 19.78 | 17.28 |
| 11.02 E I a) 3 | Rolled buckwheat (*) | 6.51 | 4.01 |
| 11.02 E I a) 4 | Rolled millet (*) | 25.56 | 23.06 |
| 11.02 E I b) 1 | Flaked barley (*) | 57.96 | 52.96 |
| 11.02 E I b) 2 | Flaked oats (*) | 38.88 | 33.88 |
| 11.02 E I b) 3 | Flaked buckwheat (*) | 12.07 | 7.07 |
| 11.02 E I b) 4 | Flaked millet (*) | 45.70 | 40.70 |
| 11.02 E II a) | Rolled or flaked wheat (*) | 72.09 | 67.09 |
| 11.02 E II b) | Rolled or flaked rye (*) | 103.10 | 98.10 |
| 11.02 E II c) | Rolled or flaked maize (*) | 69.84 | 64.84 |
| 11.02 E II d) | Rolled or flaked grain sorghum (*) | 66.99 | 61.99 |
| 11.02 E II e) 1 | Flake rice (*) | 40.89 | 35.89 |
| 11.02 E II e) 2 | Rolled or flaked grains other than grains of wheat, rye, barley, oats, maize, rice, buckwheat, millet or grain sorghum, excluding flaked rice (*) | 5.00 | 0 |
| 11.02 F I | Wheat pellets (*) | 72.09 | 67.09 |
| 11.02 F II | Rye pellets (*) | 103.10 | 98.10 |
| 11.02 F III | Barley pellets (*) | 52.66 | 47.66 |

| CCT heading No | Nomenclature in simplified wording | Levies in u.s./metric ton | |
|----------------|---|---|----------------|
| | | Third countries (other than ACP and OCT) | ACP and OCT |
| 11.02 F IV | Oat pellets (*) | 35-49 | 30-49 |
| 11.02 F V | Maize pellets (*) | 69-84 | 64-84 |
| 11.02 F VI | Rice pellets (*) | 23-64 | 21-14 |
| 11.02 F VII | Buckwheat pellets (*) | 12-07 | 7-07 |
| 11.02 F VIII | Millet pellets (*) | 25-56 | 23-06 |
| 11.02 F IX | Grain sorghum pellets (*) | 37-63 | 35-13 |
| 11.02 F X | Pellets of cereals other than wheat, rye, barley, oats, maize, rice, buckwheat, millet or grain sorghum (*) | 2-50 | 0 |
| 11.02 G I | Wheat germ, whole, rolled, flaked or ground | 32-95 | 27-95 |
| 11.02 G II | Germ of cereals other than wheat, whole, rolled flaked or ground | 32-02 | 27-02 |
| 11.06 A | Denatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches | 7-27 | 1-77 (*) |
| 11.06 B I | Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, for the manufacture of starches | 58-89 | 38-89 (*) |
| 11.06 B II | Undenatured flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06, other than for the manufacture of starches | 74-99 | 54-99 (*) |
| 11.07 A I a) | Unroasted malt, obtained from wheat, in the form of flour | 75-34 | 66-34 |
| 11.07 A I b) | Unroasted malt, obtained from wheat, other than in the form of flour | 58-57 | 49-57 |
| 11.07 A II a) | Unroasted malt, other than that obtained from wheat, in the form of flour | 56-13 (*) | 47-13 |
| 11.07 A II b) | Unroasted malt, other than that obtained from wheat, other than in the form of flour | 44-22 | 35-22 |
| 11.07 B | Roasted malt | 50-04 (*) | 41-04 |
| 11.08 A I | Maize starch | 58-89 | 41-89 |
| 11.08 A II | Rice starch | 37-11 | 11-61 |
| 11.08 A III | Wheat starch | 63-13 | 46-13 |
| 11.08 A IV | Potato starch | 58-89 | 41-89 |
| 11.08 A V | Starches other than maize, rice, wheat or potato starch | 58-89 | 20-95 (*) |
| 11.09 A | Dried wheat gluten | 233-38 | 83-88 |

| CCT heading No | Nomenclature in simplified wording | Levies in u.a./metric ton | |
|----------------|--|---|----------------|
| | | Third countries (other than ACP and OCT) | ACP and OCT |
| 11.09 B | Wheat gluten, other than dried | 233-88 | 83-88 |
| 17.02 B II a) | Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product ^(*) , in the form of white crystalline powder, whether or not agglomerated | 134-64 | 54-64 |
| 17.02 B II b) | Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product ^(*) , other than glucose in the form of white crystalline powder, whether or not agglomerated | 96-89 | 41-89 |
| 17.05 B I | Flavoured or coloured glucose, in the form of white crystalline powder, whether or not agglomerated | 134-64 | 54-64 |
| 17.05 B II | Flavoured or coloured glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated | 96-89 | 41-89 |
| 23.02 A I a) | Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content not exceeding 35 % by weight | 9-98 | 9-98 |
| 23.02 A I b) | Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process | 15-96 | 15-96 |
| 23.02 A I b) 2 | Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, with a starch content exceeding 35 % but not exceeding 45 % by weight, not having undergone a denaturing process, or with a starch content exceeding 45 % by weight | 31-93 | 31-93 |
| 23.02 A II a) | Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5 % or more by weight | 7-98 | 7-98 |
| 23.02 A II b) | Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not falling within subheading No 23.02 A II a) | 31-93 | 31-93 |
| 23.03 A I | 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 | 202-04 | 52-04 |

^(*) This levy is limited to 6 % of the value for customs purposes.

^(*) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

^(*) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading No 17.02 B I is subject to the same levy as products falling within subheading No 17.02 B II.

^(*) In accordance with Regulation (EEC) No 2755/75 this levy is reduced by 0.45 u.a./100 kg for products originating in Turkey.

^(*) In accordance with Regulation (EEC) No 1599/75 the levy shall not be charged on the following products originating in the countries and territories:

- arrow-root falling within sub-heading ex 07.06 A
- flours and meal of arrow-root falling within sub-headings ex 11.06 A, ex 11.06 B I and II
- arrow-root starch falling within sub-heading ex 11.08 A V.

30. 1. 76

Official Journal of the European Communities

No L 23/19

COMMISSION REGULATION (EEC) No 189/76 (*)

of 28 January 1976

fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas the incidence of the levies applicable to the basic products of compound feedingstuffs on their prime costs should be determined, in pursuance of Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, on the basis of the average of the levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

¹Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is specified in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States or in the 'overseas countries and territories', the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of

some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 1599/75 of 24 June 1975, on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽⁴⁾, as amended by Regulation (EEC) No 3329/75⁽⁵⁾;

Whereas, if the levy system is to operate normally, levies 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 the previous subparagraph;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75 the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are fixed hereby as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 February 1976.

(*) A similar text containing other statistics appears regularly in the Official Journal. It is suggested that the latest Official Journal be consulted.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 166, 28. 6. 1975, p. 67.

⁽⁵⁾ OJ No L 329, 23. 12. 1975, p. 6.

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

Done at Brussels, 28 January 1976

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

| CCT heading No | Nomenclature in simplified wording | Levies in u.s./metric ton | |
|----------------|--|---|----------------|
| | | Third countries (other than ACP and OCT) | ACP and OCT |
| | Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheading Nos 17.02 B and 17.05 B, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheading Nos 17.02 A and 17.05 A) containing starch, glucose or glucose syrup : | | |
| | Containing no starch or containing 10 % or less by weight of starch : | | |
| 23.07 B I a) 1 | — Containing no milk products or containing less than 10 % by weight of such products | 14.76 | 5.76 |
| 23.07 B I a) 2 | — Containing 10 % or more but less than 50 % by weight of milk products | 370.27 | 361.27 |
| | Containing more than 10 % but not more than 30 % by weight of starch : | | |
| 23.07 B I b) 1 | — Containing no milk products or containing less than 10 % by weight of such products | 27.01 | 18.01 |
| 23.07 B I b) 2 | — Containing 10 % or more but less than 50 % by weight of milk products | 382.52 | 373.52 |
| | Containing more than 30 % by weight of starch : | | |
| 23.07 B I c) 1 | — Containing no milk products or containing less than 10 % by weight of such products | 45.02 | 36.02 |
| 23.07 B I c) 2 | — Containing 10 % or more but less than 50 % by weight of milk products | 400.53 | 391.53 |

30. 1. 76

Official Journal of the European Communities

No L 23/51

COMMISSION DECISION

of 20 January 1976

concerning the issue of import licences for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland

(76/156/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3376/75 of 23 December 1975 laying down rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States⁽²⁾, and in particular the second subparagraph of Article 2 (2) thereof,

Whereas Regulation (EEC) No 3328/75 provides for the possibility of issuing import licences for beef and veal products; whereas, however, the quantities imported must remain within the limits laid down for each of the exporting non-member countries in question;

Whereas the quantities covered by the application for licences submitted from 1 to 10 January 1976, expressed in terms of boned meat, in accordance with Article 1 of Regulation (EEC) No 3376/75, are lower for the products originating in Botswana, Kenya and Swaziland than the quantities available for those States; whereas it is possible, therefore, to issue import licences for the quantities in respect of which the applications have been made and to fix the remaining quantities for which applications may be submitted from 1 February 1976;

Whereas Regulation (EEC) No 3376/75 lays down that where the applications for licences exceed the quantity available for one of the non-member countries concerned the Commission shall fix a percentage for

the reduction of the quantities applied for; whereas the applications submitted in the period 1 to 10 January 1976 exceed the quantity available for Madagascar; whereas a percentage should consequently be fixed for the reduction of the quantities originating in that country,

HAS ADOPTED THIS DECISION:

Article 1

1. Import licences as provided for in Regulation (EEC) No 3376/75 shall be issued for all the quantities for which applications for licences were submitted from 1 to 10 January 1976 in respect of products from Botswana, Kenya and Swaziland.

2. The quantities applied for in respect of Madagascar shall be reduced by 3.07 %.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (3) of Regulation (EEC) No 3376/75, during the first 10 days of February 1976 for the following quantities of boned beef and veal:

| | |
|-----------|----------------------|
| Botswana | 5 733.6 metric tons, |
| Kenya | 65.0 metric tons, |
| Swaziland | 1 217.9 metric tons. |

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 January 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 329, 23. 12. 1975, p. 4.

⁽²⁾ OJ No L 333, 30. 12. 1975, p. 44.

COUNCIL DECISION

of 9 February 1976

on import arrangements for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community

(76/198/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Council has autonomously implemented Article 2 (1) and Protocol No 7 on rum of the ACP-EEC Convention of Lomé; whereas by Regulation (EEC) No 1600/75 the Council opened a tariff quota free of customs duties for products falling within subheading 22.09 C I of the Common Customs Tariff originating in the ACP States; whereas by Regulation (EEC) No 1957/75 the Council laid down interim arrangements for trade with the overseas countries and territories associated with the European Economic Community, hereinafter called 'countries and territories'; whereas that Regulation provides for the adoption of special rules for the abovementioned products originating in these countries and territories;

Whereas under Regulation (EEC) No 1958/75 the Council agreed to adopt the measures laying down these import arrangements; whereas it has since approved the principles which should govern these

arrangements; whereas the import arrangements for the abovementioned products originating in the countries and territories should accordingly be adopted for the period from 1 March 1976 to 1 March 1980, without awaiting the entry into force of the Decision on the association of the countries and territories,

HAS DECIDED AS FOLLOWS:

Article 1

1. Pending entry into force of a common organization of the markets in spirits, and at all events no later than 1 March 1980, rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the countries and territories listed in the Annex to this Decision and, as from the entry into force of the Council Decision on the association of the overseas countries and territories, originating in the countries and territories mentioned in the corresponding Annex of that Decision, shall be imported into the Community free of customs duties within the limits of a Community tariff quota fixed in accordance with the following provisions.

2. The grant of exemption from customs duties in the new Member States shall not, however, affect the application of Article 38 of the Act of Accession.

Article 2

1. The tariff quota provided for in Article 1 shall be fixed each year for a period running from 1 July to 30 June.

2. However, a quota shall be fixed for March, April, May and June of 1976 which shall be equal to one-third of the annual quota.

Article 3

1. The annual tariff quota shall be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, equal to the amount of imports during the best of the last three years for which statistics are available. For the purposes of calculating the quota for 1 March to 30 June 1976 the volume of imports in 1975 shall be taken as an agreed figure as being 80 000 hectolitres of pure alcohol.

2. The annual tariff quota shall be equal to the basic annual quantity determined pursuant to paragraph 1 plus a growth rate of 13 %. The quota shall be fixed on that basis.

3. However, the Council, acting unanimously on a proposal from the Commission, may each year increase or reduce the rate laid down in paragraph 2 in the light of Community consumption and production and developments of the trade flow within the Community and between the Community, the countries and territories and the ACP States.

Article 4

When laying down the annual import quota, the Council, acting by a qualified majority on a proposal from the Commission, shall determine the allocation of the quota amongst the Member States, taking into account actual trends on the markets in question, the needs of the Member States and economic prospects for the period under consideration.

Article 5

For the purposes of implementing this Decision the concept of 'originating products' and the methods of

administrative cooperation relating thereto shall be those defined in Annex II to Regulation (EEC) No 1957/75 and, as from the entry into force of the Council Decision on the association of the countries and territories, those defined in the corresponding Annex to the said Decision.

Article 6

The products referred to in Article 1 shall be placed under Community surveillance according to detailed arrangements to be laid down by the Council when it adopts the measures provided for in Article 3.

Article 7

Article 7 and Annex III of Regulation (EEC) No 1957/75 and, as from the entry into force of the Council Decision on the association of the countries and territories, the corresponding provisions of the said Decision, shall be applicable to the products referred to in Article 1.

Article 8

This Decision shall enter into force on 1 March 1976.

It shall apply until 29 February 1980.

Article 9

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 9 February 1976.

For the Council

The President

G. THORN

ANNEX

List of the countries and territories referred to in Article 1

(This list does not prejudice the status of these countries and territories now or in the future)

1. Overseas countries of the Kingdom of the Netherlands :
 - the Netherlands Antilles (Aruba, Bonaire, Curaçao ; St Martin, Saba, St Eustatius).
 2. Overseas territories of the French Republic :
 - Saint Pierre and Miquelon,
 - Mayotte,
 - Territory of the Afars and Issas,
 - New Caledonia and Dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland :
 - Belize,
 - Brunei,
 - Associated States in the Caribbean (Antigua, Dominica, St Lucia, St Vincent, St Kitts, Nevis and Anguilla),
 - Cayman Islands,
 - Falkland Islands and Dependencies,
 - Gilbert Islands,
 - Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and Dependencies,
 - Seychelles,
 - British Antarctic Territory,
 - British Indian Ocean Territory,
 - Tuvalu.
 4. Anglo-French Condominium of the New Hebrides.
 5. Countries provisionally covered by this Decision :
 - The Comores,
 - Surinam.
-

COMMISSION REGULATION (EEC) No 345/76

of 18 February 1976

amending Regulation (EEC) No 2849/75 on measures relating to imports of rice and broken rice originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, as last amended by Regulation (EEC) No 3329/75, and in particular Article 23 thereof,

Whereas for the purposes of Article 9 of Council Regulation (EEC) No 1599/75, Article 1 (1) of Commission Regulation (EEC) No 2849/75 of 31 October 1975 on measures relating to imports of rice and broken rice originating in the African, Caribbean and Pacific States or in the overseas countries and territories, provides that, if the export price is for a bagged product, that price is reduced by five units of account per metric ton;

Whereas under Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice

and the corrective amounts relating thereto (1), as last amended by Regulation (EEC) No 3320/75 (2), the value of the bags has been increased to six units of account per metric ton; whereas in the interests of uniformity within the rice sector, Regulation (EEC) No 2849/75 should be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (1) of Regulation (EEC) No 2849/75 the words 'five units of account per metric ton' shall be replaced by the words 'six units of account per metric ton'.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*. It shall apply, at the request of any party concerned, with effect from 23 December 1975.

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

Done at Brussels, 18 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 168, 27. 7. 1971, p. 28.

(2) OJ No L 328, 20. 12. 1975, p. 32.

**COUNCIL REGULATION (EEC) No 405/76
of 23 February 1976**

extending certain interim provisions concerning trade with the African, Caribbean and Pacific States and the overseas countries and territories associated with the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43, 113 and 136 thereof,

Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament,

Whereas the ACP-EEC Convention of Lomé (1), hereinafter called the 'Convention', between the African, Caribbean and Pacific States, hereinafter called the 'ACP States', and the Community, was signed on 28 February 1975;

Whereas when the Convention was signed the Community and the ACP States agreed in an exchange of letters to apply autonomously certain provisions of the Convention from 1 July 1975 until the entry into force of the Convention or until 29 February 1976 at the latest;

Whereas in order to give effect to the abovementioned exchange of letters the Council adopted on 24 June 1975, *inter alia*, Regulation (EEC) No 1598/75 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in goods and Regulation (EEC) No 1599/75 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the Community and the ACP States have decided to extend the application of that exchange of letters beyond 29 February 1976;

Whereas by its Regulation (EEC) No 1957/75 on the interim trade arrangements with the overseas countries and territories associated with the European Economic Community and its Regulation (EEC) No 1599/75, the Council established arrangements for the overseas countries and territories similar to those laid down for the ACP States;

Whereas the period of validity of Regulations (EEC) No 1598/75, (EEC) No 1599/75 and (EEC) No 1957/75 should therefore be extended beyond 29 February 1976,

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 9 of Regulation (EEC) No 1598/75, the second paragraph of Article 24 of Regulation (EEC) No 1599/75 and the first paragraph of Article 9 of Regulation (EEC) No 1957/75, the date '29 February 1976' shall be replaced by the date '31 July 1976'.

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, 23 February 1976.

For the Council
The President
G. THORN

(1) cf. GEN 0 2

26. 2. 76

Official Journal of the European Communities

No L 50/23

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY
MEETING WITHIN THE COUNCIL**

of 23 February 1976

extending Decision 75/371/ECSC opening tariff preferences for products within the province of that Community originating in the African, Caribbean and Pacific States and in the overseas countries and territories associated with the Community

(76/250/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded among themselves the Treaty establishing the European Coal and Steel Community;

Whereas the Agreement on products within the province of the European Coal and Steel Community⁽¹⁾, hereinafter called the 'Agreement', between the Member States of that Community and the African, Caribbean and Pacific States, hereinafter called the 'ACP States', was signed on 28 February 1975 at the same time as the ACP-EEC Convention of Lomé and whereas that Agreement is subject to ratification;

Whereas when the Agreement was signed the European Economic Community, its Member States and the ACP States agreed in an exchange of letters to apply autonomously, from 1 July 1975 and until the entry into force of the Convention or until 29 February 1976 at the latest certain provisions of the Convention relating to trade in goods;

Whereas by virtue of Decision 75/371/ECSC of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, of 24 June 1975 opening tariff preferences for products within the province of that Community originating in the African, Caribbean

and Pacific States and the overseas countries and territories associated with the Community, the tariff suspensions contained in the Agreement have been applied autonomously;

Whereas this Decision also applies to the overseas countries and territories;

Whereas, since the Agreement will not enter into force on 1 March 1976, the Community and the ACP States have decided to continue autonomously to apply certain provisions thereof beyond 29 February 1976;

Whereas the tariff suspensions in favour of the overseas countries and territories should also continue to be applied autonomously;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Sole Article

In the first paragraph of Article 4 of Decision 75/371/ECSC the date '29 February 1976' shall be replaced by the date '31 July 1976'.

Done at Brussels, 23 February 1976.

The President

G. THORN

(1) cf. GEN 0 142

**COMMISSION REGULATION (EEC) No 460/76
of 27 February 1976**

fixing the amounts by which the import charges on beef and veal originating in the African, Caribbean and Pacific States or in the overseas countries and territories are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of the import charges on beef and veal products originating in the African, Caribbean and Pacific States, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal ; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of the arrangements of Council Regulation (EEC) No

3328/75 renewing the arrangements for the reduction of the import charges on beef and veal products originating in the African, Caribbean and Pacific States ;

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which the import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of the importations to be made during the month of March 1976, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1976.

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

Done at Brussels, 27 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UA/100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater UC/RE/UA/100 kg |
|--|--|--|
| 01.02 A II a) | 31,217 | 43,614 |
| 01.02 A II b) | 31,217 | 43,614 |
| 02.01 A II a) 1 aa) 11 | 60,337 | 82,867 |
| 02.01 A II a) 1 aa) 22 | 48,176 | 66,293 |
| 02.01 A II a) 1 aa) 33 | 72,487 | 99,440 |
| 02.01 A II a) 1 bb) 11 | 60,337 | 82,867 |
| 02.01 A II a) 1 bb) 22 | 48,176 | 66,293 |
| 02.01 A II a) 1 bb) 33 | 72,487 | 99,440 |
| 02.01 A II a) 1 cc) 11 | 103,714 | 124,300 |
| 02.01 A II a) 1 cc) 22 | 112,082 | 142,182 |
| 02.01 A II a) 2 aa) | 65,166 | 86,669 |
| 02.01 A II a) 2 bb) | 52,050 | 69,335 |
| 02.01 A II a) 2 cc) | 81,562 | 108,337 |
| 02.01 A II a) 2 dd) 11 | 111,021 | 130,004 |
| 02.01 A II a) 2 dd) 22 aaa) | 80,419 | 108,337 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 80,419 | 108,337 |
| 02.01 A II a) 2 dd) 22 ccc) | 121,045 | 149,071 |
| 02.06 C I a) 1 | 105,892 | 124,300 |
| 02.06 C I a) 2 | 105,242 | 142,182 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførel under denne underposition er betinget af, at der fremlægges et certifikat, der opfylder de betingelser der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 706/76

of 30 March 1976

on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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 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⁾, as last amended by Regulation (EEC) No 3058/75 ⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the ACP-EEC Convention of Lomé hereinafter called 'the Convention', between the African, Caribbean and Pacific States, hereinafter called 'the ACP States,' and the European Economic Community was signed on 28 February 1975;

Whereas Article 2 (2) (a) of that Convention lays down that: 'Products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

(i) those products shall be imported free of customs duties for which Community provisions in force at the time of importation do not provide, apart from customs duties, for the application of any other measure relating to their importation;

(ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure, as a general rule, more favourable treatment than the general treatment applicable to the same products originating in third countries to which the most-favoured-nation clause applies;

Whereas:

- Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, as last amended by Regulation (EEC) No 568/76 ⁽⁴⁾,
- Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products ⁽⁵⁾,
- Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽⁶⁾, as last amended by Regulation (EEC) No 1707/73 ⁽⁷⁾,
- Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽⁸⁾, as last amended by Regulation (EEC) No 3058/75 ⁽⁹⁾,

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 67, 15. 3. 1976, p. 28.

⁽⁵⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽⁶⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁷⁾ OJ No L 175, 29. 6. 1973, p. 5.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁹⁾ OJ No L 306, 26. 11. 1975, p. 3.

- Council Regulation No 359/67/EEC of 25 July 1967 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 668/75 ⁽²⁾,
- Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽³⁾, as last amended by Regulation (EEC) No 2482/75 ⁽⁴⁾,
- Council Regulation (EEC) No 865/68 of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables ⁽⁵⁾, as last amended by Regulation (EEC) No 1420/75 ⁽⁶⁾,
- Regulation (EEC) No 1059/69,
- Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽⁷⁾, as last amended by the Act of Accession ⁽⁸⁾,
- Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp ⁽⁹⁾, as last amended by the Act of Accession,
- Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops ⁽¹⁰⁾, as last amended by the Act of Accession,
- Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage ⁽¹¹⁾, as last amended by the Act of Accession,
- Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹²⁾, as last amended by Regulation (EEC) No 671/75 ⁽¹³⁾,

- Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty ⁽¹⁴⁾, as last amended by Regulation (EEC) No 1067/74 ⁽¹⁵⁾, and
- Council Regulation (EEC) No 1067/74 of 30 April 1974 on the common organization of the market in dehydrated fodder, as last amended by Regulation (EEC) No 1420/75 ⁽¹⁶⁾,

establish trade arrangements with third countries;

Whereas, on the one hand, these arrangements provide only for the application of customs duties on the importation of a number of products; whereas, on the other hand, these trade arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables, and oils and fats; whereas the obligations of the Community towards the ACP States arising from Article 2 (2) (a) of the Convention may be fulfilled by granting total or partial exemption from import charges for the products in question where they originate in the ACP States;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the Convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the Convention;

Whereas, furthermore, these advantages should, according to each case, be combined with certain conditions and limited to certain annual and multi-annual quantities;

Whereas it should be stipulated that the safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy are applicable; whereas Council Regulation (EEC)

(¹) OJ No 174, 31. 7. 1967, p. 1.
 (²) OJ No L 72, 20. 3. 1975, p. 18.
 (³) OJ No L 118, 20. 5. 1972, p. 1.
 (⁴) OJ No L 254, 21. 10. 1975, p. 3.
 (⁵) OJ No L 153, 1. 7. 1968, p. 8.
 (⁶) OJ No L 141, 3. 6. 1975, p. 1.
 (⁷) OJ No L 94, 28. 4. 1970, p. 1.
 (⁸) OJ No L 73, 27. 3. 1972, p. 14.
 (⁹) OJ No L 146, 4. 7. 1970, p. 1.
 (¹⁰) OJ No L 175, 4. 8. 1971, p. 1.
 (¹¹) OJ No L 55, 2. 3. 1968, p. 1.
 (¹²) OJ No L 246, 5. 11. 1971, p. 1.
 (¹³) OJ No L 72, 20. 3. 1975, p. 21.

(¹⁴) OJ No L 151, 30. 6. 1968, p. 16.
 (¹⁵) OJ No L 120, 1. 5. 1974, p. 2.
 (¹⁶) OJ No L 141, 3. 6. 1975, p. 1.

No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé applies as a complementary measure;

Whereas a Council Decision on the association of the overseas countries and territories listed in Annex I (hereinafter called 'the countries and territories') with the European Economic Community is envisaged; whereas it will include special rules concerning safeguard measures; whereas pending the entry into force of that Decision it is necessary to lay down such rules for the purposes of applying this Regulation; whereas from the entry into force of the Decision to be taken the safeguard clauses which it contains will apply as complementary measures;

Whereas there have traditionally been trade flows from the ACP States towards the French overseas departments; whereas provision should therefore be made for measures favouring imports of certain products originating in the ACP States into these French overseas departments to meet their supply requirements;

Whereas for agricultural products and certain goods resulting from the processing of agricultural products originating in the countries and territories, the rules of origin laid down in Council Regulation (EEC) No 1957/75 of 30 July 1975 on the interim trade arrangements with the overseas countries and territories associated with the European Economic Community, and in particular in Annex II thereof, will remain applicable until the entry into force of the Decision to be taken on the association of the countries and territories, which will lay down provisions on origin similar to those for products originating in the ACP States,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States or in the countries and territories listed in Annex I.

2. The rules of origin applicable to such of these products as are imported from the ACP States or the countries and territories shall be respectively those set out in Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the

Convention, and those of Annex II to Regulation (EEC) No 1957/75. The latter rules shall cease to apply as from the entry into force of the similar rules contained in the Decision to be taken on the association of the countries and territories.

TITLE I

Beef and veal

Article 2

The beef and veal products referred to in Article 1 of Regulation (EEC) No 805/68 shall be imported free of customs duties.

Article 3

Where, in the course of a year, imports into the Community of beef and veal falling within subheading 02.01 A II a) of the Common Customs Tariff and originating in an ACP State or country or territory exceed a quantity equivalent to that of imports into the Community during the year between 1969 and 1974 inclusive, in which the greatest quantity of Community imports of the origin in question was recorded, plus an annual growth rate of 7 %, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE II

Fishery products

Article 4

The fishery products referred to in Article 1 of Regulation (EEC) No 100/76 shall be imported free of customs duties.

TITLE III

Oils and fats

Article 5

The oil and fat products referred to in Article 1 (2) (a) and (b) of Regulation No 136/66/EEC shall be imported free of customs duties.

Article 6

Should the volume of imports of any of the oil seeds falling within subheading ex 12.01 B of the Common

Customs Tariff, referred to in Article 1 (2) (a) of Regulation No 136/66/EEC, undergo appreciable changes in relation to the present situation, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt special measures.

TITLE IV

Cereals

Article 7

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 1.50 units of account per metric ton.

2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum falling within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 50 %.

TITLE V

Rice

Article 8

The levy applicable to imports of rice falling within heading No 10.06 of the Common Customs Tariff shall be equal, per 100 kg of product, to the levy applicable to imports of rice from third countries, reduced as follows;

(a) for paddy rice falling within subheading 10.06 A I of the Common Customs Tariff:

- by 50%, and
- by 0.30 unit of account;

(b) for husked rice falling within subheading 10.06 A II of the Common Customs Tariff:

- by 50%, and
- by 0.30 unit of account;

(c) for semi-milled rice falling within subheading 10.06 B I of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC, converted by reference to the conversion rate between

milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation,

- by 50% of the levy thus reduced, and
- by 0.45 unit of account;

(d) for milled rice falling within subheading 10.06 B II of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation No 359/67/EEC,
- by 50% of the levy thus reduced, and
- by 0.45 unit of account;

(e) for broken rice falling within subheading 10.06 C of the Common Customs Tariff:

- by 50%, and
- by 0.25 unit of account.

Article 9

1. The provisions of Article 8 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States or in the countries and territories is, at the time of exportation, for that quantity, equal to or more than:

- for husked rice, milled rice and broken rice, the threshold price of each of these products, reduced by amounts of 0.30, 0.45 and 0.25 unit of account respectively;
- for paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the husked state to the paddy state, reduced by an amount of 0.30 unit of account;
- for semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the round grain milled state to the round grain semi-milled state, reduced by an amount of 0.45 unit of account.

2. In order to permit the necessary checks, the documents accompanying the goods must show the cif price at which the product is sold and the date of exportation, together with all details regarding quality enabling the product to be defined. These documents must be stamped by the competent authorities of the exporting ACP States, countries or territories.

Article 10

1. Article 13 (2) of Regulation No 359/67/EEC shall not apply to the levies to be charged on imports of rice originating in the ACP States or in the countries and territories.

2. As regards such imports, however, the levy applicable on the day of exportation shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of Regulation No 359/67/EEC, to an importation to be effected during the period of validity of the licence.

Article 11

Where, in the course of a year, imports into the Community of rice originating in an ACP State or in a country or territory exceed a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the last three years for which statistics are available, plus 5%, the provisions of Article 8 shall be totally or partially suspended in respect of the products of the origin in question in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC.

In such a case, the Commission shall report to the Council which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE VI

Products processed from cereals and rice

Article 12

1. The levy applicable to imports of the products listed in Annex A to Regulation (EEC) No 2727/75 and of the products listed in Article 1 (1) (c) of Regulation No 359/67/EEC shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.

2. The variable component of the levy shall be reduced:

- by 0.15 unit of account per 100 kg for the products falling within subheading 07.06 A of the Common Customs Tariff;
- 0.30 unit of account per 100 kg for the products falling within heading No 11.06 of the Common Customs Tariff;
- by 50% for the products falling within subheading 11.08 A V of the Common Customs Tariff.

3. The variable component of the levy shall not be charged in respect of the following products originating in the countries and territories:

| CCT heading No | Description of goods |
|----------------|---|
| 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: ex A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes: — Arrowroot |
| 11.06 | Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06: ex A. Denatured: — Flours and meal of arrowroot B. Other: ex I. For the manufacture of starches: — Flours and meal of arrowroot ex II. Other: Flours and meal of arrowroot |
| 11.08 | Starches; inulin: A. Starches: ex V. Other: — Arrowroot starch |

TITLE VII

Fruit and vegetables

Article 13

1. The products listed below shall be imported free of customs duties:

| CCT heading No | Description of goods |
|----------------|--|
| 07.01 | Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other |
| 08.02 | Citrus fruit, fresh or dried: D. Grapefruit E. Other |
| 08.08 | Berries, fresh: E. Papaws ex F. Other: — Passion fruit |
| 08.09 | Other fruit, fresh |

2. The products listed below shall be imported subject to customs duties equal to 20 % of the Common Customs Tariff duties:

| CCT heading No | Description of goods |
|----------------|---|
| 08.02 | Citrus fruit, fresh or dried: A. Oranges B. Mandarins including tangerines and satsumas; clementines, wilkings and other similar citrus hybrids |

TITLE VIII

Products processed from fruit and vegetables

Article 14

1. The products listed in Article 1 of Regulation (EEC) No 865/68 shall be imported free of customs duties.

2. Levies shall not be charged on imports of the products listed below:

| CCT heading No | Description of goods |
|----------------|--|
| 20.06 | <p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>B. Other:</p> <p>I. Containing added spirit:</p> <p>b) Pineapples, in immediate packings of a net capacity:</p> <p>1. Of more than 1 kg:</p> <p>aa) With a sugar content exceeding 17% by weight</p> <p>2. Of 1 kg or less:</p> <p>aa) With a sugar content exceeding 19% by weight</p> <p>e) Other fruits:</p> <p>ex 1. With a sugar content exceeding 9% by weight:</p> <p>— Grapefruit segments</p> <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 17% by weight</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 pineapples, papaws and pomegranate</p> <p>ex bb) Other:</p> <p>— Mixtures of pineapples, papaws and pomegranate</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>5. Pineapples:</p> <p>aa) With a sugar content exceeding 19% by weight</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 pineapples, papaws and pomegranate</p> <p>ex bb) Other:</p> <p>— Mixtures of pineapples, papaws and pomegranate</p> |

| CCT heading No | Description of goods |
|----------------|--|
| 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>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>5. Pineapple juice:</p> <p>aa) With an added sugar content exceeding 30% by weight</p> <p>8. Mixtures:</p> <p>bb) Other:</p> <p>ex 11. With an added sugar content exceeding 30% by weight:</p> <p>— Pineapple, papaw and pomegranate juice</p> |

TITLE IX

Unmanufactured tobacco

Article 15

The tobacco products listed in Article 1 of Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 16

If serious disruptions occur as a result of a large increase in duty-free imports of the products falling within heading No 24.01 of the Common Customs Tariff, originating in the ACP States or in the countries and territories, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may, without prejudice to Article 24, take measures intended to offset any deflection of trade.

TITLE X

Goods to which Regulation (EEC) No 1059/69 applies

Article 17

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 1059/69 applies.
2. The variable component shall not be charged on imports of the goods listed below:

| CCT heading No | Description of goods |
|----------------|---|
| 17.04 | Sugar confectionery, not containing cocoa: C. White chocolate |
| 18.06 | Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa |
| 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: B. Other: I. Containing no milk fats or containing less than 1.5% by weight of such d) Containing 45% or more but less than 65% by weight of starch |
| 19.04 | Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit: D. Other, containing by weight of starch: ex II. 50% or more, excluding ships' biscuits |
| 19.08 | Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: B. Other: IV. Containing 50% or more but less than 65% by weight of starch: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): ex 1. Containing no milk fats or containing less than 1.5% by weight of such fats: — Biscuits V. Containing 65% or more by weight of starch: ex a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): — Biscuits ex b) Other: — Biscuits |

TITLE XI

Other markets subject to common organization

Article 18

The products referred to in Regulations (EEC) No 234/68, (EEC) No 827/68, (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 2358/71 and (EEC) No 1067/74 shall be imported free of customs duties.

TITLE XII

Provisions relating to the French overseas departments

Article 19

The levies shall not be applied to imports into the French overseas departments of the products listed below originating in the ACP States or in the countries and territories:

| CCT heading No | Description of goods |
|----------------|--|
| 01.02 | Live animals of the bovine species: A. Domestic species: II. Other |
| 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: II. Of bovine animals: a) Of domestic bovine animals |
| 10.06 | Rice |

Article 20

1. The levy applicable to imports into the French overseas departments of maize falling within subheading 10.05 B of the Common Customs Tariff originating in the ACP States or in the countries and territories shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75 reduced by six units of account per metric ton.

2. If imports into the French overseas departments of maize originating in the ACP States or in the countries and territories have exceeded 4 500 metric tons in a year, and if such imports are causing or are likely to cause serious disturbances in the market, the Commission shall take the necessary measures, at the request of a Member State or on its own initiative.

3. Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may amend or declare void the measure in question, acting by a qualified majority.

TITLE XIII

General and final provisions

Article 21

The reductions provided for by this Regulation shall be calculated by reference to:

- the variable components of levies where the levies contain such components,
- in other cases, the levies,

applicable to imports from third countries into the Community as originally constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as originally constituted and the new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure laid down in Article 22, if this proves necessary.

Article 22

If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of the agricultural markets.

Article 23

This Regulation shall not prejudice the application of Article 38 of the Act of Accession.

Article 24

1. The safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy shall be applicable to the products covered by this Regulation.

2. As regards relations with the ACP States, Regulation (EEC) No 157/76 shall apply as a complementary measure.

3. As regards the countries and territories, the provisions of paragraph 4 and of Annex II and the similar provisions which replace them in the Decision to be taken on the association of the countries and territories shall also apply as complementary measures.

4. If, as a result of applying the provisions of this Regulation to originating products imported from the countries and territories, serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or their external financial stability is jeopardized, or if difficulties arise which may result in a deterioration in a sector of the economy of a region of the Community, the Commission may, in accordance with the procedure specified in Annex II, take, or authorize the Member States concerned to take, the necessary safeguard measures.

For the purpose of implementing the first subparagraph, priority shall be given to such measures as would least disturb the functioning of the association and the Community. These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

This paragraph and Annex II shall cease to apply as from the entry into force of the Decision to be taken on the association of the countries and territories.

Article 25

This Regulation shall enter into force on 1 April 1976.

It shall apply until 29 February 1980.

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

Done at Brussels, 30 March 1976.

For the Council

The President

G. THORN

ANNEX I

List of the countries and territories referred to in Article 1

(This list does not prejudice the status of these countries and territories now or in the future.)

1. Overseas countries of the Kingdom of the Netherlands:
 - the Netherlands Antilles (Aruba, Bonaire, Curaçao; St Martin, Saba, St Eustatius).

 2. Overseas territories of the French Republic:
 - Saint Pierre and Miquelon,
 - Mayotte,
 - Territory of the Afars and Issas,
 - New Caledonia and Dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.

 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean (Antigua, Dominica, St Lucia, St Vincent, St Kitts, Nevis and Anguilla),
 - Cayman Islands,
 - Falkland Islands and Dependencies,
 - Gilbert Islands,
 - Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and Dependencies,
 - Seychelles,
 - British Antarctic Territory,
 - British Indian Ocean Territory,
 - Tuvalu.

 4. Anglo-French Condominium of the New Hebrides.

 5. Countries provisionally covered by this Regulation:
 - The Comoros,
 - Surinam.
-

ANNEX II

on the application of Article 24 (3) and (4)

Article 1

1. At the request of a Member State or on its own initiative the Commission may decide to apply to products originating in the countries and territories the safeguard measures which the Community may take pursuant to Article 24 (3) and (4) of the Regulation, in particular a temporary, total or partial suspension of the tariff and other measures provided for by the Decision for the benefit of the countries and territories.

If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request.

Member States shall be notified of the safeguard measures which shall apply immediately.

2. Any Member State may refer the measures taken by the Commission to the Council within 10 working days following the date of notification of such a measure. The Council shall meet without delay. Acting by a qualified majority, it may amend or rescind the measure in question.

Article 2

1. Without prejudice to the application of Article 1, the Commission may, in order to enable a Member State to face up to the disturbances or difficulties referred to in Article 24 (3) and (4) of the Regulation, authorize that Member State to take safeguard measures.

If the Commission has received a request from the Member State concerned, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

Article 3

1. Without prejudice to the application of Article 2, the Member State or States concerned may, in an emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure, the Commission shall, within five working days of the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days of notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken safeguard measures, the Commission's decision shall be suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

3. For the purposes of applying this Article, priority must be given to such measures as will least disturb the functioning of the common market.

Article 4

This Annex shall not preclude application of the Regulations establishing a common organization of agricultural markets or of Community or national administrative provisions resulting therefrom, or of the specific Regulations adopted pursuant to Article 235 of the Treaty for processed agricultural products. It shall be implemented as a complement to these instruments.

No L 86/42

Official Journal of the European Communities

1. 4. 76

COMMISSION REGULATION (EEC) No 744/76**of 31 March 1976****fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 on 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of the importations to be made during the second quarter of 1976, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1976.

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

Done at Brussels, 31 March 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief · Position i den fælles toldtarif | Ireland + United Kingdom <i>UC/RE/UA/100 kg</i> | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater <i>UC/RE/UA/100 kg</i> |
|--|---|---|
| 01.02 A II a) | 31,953 | 44,120 |
| 01.02 A II b) | 31,953 | 44,120 |
| 02.01 A II a) 1 aa) 11 | 61,308 | 83,828 |
| 02.01 A II a) 1 aa) 22 | 49,006 | 67,062 |
| 02.01 A II a) 1 aa) 33 | 73,609 | 100,593 |
| 02.01 A II a) 1 bb) 11 | 61,308 | 83,828 |
| 02.01 A II a) 1 bb) 22 | 49,006 | 67,062 |
| 02.01 A II a) 1 bb) 33 | 73,609 | 100,593 |
| 02.01 A II a) 1 cc) 11 | 106,080 | 127,826 |
| 02.01 A II a) 1 cc) 22 | 117,041 | 146,222 |
| 02.01 A II a) 2 aa) | 72,678 | 93,646 |
| 02.01 A II a) 2 bb) | 58,107 | 74,917 |
| 02.01 A II a) 2 cc) | 90,901 | 117,059 |
| 02.01 A II a) 2 dd) 11 | 122,660 | 142,323 |
| 02.01 A II a) 2 dd) 22 aaa) | 90,271 | 117,059 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 90,271 | 117,059 |
| 02.01 A II a) 2 dd) 22 ccc) | 135,586 | 162,815 |
| 02.06 C I a) 1 | 107,268 | 127,826 |
| 02.06 C I a) 2 | 113,288 | 146,222 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Hensførel under denne underposition er betinget af, at der fremlægges et certifikat, der opfylder de betingelser der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

21. 5. 76

Official Journal of the European Communities

No L 132/1

COUNCIL REGULATION (EEC) No 1179/76

of 18 May 1976

amending the arrangements for imports of beef and veal originating in certain African, Caribbean and Pacific States provided for in Regulation (EEC) No 3328/75

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3328/75 provides exceptional measures for imports of beef and veal originating in the ACP States during the first six months of 1976;

Whereas, in view of the serious difficulties which are being temporarily experienced by one of the ACP

States concerned whose economy depends greatly on its beef and veal exports to the Community, the quantity laid down for the first half of 1976 should be increased by 1 500 metric tons,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EEC) No 3328/75, the amounts of '13 766 metric tons' and '8 680 metric tons' shall be replaced by '15 266 metric tons' and '10 180 metric tons' respectively.

Article 2

This Regulation shall enter into force on the day 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, 18 May 1976.

For the Council

The President

J. HAMILIUS

25. 6. 76

Official Journal of the European Communities

No L 165/5

COUNCIL REGULATION (EEC) No 1464/76

of 21 June 1976

on the opening, allocation and administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1976/77)

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 under the ACP-EEC Convention of Lomé signed on 28 February 1975, and in particular under Protocol 7 thereto, products originating in the ACP States which fall within tariff subheading 22.09 C I (rum, arrack, tafia), shall, until the entry into force of a common organization of the market in spirits, be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available; whereas the size of the tariff quota for the period 1 July 1976 to 30 June 1977 should therefore be fixed at 162 013 hectolitres of pure alcohol;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninterupted application of the duty-free entry arrangements in respect of the said quota to all imports of the

products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly represented by the Benelux Economic Union, any measures concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1976 until 30 June 1977 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 162 013 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 125 395 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 36 618 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities :

| | |
|---------|---------|
| Benelux | 3 697, |
| Denmark | 2 700, |
| Germany | 16 620, |
| France | 12 051, |
| Ireland | 1 000, |
| Italy | 550. |

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, declared at customs for clearance for home use.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the

ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé shall apply in respect of the products covered by this Regulation.

Article 7

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, 21 June 1976.

For the Council

The President

J. HAMILIUS

25. 6. 76

Official Journal of the European Communities

No L 165/9

COUNCIL REGULATION (EEC) No 1466/76

of 21 June 1976

extending the arrangements laid down in Regulation (EEC) No 3328/75 for imports of beef and veal originating in certain African, Caribbean and Pacific States

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 Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, applies only until 30 June 1976; whereas the conditions which led to the application of these exceptional measures still exist and it is therefore necessary to extend the arrangements which result therefrom until such time as there is a change in the import conditions,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 3328/75 shall be replaced by the following:

Article 2

The reduction provided for in Article 1 shall be subject to an overall maximum, expressed in terms

of boned meat, of 27 532 metric tons per annum allocated as follows:

| | |
|------------|---------------------|
| Botswana | 17 360 metric tons, |
| Kenya | 130 metric tons, |
| Madagascar | 6 956 metric tons, |
| Swaziland | 3 086 metric tons.' |

Article 2

Article 3 (3) of Regulation (EEC) No 3328/75 shall be replaced by the following:

'3. The Council, acting by a qualified majority on a proposal from the Commission, may, in the light of changes in the beef and veal market, of conditions for the import of beef and veal or in the factors governing imports into the Community of the products in question originating in the ACP States, modify or abrogate the arrangements provided for in this Regulation.'

Article 3

The second paragraph of Article 4 of Regulation (EEC) No 3328/75 shall be replaced by the following:

'It shall remain applicable until 31 December 1976.'

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 Luxembourg, 21 June 1976.

For the Council

The President

J. HAMILIUS

26. 6. 76

Official Journal of the European Communities

No L 167/35

COMMISSION REGULATION (EEC) No 1501/76

of 25 June 1976

amending Regulation (EEC) No 3376/75 as regards the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States in the second half of 1976

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as amended by Regulation (EEC) No 1466/76, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 3376/75 of 23 December 1975 laid down the rules for the application of Regulation (EEC) No 3328/75;

Whereas following the extension of the import arrangements for beef and veal originating in certain African, Caribbean and Pacific States, certain provisions of Regulation (EEC) No 3376/75 require amendment;

Whereas, furthermore, the Lomé Convention entered into force on 1 April 1976; whereas the rules regarding origin are henceforth governed by Protocol 1 concerning the definition of the concept 'originating products' and methods of administrative cooperation (7);

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3376/75 the following is hereby deleted:

| | |
|------------|---------------------|
| 'Botswana | 8 680 metric tons, |
| Kenya | 65 metric tons, |
| Madagascar | 3 478 metric tons, |
| Swaziland | 1 543 metric tons.' |

(1) cf. GEN 0 41

Article 2

In Articles 3 and 5 (1) of the said Regulation the phrase 'Annex II to Regulation (EEC) No 1598/75' is hereby replaced by 'Protocol 1 to the Lomé Convention'.

Article 3

In Article 4 (1) and (2) of the said Regulation there is hereby added:

'(d) beginning 21 June 1976, for imports to be effected in the third quarter of 1976;

(e) beginning 20 September 1976, for imports to be effected in the fourth quarter of 1976.'

Article 4

In Article 2 (4) and the second paragraph of Article 6 of the said Regulation the date '30 June 1976' is hereby replaced by '31 December 1976'.

Article 5

On application by the holder before 1 August 1976, an import licence issued under Article 2 of the said Regulation shall be replaced.

The application shall be made to the issuing authority which shall retain the original licence and any extracts and shall issue a replacement licence.

The replacement licence:

- shall be issued for the same quantity of products as the original licence less, if applicable, the quantities already entered on the licence and any extracts,
- shall contain in Section 14 the name of the country of origin shown on the original licence,
- shall be valid only until 31 December 1976.

Article 6

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 Brussels, 25 June 1976.

For the Commission
P. J. LARDINOIS
Member of the Commission

3. 7. 76

Official Journal of the European Communities

No L 178/35

COMMISSION REGULATION (EEC) No 1613/76
of 2 July 1976

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 1466/76, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as amended by Regulation (EEC) No 1501/76,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of the importations to be made during the third quarter of 1976, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It is applicable from 1 July 1976.

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

Done at Brussels, 2 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom <i>UK/RE/UA/100 kg</i> | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater <i>UK/RE/UA/100 kg</i> |
|---|---|---|
| 01.02 A II a) | 21,541 | 39,422 |
| 01.02 A II b) | 21,541 | 39,422 |
| 02.01 A II a) 1 aa) 11 | 41,590 | 74,902 |
| 02.01 A II a) 1 aa) 22 | 33,240 | 59,921 |
| 02.01 A II a) 1 aa) 33 | 49,949 | 89,881 |
| 02.01 A II a) 1 bb) 11 | 41,590 | 74,902 |
| 02.01 A II a) 1 bb) 22 | 33,240 | 59,921 |
| 02.01 A II a) 1 bb) 33 | 49,949 | 89,881 |
| 02.01 A II a) 1 cc) 11 | 82,061 | 114,437 |
| 02.01 A II a) 1 cc) 22 | 89,438 | 130,906 |
| 02.01 A II a) 2 aa) | 59,153 | 89,866 |
| 02.01 A II a) 2 bb) | 47,285 | 71,893 |
| 02.01 A II a) 2 cc) | 73,991 | 112,334 |
| 02.01 A II a) 2 dd) 11 | 107,309 | 136,653 |
| 02.01 A II a) 2 dd) 22 aaa) | 73,325 | 112,334 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 73,325 | 112,334 |
| 02.01 A II a) 2 dd) 22 ccc) | 116,908 | 156,313 |
| 02.06 C I a) 1 | 83,339 | 114,437 |
| 02.06 C I a) 2 | 85,406 | 130,906 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

4. 8. 76

Official Journal of the European Communities

No L 210/21

COUNCIL REGULATION (EEC) No 1929/76

of 3 August 1976

on the application of Decision 3/76 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry

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 ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter called 'the Convention', adopted, pursuant to Article 9 (2) of the Convention, Decision 3/76 of 14 July 1976 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry ;

Whereas it is necessary, in accordance with Article 74 (3) of the Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION :

Article 1

Decision 3/76 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

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

Done at Brussels, 3 August 1976.

Article 2

Member States shall manage their shares in the quota in accordance with their own relevant provisions.

Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

The extent to which each Member State has used up its share shall be determined on the basis of the imports of the products in question entered with the customs authorities for home use.

Member States shall forward to the Commission, no later than the fifteenth of each month, a statement of all imports of the products in question effected during the previous month.

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 from 1 August 1976 to 31 July 1977.

For the Council

The President

M. van der STOEL

DECISION 3/76 OF THE ACP-EEC COUNCIL OF MINISTERS

of 14 July 1976

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry

THE ACP-EEC COUNCIL OF MINISTERS,

Article 2

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter called 'the Convention', and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, provides for derogations from the rules of origin, notably to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a two-year derogation from the definition set out in the said Protocol for textile products manufactured in that State; whereas a one-year derogation which could be extended for a further year if necessary should also satisfy this request;

Whereas the Customs Cooperation Committee has adopted a report on the said request, in accordance with Article 27 of Protocol 1;

Whereas in order to take account of the special situation of Mauritius and to enable the industrial sectors concerned to set up new industries which necessitate derogations from the said Protocol for a period of not more than two years, provision should be made for a derogation from the definition set out in the said Protocol;

Whereas the quantity covered by the derogation should be split up among the Member States of destination,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol 1, textile products, manufactured in Mauritius and falling within tariff heading No ex 55.09 'unbleached woven fabrics of cotton', shall be considered as originating in Mauritius under the conditions set out below.

This derogation shall cover a quantity of 832 metric tons of unbleached woven fabrics of cotton falling within tariff heading No ex 55.09 imported into the Community between 1 August 1976 and 31 July 1977, this quantity being allocated as follows:

| | <i>(in metric tons)</i> |
|----------------|-------------------------|
| Germany | 224.64 |
| Benelux | 83.2 |
| France | 158.08 |
| Italy | 116.48 |
| Denmark | 58.24 |
| Ireland | 8.32 |
| United Kingdom | 183.04 |

Article 3

Movement certificates EUR.1 issued pursuant to this Decision shall be endorsed with one of the following phrases:

- 'marchandises originaires en vertu de la décision n° 3/76 du Conseil des ministres ACP-CEE';
- 'Ursprungswaren gemäß Beschluß Nr. 3/76 des AKP-EWG Ministerrates';
- 'merci originarie in virtù della decisione n. 3/76 del Consiglio dei ministri ACP-CEE';
- 'goederen van oorsprong uit hoofde van Besluit 3/76 van de ACS-EEG-Raad van Ministers';
- 'originating products by virtue of Decision 3/76 of the ACP-EEC Council of Ministers';
- 'varer med oprindelsesstatus i henhold til AVS-EØF-ministerrådets afgørelse nr. 3/76'.

This endorsement shall be entered under the heading 'Remarks'.

Article 4

Mauritius shall ensure that exports to each of the Member States do not exceed the quantities stipulated in Article 2.

The competent authorities of Mauritius shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR.1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 5

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

It shall be applicable until 31 July 1977. The ACP-EEC Council of Ministers may decide to extend it until 31 July 1978 should examination reveal that this is necessary.

Done at Brussels, 14 July 1976.

Article 6

This Decision shall enter into force on 1 August 1976.

*The President of the
ACP-EEC Council of Ministers*
KING

COMMISSION DECISION

of 3 August 1976

authorizing the French Republic to exclude from the application of Council Regulation (EEC) No 1929/76 the products covered thereby imported into the department of Réunion

(Only the French text is authentic)

(76/710/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé, and in particular Article 2 thereof,

Whereas, pursuant to the said Convention of Lomé, Council Regulation (EEC) No 1929/76 of 3 August 1976 on the application of Decision 3/76 of the ACP-EEC Council of Ministers (1), provides until 31 July 1977 for a derogation from the concept of originating products to take account of the special situation of Mauritius with regard to certain products of the textile industry ;

Whereas the import into the department of Réunion of these textile products, in application of Regulation (EEC) No 1929/76, could cause difficulties by changing the economic situation of the island, notably by impeding its industrialization ;

Whereas it is possible, under Article 10 of the Convention of Lomé, to authorize the French Republic to exclude from the application of the Regulation the products covered thereby imported into the department of Réunion,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is hereby authorized to exclude from the application of Council Regulation (EEC) No 1929/76 the products covered thereby imported into the department of Réunion.

Article 2

This Decision shall apply with effect from 1 August 1976.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 3 August 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

No L 265/10

Official Journal of the European Communities

29. 9. 76

COMMISSION REGULATION (EEC) No 2344/76

of 28 September 1976

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 1466/76, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as amended by Regulation (EEC) No 1501/76,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the fourth quarter of 1976, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1976.

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

Done at Brussels, 28 September 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom <i>UC/RE/UA/100 kg</i> | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater <i>UC/RE/UA/100 kg</i> |
|--|---|---|
| 01.02 A II a) | 18,960 | 34,034 |
| 01.02 A II b) | 18,960 | 34,034 |
| 02.01 A II a) 1 aa) 11 | 36,689 | 64,663 |
| 02.01 A II a) 1 aa) 22 | 29,319 | 51,732 |
| 02.01 A II a) 1 aa) 33 | 44,069 | 77,597 |
| 02.01 A II a) 1 bb) 11 | 36,689 | 64,663 |
| 02.01 A II a) 1 bb) 22 | 29,319 | 51,732 |
| 02.01 A II a) 1 bb) 33 | 44,069 | 77,597 |
| 02.01 A II a) 1 cc) 11 | 77,161 | 104,198 |
| 02.01 A II a) 1 cc) 22 | 83,841 | 119,214 |
| 02.01 A II a) 2 aa) | 54,794 | 80,759 |
| 02.01 A II a) 2 bb) | 43,797 | 64,608 |
| 02.01 A II a) 2 cc) | 68,541 | 100,950 |
| 02.01 A II a) 2 dd) 11 | 102,949 | 127,546 |
| 02.01 A II a) 2 dd) 22 aaa) | 67,875 | 100,950 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 67,875 | 100,950 |
| 02.01 A II a) 2 dd) 22 ccc) | 111,459 | 144,930 |
| 02.06 C I a) 1 | 78,439 | 104,198 |
| 02.06 C I a) 2 | 79,809 | 119,214 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

26. 11. 76

Official Journal of the European Communities

No L 327/1

COUNCIL REGULATION (EEC) No 2841/76
of 23 November 1976

amending Regulation (EEC) No 1466/76 extending the arrangements laid down in Regulation (EEC) No 3328/75 for imports of beef and veal originating in certain African, Caribbean and Pacific States

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 Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as amended by Regulation (EEC) No 1466/76, applies only until 31 December 1976; whereas the conditions which led to the application of

these exceptional measures still exist and it is therefore necessary to extend the arrangements which result therefrom until such time as there is a change in the import conditions,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EEC) No 1466/76 the date '31 December 1976' shall be replaced by '31 December 1977'.

Article 2

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, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

20. 12. 76

Official Journal of the European Communities

No L 349/1

COUNCIL REGULATION (EEC) No 3019/76

of 13 December 1976

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,

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 1977; whereas having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount should normally refer to 1974, as should generally the additional amount; 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 1976;

Whereas in practice the latest complete statistics available are those relating to the year 1974; whereas however since that year 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 1974 one EUR unit was equivalent in practice to one European unit of account and the practice has been to ascribe to the latter the same value as for 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 the 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 1977 the quota amounts laid down for the preference year 1976;

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 1977 duty-free Community tariff quotas within the limits of the amounts, in 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⁽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% |

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 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 quotas 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 percentages set out above;

Whereas the percentage for the shares of the Member States in the Community tariff quotas referred to above, in view of the duration and amounts thereof, does not appear in this instance to compromise the equal access for Community importers to Community tariff quotas; 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 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% 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 1977, the Common Customs Tariff duties and, until 30 June 1977, the customs duties of the new Member States on

the products listed in Annex A and B shall be totally 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 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 each category of products.

Article 3

1. A first tranche of 80% 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 1977, 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 20% 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.

Article 5

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 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 1977, notify the Commission of the total imports of the product concerned 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 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 1977, 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 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

M. van der STOEL

ANNEX A

List of products referred to in Article 2 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. (a) (3) | Maximum amount per country or territory (4) | | Share of quota amounts allocated to Member States in u.a. (a) (5) | |
|----------|-----------------------|---|---------------------------------|---|--|--|---|
| | | | | % | u.a. (a) | | |
| 1 | 41.02 | Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08: ex B. Other, but not including leather not further prepared than tanned | 19 286 000 | 30 | 5 785 800 | Germany | 5 303 650 |
| | | | | | | Benelux | 2 025 030 |
| | | | | | | France | 3 664 340 |
| | | | | | | Italy | 2 892 900 |
| | | | | | | Denmark | 964 300 |
| | | | | | | Ireland | 192 860 |
| | | | | | | United Kingdom | 4 242 920 |
| 2 | 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 | 13 022 600 | 30 | 3 906 780 | Germany | 3 581 215 |
| | | | | | | Benelux | 1 367 375 |
| | | | | | | France | 2 474 295 |
| | | | | | | Italy | 1 953 390 |
| | | | | | | Denmark | 651 130 |
| | | | | | | Ireland | 130 225 |
| | | | | | | United Kingdom | 2 864 970 |
| 3 | 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 | 13 381 400 | 30 | 4 014 420 | Germany | 3 679 885 |
| | | | | | | Benelux | 1 405 045 |
| | | | | | | France | 2 542 465 |
| | | | | | | Italy | 2 007 210 |
| | | | | | | Denmark | 669 070 |
| | | | | | | Ireland | 133 815 |
| | | | | | | United Kingdom | 2 943 910 |
| 4 | 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) |

(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.

| Order No | C.C.T heading No (1) | Description (2) | Quota amount in u.a. (a) (3) | Maximum amount per country or territory (4) | | Share of quota amounts allocated to Member States in u.a. (a) (5) |
|----------|-------------------------|--|---------------------------------|---|-----------|--|
| | | | | % | u.a. (a) | |
| 5 | 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 |
| 6 | (*) 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 |
| 7 | 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.

(*) 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) | | u.a. (5) | Share of quota amounts allocated to Member States in u.a. (6) | 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 | 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 |

(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) | | u.a. (5) | Share of quota amounts allocated to Member States in u.a. (6) | u.a. (7) |
|----------|-----------------------|--|-----------------------------|--|-----------|-------------|---|-------------|
| | | | | % | u.a. | | | |
| 3 | 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 |
| 4 | 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; electronic micro-circuits:</p> <p>D. Diodes, transistors and similar semiconductor devices; 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 | CCT heading No (1) | Description (2) | Quota amount in u.a. (3) | Maximum amount per country or territory (4) | | u.a. (5) | Share of quota amounts allocated to Member States in u.a. (6) | u.a. (7) |
|----------|-----------------------|---|-----------------------------|--|-----------|-------------|---|-------------|
| | | | | % | u.a. | | | |
| 5 | 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 | 21 172 000 | 20 | 4 234 400 | 16 937 600 | Germany 4 657 840 Benelux 1 778 450 France 3 218 145 Italy 2 540 640 Denmark 846 880 Ireland 169 375 United Kingdom 3 726 270 | 4 234 400 |
| 6 | 94.03 | Other furniture and parts thereof | 15 888 000 | 20 | 3 177 600 | 12 710 400 | Germany 3 495 360 Benelux 1 334 590 France 2 414 975 Italy 1 906 560 Denmark 635 520 Ireland 127 105 United Kingdom 2 796 290 | 3 177 600 |

ANNEX C

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Rwanda |
| Argentina | India | Sao Tome and Principe |
| Bahamas | Indonesia | Saudi Arabia |
| Bahrain | Iran | Senegal |
| Bangladesh | Iraq | Seychelles |
| Barbados | Ivory Coast | Sierra Leone |
| Bénin | Jamaica | Singapore |
| Bhutan | Jordan | Somalia |
| Bolivia | Kenya | Sri Lanka |
| Botswana | Khmer Republic | Sudan |
| Brazil | Korea (South) | Surinam |
| Burma | Kuwait | Swaziland |
| Burundi | Laos | Syria |
| Cameroon | Lebanon | Tanzania |
| Cape Verde Islands | Lesotho | Thailand |
| Central African Republic | Liberia | Togo |
| Chad | Libya | Tonga |
| Chile | Malagasy Republic | Trinidad and Tobago |
| Colombia | Malawi | Tunisia |
| Comoros | Malaysia | Uganda |
| Congo, People's Republic of | Maldives Islands | United Arab Emirates: |
| Costa Rica | Mali | Abu Dhabi |
| Cuba | Mauritania | Dubai |
| Cyprus | Mauritius | Ras al Khaimah |
| Dominican Republic | Mexico | Fujairah |
| Ecuador | Morocco | Ajman |
| Egypt, Arab Republic of | Mozambique | Sharjah |
| El Salvador | Nauru | Ummal Qaiwain |
| Equatorial Guinea | Nepal | Upper Volta |
| Ethiopia | Nicaragua | Uruguay |
| Fiji | Niger | Venezuela |
| Gabon | Nigeria | Vietnam |
| Gambia | Oman | Western Samoa |
| Ghana | Pakistan | Yemen, People's Democratic Republic of |
| Grenada | Panama | Yemen Arab Republic |
| Guatemala | Papua New Guinea | Yugoslavia |
| Guinea | Paraguay | Zaire |
| Guinea Bissau | Peru | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean (*)
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands (†)
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship (‡)
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands (†)

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

(*) Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

(†) Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

(‡) 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).

(§) Dominica, St Lucia, St Vincent.

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No L 349/13

COUNCIL REGULATION (EEC) No 3020/76

of 13 December 1976

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,

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 1977; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount should normally refer to 1974, as should generally the additional amount; 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 1976;

Whereas in practice the latest complete statistics available are those relating to the year 1974; whereas however since that year 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 1974 one EUR unit was equivalent in practice to one European unit of account and the practice has been to ascribe to the latter the same value as for 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 the 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, 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 1977, 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 granted for all 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

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 1977, the Common Customs Tariff duties and, until 30 June 1977, the customs duties of the new Member States 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 5% of the value of cif imports in 1974 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 172.5% of that resulting from the substitution of the year 1971 for the year 1974 in the first term of the addition and of the year 1972 for the year 1974 in the second term of the addition:

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.

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

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

Done at Brussels, 13 December 1976.

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 1977.

For the Council

The President

M. van der STOEL

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 6 474 000 u.a., reduced to 15%, or 971 100 u.a. for Mexico (*) (**) |
| 2 | 28.56 | Carbides (for example, silicon carbide, boron carbide, metal carbides): 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 3 724 000 u.a., reduced to 15%, or 558 600 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 (*) (**) |

(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 taken entries as regards the Member States of the Community as originally constituted, whereas the exemption or suspension is directly and fully applicable by the new Member States under the present arrangements until 30 June 1977. As from 1 July 1977, the said products also are only taken entries as regards the new Member States.

| Order No | CCT heading No (1) | Description (2) | Level of the maximum amounts (3) |
|----------|-----------------------|--|--|
| 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 (*) (**) |
| 6 | 48.01 | Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets: C. Kraft paper and kraft board: II. Other | 50% of a ceiling of 31 258 000 u.a., reduced to 15%, or 4 688 700 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 | 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 (*) (**) |
| 10 | 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%, reduced to 15%, or 814 950 u.a. for Yugoslavia (**) |
| 11 | 71.16 | Imitation jewellery | 50%, reduced to 2 154 000 u.a., for Hong Kong (*) (**) |
| 12 | 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 (*) (**) |
| 13 | 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 (**) |
| 14 | 79.03 | Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes: A. Plates, sheets, strip and foil | 50%, 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) |
|----------|-----------------------|---|--|
| 15 | 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%, reduced to 243 000 u.a. for Yugoslavia (**) |
| 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 17 166 000 u.a., reduced to 15%, or 2 574 900 u.a. 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 4 409 000 u.a., reduced to 944 000 u.a. 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 11 118 000 u.a., reduced to 15%, or 1 667 700 u.a. for Yugoslavia (*) (**) |
| 19 | 87.14 | Other vehicles (including trailers), not mechanically propelled, and parts thereof: B. Trailers and semi-trailers: II. Other | 50%, reduced to 15%, or 2 068 050 u.a., for Yugoslavia (*) (**) |
| 20 | 90.05 (a) | Refracting telescopes (monocular and binocular), prismatic or not | 30%, reduced to 15%, or 687 600 u.a. for South Korea (**) and Hong Kong (**) |
| 21 | 92.11 (a) | 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: A. Sound recorders and reproducers | 20% of a ceiling of 19 911 000 u.a., reduced to 15%, or 2 986 650 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) |
|----------|-----------------------|--|---|
| 22 | 97.02 (a) | Dolls | 20% of a ceiling of 18 616 000 u.a., reduced to 15%, or 2 792 400 u.a. for Hong Kong (*) (**) |
| 23 | 97.03 | Other toys; working models of a kind used for recreational purposes | 20% of a ceiling of 54 762 000 u.a., reduced to 15%, or 8 214 300 u.a. for Hong Kong (*) (**) |
| 24 | 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 1 065 000 u.a., for Hong Kong (**) |
| 25 | 98.12 | 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

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Rwanda |
| Argentina | India | Sao Tome and Principe |
| Bahamas | Indonesia | Saudi Arabia |
| Bahrain | Iran | Senegal |
| Bangladesh | Iraq | Seychelles |
| Barbados | Ivory Coast | Sierra Leone |
| India | Jamaica | Singapore |
| Bhutan | Jordan | Somalia |
| Bolivia | Kenya | Sri Lanka |
| Botswana | Khmer Republic | Sudan |
| Brazil | Korea (South) | Surinam |
| Burma | Kuwait | Swaziland |
| Burundi | Laos | Syria |
| Cameroon | Lebanon | Tanzania |
| Cape Verde Islands | Lesotho | Thailand |
| Central African Republic | Liberia | Togo |
| Chad | Libya | Tonga |
| Chile | Malagasy Republic | Trinidad and Tobago |
| Colombia | Malawi | Tunisia |
| Comoros | Malaysia | Uganda |
| Congo, People's Republic of | Maldiv Islands | United Arab Emirates: |
| Costa Rica | Mali | Abu Dhabi |
| Cuba | Mauritania | Dubai |
| Cyprus | Mauritius | Ras al Khaimah |
| Dominican Republic | Mexico | Fujairah |
| Ecuador | Morocco | Ajman |
| Egypt, Arab Republic of | Mozambique | Sharjah |
| El Salvador | Nauru | Ummal Qaiwain |
| Equatorial Guinea | Nepal | Upper Volta |
| Ethiopia | Nicaragua | Uruguay |
| Fiji | Niger | Venezuela |
| Gabon | Nigeria | Vietnam |
| Gambia | Oman | Western Samoa |
| Ghana | Pakistan | Yemen, People's Democratic Republic of |
| Grenada | Panama | Yemen Arab Republic |
| Guatemala | Papua New Guinea | Yugoslavia |
| Guinea | Paraguay | Zaire |
| Guinea Bissau | Peru | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

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COUNCIL REGULATION (EEC) No 3021/76

of 13 December 1976

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,

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 of 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 1977; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount should normally refer to 1974, as should generally the additional amount; 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 1976;

Whereas in practice the latest complete statistics available are those relating to the year 1974; whereas however since that year 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 1974 one EUR unit was equivalent in practice to one European unit of account and the practice has been to ascribe to the latter the same value as for 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 the unit 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, 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 1977, 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 maximum Community 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 1977, the Common Customs Tariff duties and, until 30 June 1977, the customs duties of the new Member States 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 preferen-

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

tial 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 these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5% of the value of cif imports in 1974 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 172.5% of that resulting from the substitution of the year 1971 for the year 1974 in the first term of the addition and of the year 1972 for the year 1974 in the second term of the addition.

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.

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).

However, the first subparagraph 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 prod-

ucts 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 1977.

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

Done at Brussels, 13 December 1976.

For the Council
The President
M. van der STOEL

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

- 25.22 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 ⁽¹⁾
- 25.31 A Fluorspar

CHAPTER 27

- 27.03 B Agglomerated peat
- 27.04 Coke and semi-coke of coal, of lignite or of peat:
 - A. Of coal:
 - I. For the manufacture of electrodes
 - C. Other
- 27.05 Retort carbon
- 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 ⁽²⁾:
 - 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 as regards the Member States of the Community as originally constituted, whereas the exemption or suspension is directly and fully applicable by the new Member States under the present arrangements until 30 June 1977. As from 1 July 1977, the said products are only token entries as regards also the new Member States.

(b) Preferences are not to be granted in respect of the products, marked with an asterisk, originating in Romania.

⁽¹⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 687 000 u.s.

⁽²⁾ The Community ceiling as defined in Article 1 (3) is set at 703 500, 275 000 and 1 700 000 metric tons 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
- 28.07 Sulphur dioxide
- 28.08 Sulphuric acid; oleum
- 28.09 Nitric acid; sulphonitric acids
- 28.10 Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-) ⁽¹⁾
- 28.11 Arsenic trioxide, arsenic pentoxide and acids of arsenic
- 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 ^(*)
- 28.17 Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
- 28.18 Oxides, hydroxides and peroxides of strontium, barium or magnesium
- 28.19 Zinc oxide and zinc peroxide
- 28.20 B Artificial corundum
- 28.21 Chromium oxides and hydroxides
- 28.22 Manganese oxides

⁽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 6 213 000 u.a. and 30% respectively.

- 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
- 28.25 Titanium oxides
- 28.26 Tin oxides (stannous oxide and stannic oxide)
- 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 and oxychlorides
- 28.31 Chlorites and hypochlorites
- 28.32 Chlorates and perchlorates
- 28.33 Bromides, oxybromides, bromates and perbromates, and hypobromites
- 28.34 Iodides, oxyiodides, 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
- 28.41 Arsenites and arsenates
- 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
- 28.53 Liquid air (whether or not rare gases have been removed); compressed air
- 28.54 Hydrogen peroxide (including solid hydrogen peroxide)
- 28.55 Phosphides
- 28.56 Carbides (for example, silicon carbide, boron carbide, metal carbides):
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
- 28.58 Other inorganic compounds (including distilled and conductivity water and water of similar purity); amalgams, except 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 (*) (a)
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 (*) (b)
- 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
- 29.10 Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives

(a) The asterisk covers only subheadings 29.04 A I and 29.04 A ex V (2-ethylhexanol).

(b) The asterisk covers only subheading 29.06 A I.

- 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)
- 29.17 Sulphuric esters and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.18 Nitrous and nitric esters, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.19 Phosphoric esters and their salts, including lactophosphates, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.20 Carbonic esters and their salts, 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 phosphoamino-lipins
- 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
- 29.32 Organo-arsenic compounds
- 29.33 Organo-mercury compounds
- 29.34 Other organo-inorganic compounds
- 29.35 Heterocyclic compounds; nucleic acids (2)
- 29.36 Sulphonamides
- 29.37 Sultones and sultams

(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 29.17 (acrylonitrile).

(1) For citric acid falling within subheading 29.16 A IV a), the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 376 000 u.a. and 30 % respectively.

(2) For melamine falling within subheading 29.35 ex Q, the Community ceiling referred to in Article 1 (3) is 486 000 u.a.

- 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
- 29.40 Enzymes
- 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 (*) (*)
 C. Other (*) (*)
- 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

(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).

(*) For products falling within these subheadings, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

CHAPTER 32

- 32.02 Tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives
- 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
- 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

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 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

⁽¹⁾ For gelatin and gelatin derivatives falling within subheading 35.03 ex B, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

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
- 38.02 Animal black (for example, bone black and ivory black), including spent animal black
- 38.03 Activated carbon (decolourizing, depolarizing or adsorbent); activated diatomite, activated clay, activated bauxite and other activated natural mineral products
- 38.04 Ammoniacal gas liquors and spent oxide produced in coal gas purification
- 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
- 38.10 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, weed-killers, 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, fly-papers)
- 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
- 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

(a) The asterisk covers only heading No 36.06.

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
- 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 ⁽¹⁾ (*)

(a) The asterisk covers only subheadings 39.02 C I, C IV and C VII a).

⁽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 14 457 000 u.a. and 15 % respectively.

- 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

- 41.02 Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08:
 - A. East India kip, whole, whether or not the heads and legs have been removed, weighing each not more than 4.5 kg net, not further prepared than vegetable tanned, whether or not having undergone further preservative treatment with oil, but obviously unsuitable for immediate use in the manufacture of leather articles
- 41.03 Sheep and lambskin leather, except leather falling within heading No 41.06, 41.07 or 41.08:
 - A. Of Indian hair sheep, not further prepared than vegetable tanned, whether or not having undergone further preservative treatment with oil, but obviously unsuitable for immediate use in the manufacture of leather articles
 - B. Other:
 - II. Other ⁽¹⁾
- 41.04 Goat and kidskin leather, except leather falling within heading No 41.06, 41.07 or 41.08:
 - A. Of Indian goat or kid, not further prepared than vegetable tanned, whether or not having undergone further preservative treatment with oil, but obviously unsuitable for immediate use in the manufacture of leather articles
 - B. Other:
 - II. Other ⁽²⁾
- 41.05 Other kinds of leather, except leather falling within heading No 41.06, 41.07 or 41.08:
 - A. Of reptiles, not further prepared than vegetable tanned, whether or not having undergone further preservative treatment with oil, but obviously unsuitable for immediate use in the manufacture of leather articles
 - B. Other:
 - II. Other ⁽³⁾
- 41.06 Chamois-dressed leather
- 41.07 Parchment-dressed leather
- 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

⁽¹⁾ For products falling within this subheading, the Community ceiling referred to in Article 1 (3) is set at 2 558 000 u.a.

⁽²⁾ For products falling within this subheading, the Community ceiling referred to in Article 1 (3) is set at 3 953 000 u.a.

⁽³⁾ For products falling within this subheading the ceiling and the maximum Community amount referred to in Article 1 (3) and (3) are set respectively at 9 540 000 u.a. and 20%.

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 ⁽¹⁾ (*)
- 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
- 44.06 Wood paving blocks
- 44.07 Railway or tramway sleepers of wood
- 44.08 Riven staves of wood, not further prepared than sawn on one principal surface; sawn staves of wood, of which at least one principal surface has been cylindrically sawn, not further prepared than sawn
- 44.09 Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; chipwood; pulpwood in chips or particles; wood shavings of a kind suitable for use in the manufacture of vinegar or for the clarification of liquids
- 44.10 Wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, whips, golf-club shafts, umbrella handles, tool handles or the like
- 44.11 Drawn wood; match splints; wooden pegs or pins for footwear
- 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 ⁽²⁾
- 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 ⁽³⁾ (*)

(a) The asterisk covers only subheading 43.03 ex B (gloves).

⁽¹⁾ For products falling within this subheading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 15 750 000 u.s. and 20 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 6 547 500 u.s.

⁽³⁾ For products falling within this subheading, the maximum Community amount referred to in Article 1 (4) is reduced to 40 %.

- 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 (*)
- 44.19 Wooden headings 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, other than staves falling within heading No 44.08
- 44.23 Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels) (1)
- 44.24 Household utensils of wood (*) (a)
- 44.25 Wooden tools, tool bodies, tool handles, broom and brush bodies and handles; boot and shoe lasts and trees, of wood (2)
- 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 (3)
- 45.04 Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork (4)

CHAPTER 46

- 46.01 Plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips
- 46.02 Plaiting materials (other than products falling within heading No 46.01) bound together in parallel strands or woven in sheet form, including matting, mats and screens; straw envelopes for bottles (5)
- 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 (6) (*)

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

(a) The asterisk covers only heading No 44.24 (clothes-pegs).

(1) For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 10 147 000 u.a.

(2) For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

(3) For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 2 094 000 u.a.

(4) For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 1 651 000 u.a.

(5) For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

(6) For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

CHAPTER 48

- 48.01 Paper and paperboard (including cellulose wadding), machine-made, 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 57.08 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. Other
- 48.02 Hand-made paper and paperboard
- 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
- 48.06 Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets
- 48.07 Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not being merely ruled, lined or squared and not constituting printed matter within Chapter 49), in rolls or sheets
- 48.08 Filter blocks, slabs and plates, of paper pulp
- 48.09 Building board of wood pulp or of vegetable fibre, whether or not bonded with natural or artificial resins or with similar binders (*)⁽¹⁾
- 48.10 Cigarette paper, cut to size, whether or not in the form of booklets or tubes
- 48.11 Wallpaper and linocrusta; 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
- 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 to size or shape
- 48.16 Boxes, bags and other packing containers, of paper or paperboard
- 48.17 Box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like

⁽¹⁾ For products falling within this heading, the ceiling and the maximum Community amount referred in to Article 1 (3) and (4) are set at 9 870 000 u.a. and 30% respectively.

- 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)
- 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 or other animal hair prepared for use in making wigs and the like
- 67.05 Fans and hand screens, non-mechanical, of any material; frames and handles therefor and parts of such frames and handles, of any material

CHAPTER 68 ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS (*) (a) (2) (3)

(a) The asterisk covers only heading No 68.01.

(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 9 027 000 u.a. and 15% respectively.

(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%.

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 ⁽¹⁾
- 69.08 Glazed setts, flags and paving, hearth and wall tiles ⁽¹⁾ ^(*)
- 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 ⁽²⁾ ^(*)
- 69.12 Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery ^(*) (a)
- 69.13 Statuettes and other ornaments, and articles of personal adornment; articles of furniture
- 69.14 Other articles

CHAPTER 70

- 70.01 Waste glass (cullet); glass in the mass (excluding optical glass)
- 70.02 Glass of the variety known as 'enamel' glass, in the mass, rods and tubes
- 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
- 70.06 Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked

(a) The asterisk covers only subheading 69.12 C.

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

⁽²⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 1 291 000 u.a. and 30% respectively.

- 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; glass grains (ballotini)
- 70.20 Glass fibre (including wool), yarns, fabrics, and articles made therefrom
- 70.21 Other articles of glass

(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.a. and 40 % respectively.

(2) For products falling within this subheading, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

(3) For products falling within this subheading, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

CHAPTER 71

- 71.01 Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport)
- 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:
- 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

73.15
(cont'd)

- 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) 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
- 73.28 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 heating), 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

(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.

- 73.37 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
- 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
- 73.39 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
- 74.09 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment
- 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
- 74.12 Expanded metal, of copper
- 74.13 Chain and parts thereof, of copper
- 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
- 74.15 Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screws hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper

⁽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 6 850 200 u.s. and 30% respectively.

⁽²⁾ For products falling within this heading, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

⁽³⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 7 132 000 u.s. and 30% respectively.

- 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

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⁽¹⁾ (*)
- 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

⁽¹⁾ For products falling within this subheading, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

- 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
- 76.13 Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire
- 76.14 Expanded metal, of aluminium
- 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
- 77.03 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
- 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
- 79.05 Gutters, roof capping, skylight frames, and other fabricated building components, 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. Hammered bars; angles, shapes and sections, wire, filaments, plates, sheets, strip and foil
 - C. Other
- 81.02 Molybdenum, unwrought or wrought, and articles thereof:
 - B. Hammered bars; angles, shapes and sections, wire, filaments, plates, sheets, strip and foil
 - C. Other
- 81.03 Tantalum, unwrought or wrought, and articles thereof:
 - B. Hammered bars; angles, shapes and 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
 - F. Hafnium (celfium):
 - II. Other
 - G. Manganese:
 - II. Other
 - H. Niobium (columbium):
 - II. Other
 - IJ Antimony:
 - II. Other
 - K. Titanium:
 - II. Other
 - L. Vanadium:
 - II. Other

- 81.04 N. Thorium:
(cont'd) II. Other
- 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 ⁽¹⁾
- 82.10 Knife blades
- 82.11 Razors and razor blades (including razor blade blanks, whether or not in strips)
- 82.12 Scissors (including tailors' shears), and blades therefor

⁽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 3 473 000 u.a. and 15% respectively.

- 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-caters, butter-knives, ladles and similar kitchen or tableware ⁽¹⁾
- 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 ⁽²⁾
- 83.02 Base metal fittings and mountings of a kind suitable for furniture, doors, stair-cases, 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
- 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) ⁽³⁾
- 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
- 83.10 Beads and spangles, of base metal
- 83.11 Bells and gongs, non-electric, of base metal, and parts thereof of base metal
- 83.12 Photograph, picture and similar frames, of base metal; mirrors of base metal
- 83.13 Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal

⁽¹⁾ For products falling within subheading 82.14 A, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 4 437 000 u.a. and 15% respectively.

⁽²⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 3 011 000 u.a. and 15% respectively.

⁽³⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 4 176 000 u.a. and 40% respectively.

- 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
- 84.04 Steam engines (including mobile engines, but not steam tractors falling within heading No 87.01 or mechanically propelled road rollers) with self-contained boilers
- 84.05 Steam and other vapour power units, 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, shuttels, 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, wall-paper, 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) of more than 65 u.a. each
- b) Other (*)
- 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)

(*) For products falling within this subheading the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 2 951 000 u.a. and 25% respectively.

- 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
- 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 radio-active metal oxides, sheathing) (EURATOM)

⁽¹⁾ For products falling within subheading 84.52 A, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 21 363 000 u.a. and 35% 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 metric tons, 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
- 85.06 Electro-mechanical domestic appliances, 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 ceiling and the maximum Community 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 ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 6 455 000 u.a. and 25% respectively.

⁽³⁾ For products falling within this heading, the ceiling and the maximum Community 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 ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 2 089 000 u.a. and 20% respectively.

- 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 welding, brazing and soldering machines and apparatus and similar electric machines and apparatus for cutting
- 85.12 Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing 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
- 85.18 Electrical capacitors, fixed or variable ⁽²⁾

⁽¹⁾ For products falling within subheadings 85.15 A I, II, IV; B; C I, II, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set respectively at 18 423 000 u.a. and 25 %.

⁽²⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 7 609 000 u.a. and 20 % respectively.

- 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 ⁽¹⁾ ⁽²⁾
- 85.20 Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc-lamps; electrically ignited photographic flashbulbs ⁽³⁾
- 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; electronic micro-circuits⁽⁴⁾:
- 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)
- 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

⁽¹⁾ For products falling within subheading 85.19 A, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 29 654 000 u.a. and 25% respectively.

⁽²⁾ For products falling within subheading 85.19 B, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 6 139 000 u.a. and 40% respectively.

⁽³⁾ For products falling within subheading 85.20 A, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 3 310 000 u.a. and 25% respectively.

⁽⁴⁾ For products falling within subheadings 85.21 A, B and C, the Community ceiling referred to in Article 1 (3) is set at 9 592 000 u.a.

- 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, fitted with means of mechanical propulsion (motorized or not)
- 87.12 Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11 (*) (*) (a)
- 87.13 Baby carriages and invalid carriages (other than motorized or otherwise mechanically propelled) 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
- 90.03 Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like

(a) The asterisk covers only subheading 87.12 B.

(1) For products falling within this subheading, the maximum Community amount referred to in Article 1 (4) is reduced to 20%.

(*) For products falling within subheading 87.12 B, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

- 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:
A. Photographic cameras
B. Photographic flashlight apparatus
- 90.08 Cinematographic cameras, projectors, sound recorders and sound reproducers but not including re-recorders or film editing apparatus; any combination of these articles:
A. Cameras and sound recorders, combined or not
B. Projectors and sound reproducers, combined or not
- 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 thermo-copying 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
- 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 referred to in Article 1 (3) is set at 1 995 000 u.a.

⁽²⁾ For products falling within this heading, the ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 10 473 000 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 clocks 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⁾
- 91.10 Clock cases and cases of a similar type for other goods of this Chapter, and part thereof
- 91.11 Other clock and watch parts

⁽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 2 077 000 u.a. and 20% respectively.

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)
- 92.09 Musical instrument strings
- 92.10 Parts and accessories of musical instruments (other than strings), 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 and reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic:
 - B. Television image and sound recorders and reproducers, magnetic
- 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 ceiling and the maximum Community amount referred to in Article 1 (3) and (4) are set at 6 640 000 u.a. 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, FEATHER DUSTERS, 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

(a) The asterisk covers only subheadings 96.02 A and C.

(b) The asterisk covers only subheading 97.04 A.

(1) For products falling within heading No 97.04, the maximum Community amount referred to in Article 1 (4) is reduced to 30%.

(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.

- 98.09 Sealing wax (including bottle-sealing wax) in sticks, cakes or similar forms; copying pastes with a basis of gelatin, whether or not a paper or textile backing
- 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
- 98.13 Corset busks and similar supports for articles of apparel or clothing accessories
- 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

CHAPTER 99 WORKS OF ART, COLLECTORS' PIECES, AND ANTIQUES

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|---|---------------------------------|--|
| Afghanistan ⁽¹⁾ | Haiti ⁽¹⁾ | Romania |
| Algeria | Honduras | Rwanda ⁽¹⁾ |
| Angola | India | Sao Tome and Principe |
| Argentina | Indonesia | Saudi Arabia |
| Bahamas | Iran | Senegal |
| Bahrain | Iraq | Seychelles |
| Bangladesh ⁽¹⁾ | Ivory Coast | Sierra Leone |
| Barbados | Jamaica | Singapore |
| Bénin ⁽¹⁾ | Jordan | Somalia ⁽¹⁾ |
| Bhutan ⁽¹⁾ | Kenya | Sri Lanka |
| Bolivia | Khmer Republic | Sudan ⁽¹⁾ |
| Botswana ⁽¹⁾ | Korea (South) | Surinam |
| Brazil | Kuwait | Swaziland |
| Burma | Laos ⁽¹⁾ | Syria |
| Burundi ⁽¹⁾ | Lebanon | Tanzania ⁽¹⁾ |
| Cameroon | Lesotho ⁽¹⁾ | Thailand |
| Cape Verde Islands | Liberia | Togo |
| Central African Republic ⁽¹⁾ | Libya | Tonga |
| Chad ⁽¹⁾ | Malagasy Republic | Trinidad and Tobago |
| Chile | Malawi ⁽¹⁾ | Tunisia |
| Colombia | Malaysia | Uganda ⁽¹⁾ |
| Comoros | Maldives Islands ⁽¹⁾ | United Arab Emirates: |
| Congo, People's Republic of | Mali ⁽¹⁾ | Abu Dhabi |
| Costa Rica | Mauritania | Bubai |
| Cuba | Mauritius | Ras al Khaimah |
| Cyprus | Mexico | Fujairah |
| Dominican Republic | Morocco | Ajman |
| Ecuador | Mozambique | Sharjah |
| Egypt, Arab Republic of | Nauru | Ummal Qaiwain |
| El Salvador | Nepal ⁽¹⁾ | Upper Volta ⁽¹⁾ |
| Equatorial Guinea | Nicaragua | Uruguay |
| Ethiopia ⁽¹⁾ | Niger ⁽¹⁾ | Venezuela |
| Fiji | Nigeria | Vietnam |
| Gabon | Oman | Western Samoa ⁽¹⁾ |
| Gambia ⁽¹⁾ | Pakistan | Yemen, People's Democratic Republic of ⁽¹⁾ |
| Ghana | Panama | Yemen Arab Republic ⁽¹⁾ |
| Grenada | Papua New Guinea | Yugoslavia |
| Guatemala | Paraguay | Zaire |
| Guinea ⁽¹⁾ | Peru | Zambia |
| Guinea Bissau | Philippines | |
| Guyana | Qatar | |

⁽¹⁾ This country is also listed 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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

ANNEX C

List of least developed developing countries to which the first subparagraph of Article 2 (2) does not apply

| | |
|--------------------------|--|
| Afghanistan | Malawi |
| Bangladesh | Maldives Islands |
| Bénin | Mali |
| Bhutan | Nepal |
| Botswana | Niger |
| Burundi | Rwanda |
| Central African Republic | Somalia |
| Chad | Sudan |
| Ethopia | Tanzania |
| Gambia | Uganda |
| Guinea | Upper Volta |
| Haiti | Western Samoa |
| Laos | Yemen, People's Democratic Republic of |
| Lesotho | Yemen Arab Republic |

COUNCIL REGULATION (EEC) No 3022/76

of 13 December 1976

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,

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 is being implemented 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 bilateral negotiations provided for under the said arrangement; whereas consequently a degree of prudence is necessary 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;

(1) OJ No L 118, 30. 4. 1974, p. 1.

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 situation 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 throughout 1977, 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 1976 be overcome only by means of successive flat-rate increases of around 50% and — on two occasions — 5% in the ceiling fixed for 1973; whereas the same situation will again prevail in 1977, so that such improvement can be made only by means of a uniform flat-rate increase of 5% in the ceilings fixed for 1976, bringing the level to 174% of the ceilings for 1973;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

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;

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

- 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 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 reintroduction 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 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 each Member State must thus be able to reintroduce the levying of normal Customs duties as soon as it records that the charges against each of its shares of the products originating in the countries listed against each of the said products in column 4 (b) of Annex A reach, together, the amount indicated in brackets in column 5 of the said Annex; whereas this amount corresponds to the addition of special maximum amounts, of the order of 10% of each Community quota volume, to which the said countries may have access provided this volume has not been used up; whereas, furthermore, compliance with this amount of 10% for each country concerned shall be guaranteed at Community level;

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 reintroduce 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 31 December 1977 the Common Customs Tariff duties and, until 30 June 1977, the tariff duties of the new Member States 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 metric tons:

- 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 174 % of the amount obtained by adding together imports into the Community in 1968, expressed in metric tons, 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 metric 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 Com-

munity 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 paragraph 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 in the conditions laid down in Article 3 (1) and (2).

SECTION II

Provisions relating to the allocation and administration of the Communities 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 metric tons, 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 the countries listed under (b) in column 4 of the said Annex shall be limited to the percentages indicated in that column against each of these products. Each Member State shall reintroduce the levying of normal customs duties in respect of the said countries as soon as it records that the total of amounts charged against their respective shares has reached the cumulative special maximum amount specified in brackets in column 5 of Annex A. 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 metric 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) or (b) 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,

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

Done at Brussels, 13 December 1976.

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 Article 2 (1) and (3) and in Article 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 1977.

For the Council
The President
M. van der STOEL

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 metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (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 | 383 | 30 | 10 for — Colombia — Korea (South) | Germany 103.41 (20.68) Benelux 38.30 (7.66) France 72.77 (14.55) Italy 53.62 (10.72) Denmark ⁽¹⁾ 26.81 (5.36) Ireland 3.83 (0.76) United Kingdom 84.26 (16.85) |
| 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 | 1 394 | 30 | 10 for Brazil | Germany 376.38 (37.64) Benelux 139.40 (13.94) France 264.86 (26.49) Italy 195.16 (19.52) Denmark 97.58 (9.76) Ireland 13.94 (1.39) United Kingdom 306.68 (30.67) |

⁽¹⁾ Pursuant to Article 6 (2), this share is increased by 26.90 metric tons.

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (5) |
|----------|-----------------------|---|---|--|---|--|
| | | | | (a) general | (b) special | |
| 3 | 55.05 (cont'd) | — More than 14 000 m but not more than 40 000 m | 6 432 | 30 | 10 for — Brazil — Mexico | Germany 1 736.64 (347.32) Benelux 643.20 (128.64) France 1 222.08 (244.41) Italy 900.48 (180.09) Denmark (*) 450.24 (90.04) Ireland 64.32 (12.86) United Kingdom 1 415.04 (283.00) |
| 4 | | — More than 40 000 m but not more than 80 000 m | 2 212 | 30 | 10 for — Brazil — Colombia — Mexico | Germany 597.24 (179.17) Benelux 221.20 (66.36) France 420.28 (126.08) Italy 309.68 (92.90) Denmark (*) 154.84 (46.45) Ireland 22.12 (6.63) United Kingdom 486.64 (145.99) |
| 5 | | — More than 80 000 m but less than 120 000 m | 319 | 20 | | Germany 86.13 Benelux 31.90 France 60.61 Italy 44.66 Denmark 22.33 Ireland 3.19 United Kingdom 70.18 |

(*) Pursuant to Article 6 (2), this share is increased by 1 100.82 metric tons.

(*) Pursuant to Article 6 (2), this share is increased by 597.01 metric tons.

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (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 | 930 | 40 | | | Germany 251.10 Benelux 93.00 France 176.70 Italy 130.20 Denmark 65.10 Ireland 9.30 United Kingdom 204.60 |
| 7 | | — Other | 568 | 40 | 10 for — Colombia — Mexico | | Germany 153.36 (30.67) Benelux 56.80 (11.36) France 107.92 (21.58) Italy 79.52 (15.90) Denmark 39.76 (7.95) Ireland 5.68 (1.13) United Kingdom 124.96 (24.99) |
| 8 | | II. Other: — Unbleached, of a width of: — 85 cm or more but not more than 115 cm | 5 760 | 30 | 10 for Brazil | | Germany 1 555.20 (155.52) Benelux 576.00 (57.60) France 1 094.40 (109.44) Italy 806.40 (80.64) Denmark 403.20 (40.32) Ireland 57.60 (5.76) United Kingdom 1 267.20 (126.72) |

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (5) |
|----------|-----------------------|---|---|--|---|---|
| | | | | (a) general | (b) special | |
| 9 | 55.09 (cont'd) | — More than 115 cm but not more than 165 cm | 3 500 | 40 | 10 for — Brazil — Colombia — Korea (South) | Germany 945·00 (283·50) Benelux 350·00 (105·00) France 665·00 (199·50) Italy 490·00 (147·00) Denmark ⁽¹⁾ 245·00 (73·50) Ireland 35·00 (10·50) United Kingdom 770·00 (231·00) |
| 10 | | — More than 165 cm | 1 129 | 40 | 10 for — Brazil — Korea (South) — Singapore — Yugoslavia | Germany 304·83 (121·93) Benelux 112·90 (45·16) France 214·51 (85·80) Italy 158·06 (63·22) Denmark 79·03 (31·61) Ireland 11·29 (4·51) United Kingdom 248·38 (99·35) |
| 11 | | — Other | 547 | 40 | 10 for — Brazil — Colombia — Mexico | Germany 147·69 (44·30) Benelux 54·70 (16·41) France 103·93 (31·17) Italy 76·58 (22·97) Denmark ⁽²⁾ 38·29 (11·48) Ireland 5·47 (1·64) United Kingdom 120·34 (36·10) |
| 12 | | B. Other | 313 | 40 | 10 for Yugoslavia | Germany 84·51 (8·45) Benelux 31·30 (3·13) France 59·47 (5·95) Italy 43·82 (4·38) Denmark 21·91 (2·19) Ireland 3·13 (0·31) United Kingdom 68·86 (6·89) |

⁽¹⁾ Pursuant to Article 6 (2), this share is increased by 787·18 metric tons.

⁽²⁾ Pursuant to Article 6 (2), this share is increased by 1 177·88 metric tons.

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (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 | 634 | 30 | 10 for — Korea (South) — Singapore | Germany Benelux France Italy Denmark ⁽¹⁾ Ireland United Kingdom | 171.18 (34.23) 63.40 (12.68) 120.46 (24.09) 88.76 (17.75) 44.38 (8.87) 6.34 (1.26) 139.48 (27.89) |
| 14 | 56.07 | Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres | 591 | 30 | 10 for Korea (South) | Germany Benelux France Italy Denmark ⁽²⁾ Ireland United Kingdom | 159.57 (15.96) 59.10 (5.91) 112.29 (11.23) 82.74 (8.27) 41.37 (4.14) 5.91 (0.59) 130.02 (13.00) |
| 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 | 5 408 | 35 | | Germany Benelux France Italy Denmark Ireland United Kingdom | 1 460.16 540.80 1 027.52 757.12 378.56 54.08 1 189.76 |

⁽¹⁾ Pursuant to Article 6 (2), this share is increased by 61.64 metric tons.

⁽²⁾ Pursuant to Article 6 (2), this share is increased by 464.30 metric tons.

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (5) |
|----------|-----------------------|--|---|--|----------------|--|
| | | | | (a) general | (b) special | |
| 16 | ex 59.04 | Twine, cordage, ropes and cables plaited or not: — Of hemp | 2 779 | 40 | | Germany 750.33 Benelux 277.90 France 528.01 Italy 389.06 Denmark 194.53 Ireland 27.79 United Kingdom 611.38 |
| 17 | | — Of sisal (<i>Agave sisalana</i>) | 696 | 30 | | Germany 187.92 Benelux 69.60 France 132.24 Italy 97.44 Denmark ⁽¹⁾ 48.72 Ireland 6.96 United Kingdom 153.12 |
| 18 | | — Of synthetic textile fibres | 669 | 30 | | Germany 180.63 Benelux 66.90 France 127.11 Italy 93.66 Denmark 46.83 Ireland 6.69 United Kingdom 147.18 |
| 19 | | — Other, other than of jute or of other textile bast fibres of heading No 57.03 or of coir | 522 | 30 | | Germany 140.94 Benelux 52.20 France 99.18 Italy 73.08 Denmark 36.54 Ireland 5.22 United Kingdom 114.84 |

⁽¹⁾ Pursuant to Article 6 (2), this share is increased by 158 metric tons.

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (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 | 114 | 30 | 10 for Korea (South) | Germany | 30.78 | (3.08) |
| | | | | | | Benelux | 11.40 | (1.14) |
| | | | | | | France | 21.66 | (2.17) |
| | | | | | | Italy | 15.96 | (1.60) |
| | | | | | | Denmark | 7.98 | (0.80) |
| | | | | | | Ireland | 1.14 | (0.11) |
| | | | | | | United Kingdom | 25.08 | (2.51) |
| 21 | | — Other | 400 | 30 | 10 for — Korea (South) — Yugoslavia | Germany | 108.00 | (21.60) |
| | | | | | | Benelux | 40.00 | (8.00) |
| | | | | | | France | 76.00 | (15.20) |
| | | | | | | Italy | 56.00 | (11.20) |
| | | | | | | Denmark | 28.00 | (5.60) |
| | | | | | | Ireland | 4.00 | (0.80) |
| | | | | | | United Kingdom | 88.00 | (17.60) |
| 22 | 60.04 | Under garments, knitted or crocheted, not elastic or rubberized | 2 453 | 30 | 10 for — Korea (South) — Yugoslavia | Germany | 662.31 | (132.46) |
| | | | | | | Benelux | 245.30 | (49.06) |
| | | | | | | France | 466.07 | (93.21) |
| | | | | | | Italy | 343.42 | (68.68) |
| | | | | | | Denmark | 171.71 | (34.34) |
| | | | | | | Ireland | 24.53 | (4.90) |
| | | | | | | United Kingdom | 539.66 | (107.93) |

| Order No | CCT heading No (1) | Description (2) | Quota amount (in metric tons) (3) | Maximum amount per country (in %) (4) | | Volume of shares allocated to Member States together with, in brackets, the cumulative special maximum amount (in metric tons) (5) |
|----------|-----------------------|--|---|--|--|--|
| | | | | (a) general | (b) special | |
| 23 | 60.05 | Outer garments and other articles, knitted or crocheted, not elastic or rubberized | 804 | 30 | 10 for — Korea (South) — Yugoslavia | Germany 217.08 (43.41) Benelux 80.40 (16.08) France 152.76 (30.55) Italy 112.56 (22.51) Denmark 56.28 (11.25) Ireland 8.04 (1.60) United Kingdom 176.88 (35.37) |
| 24 | 61.01 | Men's and boys' outer garments | 844 | 30 | 10 for — Korea (South) — Yugoslavia | Germany 227.88 (45.57) Benelux 84.40 (16.88) France 160.36 (32.07) Italy 118.16 (23.63) Denmark 59.08 (11.81) Ireland 8.44 (1.68) United Kingdom 185.68 (37.13) |
| 25 | 61.02 | Women's, girls' and infants' outer garments | 661 | 30 | 10 for — Korea (South) — Yugoslavia | Germany 178.47 (35.69) Benelux 66.10 (13.22) France 125.59 (25.11) Italy 92.54 (18.50) Denmark 46.27 (9.25) Ireland 6.61 (1.32) United Kingdom 145.42 (29.08) |
| 26 | 61.03 | Men's and boys' under garments, including collars, shirt fronts and cuffs | 745 | 30 | 10 for — Korea (South) — Yugoslavia | Germany 201.15 (40.23) Benelux 74.50 (14.90) France 141.55 (28.31) Italy 104.30 (20.86) Denmark 52.15 (10.43) Ireland 7.45 (1.49) United Kingdom 163.90 (32.78) |

| Order No | ECCT reading No (1) | Description (2) | Quota amount in metric tons (3) | Maximum quantity per country (4) | | Volume of shares allocated to Member states together with, in brackets, the cumulative special maximum amount (in metric tons) (5) | | |
|----------|------------------------|---|---------------------------------------|----------------------------------|--|---|-------|---------|
| | | | | (a) general | (b) special | | | |
| 27 | 61.04 | Women's, girls' and infants' under garments | 296 | 30 | 10 for — Korea (South) — Yugoslavia | Germany | 79.92 | (15.98) |
| | | | | | | Benelux | 29.60 | (5.92) |
| | | | | | | France | 56.24 | (11.25) |
| | | | | | | Italy | 41.44 | (8.29) |
| | | | | | | Denmark | 20.72 | (4.14) |
| | | | | | | Ireland | 2.96 | (0.59) |
| | | | | | | United Kingdom | 65.12 | (13.02) |
| 28 | 61.05 | Handkerchiefs | 156 | 30 | | Germany | 42.12 | |
| | | | | | | Benelux | 15.60 | |
| | | | | | | France | 29.64 | |
| | | | | | | Italy | 21.84 | |
| | | | | | | Denmark | 10.92 | |
| | | | | | | Ireland | 1.56 | |
| | | | | | | United Kingdom | 34.32 | |
| 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 | 100 | 30 | | Germany | 27.00 | |
| | | | | | | Benelux | 10.00 | |
| | | | | | | France | 19.00 | |
| | | | | | | Italy | 14.00 | |
| | | | | | | Denmark | 7.00 | |
| | | | | | | Ireland | 1.00 | |
| | | | | | | United Kingdom | 22.00 | |
| 30 | 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles | 360 | 30 | 10 for Brazil | Germany | 97.20 | (9.72) |
| | | | | | | Benelux | 36.00 | (3.60) |
| | | | | | | France | 68.40 | (6.84) |
| | | | | | | Italy | 50.40 | (5.04) |
| | | | | | | Denmark | 25.20 | (2.52) |
| | | | | | | Ireland | 3.60 | (0.36) |
| | | | | | | United Kingdom | 79.20 | (7.92) |

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 metric tons) (3) | Quota (4) | | | Ceiling (5) | | |
|----------|-----------------------|---|--|-----------------------------------|--|---|-----------------------------------|--|--------------------|
| | | | | Amount (in metric tons) (a) | Beneficiary countries and territories (b) | Volume of shares allocated to Member States (in metric tons) (c) | Amount (in metric tons) (a) | Maximum amount per country and territory (b) | |
| | | | | | | | | in % (1) | in metric tons (2) |
| 1 | 53.07 | Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale | 401 | 120 | Brazil Uruguay | Germany 32-40 Benelux 12-00 France 22-80 Italy 16-80 Denmark 8-40 Ireland 1-20 United Kingdom 26-40 | 281 | 50 | 141 |
| 2 | 54.03 | Flax or ramie yarn, not put up for retail sale | 244 | 49 | Brazil | Germany 13-23 Benelux 4-90 France 9-31 Italy 6-86 Denmark 3-43 Ireland 0-49 United Kingdom 10-78 | 195 | 50 | 98 |
| 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 | 53 | 16 | Brazil Hong Kong | Germany 4-32 Benelux 1-60 France 3-04 Italy 2-24 Denmark 1-12 Ireland 0-16 United Kingdom 3-52 | 37 | 50 | 19 |

| Order No | CCT heading No (1) | Description (2) | Total preferential amount (in metric tons) (3) | Quota (4) | | | Ceiling (5) | | |
|----------|-----------------------|---|--|-----------------------------------|---|--|-----------------------------------|---|-----------------------|
| | | | | Amount (in metric tons) (a) | Beneficiary countries and territories (b) | Volume of shares allocated to Member States (in metric tons) (c) | Amount (in metric tons) (a) | Maximum amount per country and territory (b) | |
| | | | | | | | | in % (1) | in metric tons (2) |
| 4 | | B. Other: I. Measuring, per single yarn, 120 000 m or more per kg | 50 | 10 | Brazil | 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 |
| 5 | 55.08 | Terry toweling and similar terry fabrics of cotton | 104 | 21 | Brazil | Germany 5-67 Benelux 2-10 France 3-99 Italy 2-94 Denmark 1-47 Ireland 0-21 United Kingdom 4-62 | 83 | 50 | 42 |
| 6 | 56.07 | Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres | 660 | 200 | Brazil Yugoslavia | Germany 54-00 Benelux 20-00 France 38-00 Italy 28-00 Denmark 14-00 Ireland 2-00 United Kingdom 44-00 | 460 | 50 | 230 |

| Order No | CCT heading No (1) | Description (2) | Total preferential amount (in metric tons) (3) | Quota (4) | | | Ceiling (5) | | |
|----------|-----------------------|---|--|-----------------------------------|--|---|-----------------------------------|--|--------------------|
| | | | | Amount (in metric tons) (a) | Beneficiary countries and territories (b) | Volume of shares allocated to Member States (in metric tons) (c) | Amount (in metric tons) (a) | Maximum amount per country and territory (b) | |
| | | | | | | | | in % (1) | in metric tons (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) | 471 | 141 | Colombia Korea (South) Hong Kong | Germany 38.07 Benelux 14.10 France 26.79 Italy 19.74 Denmark 9.87 Ireland 1.41 United Kingdom 31.02 | 330 | 50 | 165 |
| 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 | 100 | 20 | Hong Kong | Germany 5.40 Benelux 2.00 France 3.80 Italy 2.80 Denmark 1.40 Ireland 0.20 United Kingdom 4.40 | 80 | 50 | 40 |
| 9 | 58.10 | Embroidery, in the piece, in strips or in motifs. | 164 | 32 | Korea (South) | Germany 8.64 Benelux 3.20 France 6.08 Italy 4.48 Denmark 2.24 Ireland 0.32 United Kingdom 7.04 | 132 | 50 | 66 |

| Order No | CCT heading No (1) | Description (2) | Total preferential amount (in metric tons) (3) | Quota (4) | | | Ceiling (5) | | |
|----------|-----------------------|---|--|-----------------------------------|---|--|-----------------------------------|---|-----------------------|
| | | | | Amount (in metric tons) (a) | Beneficiary countries and territories (b) | Volume of shares allocated to Member States (in metric tons) (c) | Amount (in metric tons) (a) | Maximum amount per country and territory (b) | |
| | | | | | | | | in % (1) | in metric tons (2) |
| 10 | 60.01 | Knitted or crocheted fabrics, not elastic or rubberized | 787 | 236 | Brazil Uruguay Yugoslavia | Germany 63.72 Benelux 23.60 France 44.84 Italy 33.04 Denmark 16.52 Ireland 2.36 United Kingdom 51.92 | 551 | 50 | 276 |
| 11 | 60.02 | Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, other than of cotton | 100 | 30 | Korea (South) Hong Kong | Germany 8.10 Benelux 3.00 France 5.70 Italy 4.20 Denmark 2.10 Ireland 0.30 United Kingdom 6.60 | 70 | 50 | 35 |
| 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) | 508 | 152 | Korea (South) Hong Kong | Germany 41.04 Benelux 15.20 France 28.88 Italy 21.28 Denmark 10.64 Ireland 1.52 United Kingdom 33.44 | 356 | 50 | 178 |

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 silk waste other than noil, not put up for retail sale |
| 3 | 50.06 | Yarn spun from noil silk, not put up for retail sale |
| 4 | 50.07 | Silk yarn and yarn spun from noil or other waste silk, put up for retail sale |
| 5 | 50.08 | Silk-worm gut; imitation catgut of silk |
| 6 | 50.09 | Woven fabrics of silk or of waste silk other than noil |
| 7 | 50.10 | Woven fabrics of noil silk |
| | CHAPTER 51 | |
| 8 | 51.01 | Yarn of man-made fibres (continuous), not put up for retail sale ⁽¹⁾ |
| 9 | 51.02 | Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials |
| 10 | 51.03 | Yarn of man-made fibres (continuous), put up for retail sale |
| 11 | CHAPTER 52 | METALLIZED TEXTILES |
| | CHAPTER 53 | |
| 12 | 53.06 | Yarn of carded sheep's or lambs' wool (wollen yarn), not put up for retail sale |
| 13 | 53.08 | Yarn of fine animal hair (carded or combed), not put up for retail sale |
| 14 | 53.09 | Yarn of horsehair or of other coarse animal hair, not put up for retail sale |
| 15 | 53.10 | Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale |
| 16 | 53.11 | Woven fabrics of sheep's or lambs' wool or of fine 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 as regards the Member States of the Community as originally constituted, whereas the exemption or suspension is directly and fully applicable by the new Member States under the present arrangements.

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 1 (3) is reduced to 30%.

| Order No | CCT heading No | Description |
|----------|----------------|--|
| 17 | 53.12 | Woven fabrics of coarse animal hair other than horsehair |
| 18 | 53.13 | Woven fabrics of horsehair |
| | CHAPTER 54 | |
| 19 | 54.04 | Flax or ramie yarn, put up for retail sale |
| 20 | 54.05 | Woven fabrics of flax or of ramie |
| | CHAPTER 55 | |
| 21 | 55.06 | Cotton yarn, put up for retail sale |
| 22 | 55.07 | Cotton gauze |
| | CHAPTER 56 | |
| 23 | 56.01 | Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾ |
| 24 | 56.02 | Continuous filament tow for the manufacture of man-made fibres (discontinuous) ⁽¹⁾ |
| 25 | 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⁾ |
| 26 | 56.04 | Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning |
| 27 | 56.05 | Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres |
| 28 | 56.06 | Yarn of man-made fibres (discontinuous or waste), put up for retail sale |
| | CHAPTER 57 | |
| 29 | 57.05 | Yarn of true hemp |
| 30 | 57.07 | Yarn of other vegetable textile fibres: B. Other |
| 31 | 57.08 | Paper yarn |
| 32 | 57.09 | Woven fabrics of true hemp |

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 1 (3) is reduced to 30%.

| Order No | CCT heading No | Description |
|------------|----------------|---|
| 33 | ex 57.11 | Woven fabrics of other vegetable textile fibres, excluding those of coir |
| 34 | 57.12 | Woven fabrics of paper yarn |
| CHAPTER 58 | | |
| 35 | 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 and 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): |
| 36 | | ex A. Carpets, whether tufted or not other than of jute or other textile bast fibres of heading No 57.03 or coir |
| 37 | | B. 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like |
| 38 | 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 |
| 39 | 58.06 | Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size |
| 40 | 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 |
| 41 | 58.08 | Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain |
| 42 | 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 | | |
| 43 | 59.01 | Wadding and articles of wadding; textile flock and dust and mill neps |
| 44 | 59.02 | Felt and articles of felt, whether or not impregnated or coated |
| 45 | 59.03 | Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated |
| 46 | 59.05 | Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope |
| 47 | 59.06 | Other articles made from yarn, twine, cordage, rope or cables other than textile fabrics and articles made from such fabrics |

| Order No | CCT heading No | Description |
|----------|----------------|---|
| 48 | 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 |
| 49 | 59.08 | Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials |
| 50 | 59.09 | Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil |
| 51 | 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 |
| 52 | 59.11 | Rubberized textile fabrics, other than rubberized knitted or crocheted goods |
| 53 | 59.12 | Textile fabrics otherwise impregnated or coated; painting canvas being theatrical scenery, studio back-cloths or the like |
| 54 | 59.13 | Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads |
| 55 | 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 |
| 56 | 59.15 | Textile hose-piping and similar tubing, with or without lining, armour or accessories of other materials |
| 57 | 59.16 | Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material |
| 58 | 59.17 | Textile fabrics and textile articles of a kind commonly used in machinery or plant |
| | CHAPTER 60 | |
| 59 | 60.06 | Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings) |
| | CHAPTER 61 | |
| 60 | 61.06 | Shawls, scarves, mufflers, mantillas, veils and the like |
| 61 | 61.07 | Ties, bow ties and cravats |
| 62 | 61.08 | Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments |
| 63 | 61.10 | Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods |
| 64 | 61.11 | Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets) |

| Order No | CCT heading No | Description |
|----------|-------------------|---|
| | CHAPTER 62 | |
| 65 | 62.01 | Travelling rugs and blankets |
| 66 | 62.04 | Tarpaulins, sails, awnings, sunblinds, tents and camping goods |
| 67 | 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 | |
| 68 | 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

I. INDEPENDENT COUNTRIES

| | | |
|---|---------------------------------|--|
| Afghanistan ⁽¹⁾ | Haiti ⁽¹⁾ | Rwanda ⁽¹⁾ |
| Algeria | Honduras | Sao Tome and Principe |
| Angola | India | Saudi Arabia |
| Argentina | Indonesia | Senegal |
| Bahamas | Iran | Seychelles |
| Bahrain | Iraq | Sierra Leone |
| Bangladesh ⁽¹⁾ | Ivory Coast | Singapore |
| Barbados | Jamaica | Somalia ⁽¹⁾ |
| Bénin ⁽¹⁾ | Jordan | Sri Lanka |
| Bhutan ⁽¹⁾ | Kenya | Sudan ⁽¹⁾ |
| Bolivia | Khmer Republic | Surinam |
| Botswana ⁽¹⁾ | Korea (South) | Swaziland |
| Brazil | Kuwait | Syria |
| Burma | Laos ⁽¹⁾ | Tanzania ⁽¹⁾ |
| Burundi ⁽¹⁾ | Lebanon | Thailand |
| Cameroon | Lesotho ⁽¹⁾ | Togo |
| Cape Verde Islands | Liberia | Tonga |
| Central African Republic ⁽¹⁾ | Libya | Trinidad and Tobago |
| Chad ⁽¹⁾ | Malagasy Republic | Tunisia |
| Chile | Malawi ⁽¹⁾ | Uganda ⁽¹⁾ |
| Colombia | Malaysia | United Arab Emirates: |
| Comoros | Maldives Islands ⁽¹⁾ | Abu Dhabi |
| Congo, People's Republic of | Mali ⁽¹⁾ | Dubai |
| Costa Rica | Mauritania | Ras al Khaimah |
| Cuba | Mauritius | Fujairah |
| Cyprus | Mexico | Ajman |
| Dominican Republic | Morocco | Sharjah |
| Ecuador | Mozambique | Ummal Qaiwain |
| Egypt, Arab Republic of | Nauru | Upper Volta ⁽¹⁾ |
| El Salvador | Nepal ⁽¹⁾ | Uruguay |
| Equatorial Guinea | Nicaragua | Venezuela |
| Ethiopia ⁽¹⁾ | Niger ⁽¹⁾ | Vietnam |
| Fiji | Nigeria | Western Samoa ⁽¹⁾ |
| Gabon | Oman | Yemen, People's Democratic Republic of ⁽¹⁾ |
| Gambia ⁽¹⁾ | Pakistan | Yemen Arab Republic ⁽¹⁾ |
| Ghana | Panama | Yugoslavia |
| Grenada | Papua New Guinea | Zaire |
| Guatemala | Paraguay | Zambia |
| Guinea ⁽¹⁾ | Peru | |
| Guinea Bissau | Philippines | |
| Guyana | Qatar | |

⁽¹⁾ This country is also listed 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

Afars and Issas (Territory of the)
Australian Antarctic Territory
Belize
Bermuda
British Antarctic Territory
British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
British Pacific Ocean (*)
Brunei
Cayman Islands and Dependencies
Christmas Island
Cocos (Keeling) Islands
Corn Islands and Swan Islands
Falkland Islands and Dependencies
French Polynesia
French Southern and Antarctic Territories
Gibraltar
Heard Island and McDonald Islands
Hong Kong
Leeward Islands (**)
Macao
Mayotte

(*) Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.
(**) Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

Netherlands Antilles
New Caledonia and Dependencies
Norfolk Island
Pacific Islands administered by the United States of America or under United States trusteeship (1)
Portuguese Timor
St Helena (including Ascension, Gough Island, and Tristan da Cunha)
Spanish territories in Africa
Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
Turks and Caicos Islands
Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
Wallis and Futuna Islands
Windward Islands (2)

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).

(2) Dominica, St Lucia, St Vincent.

ANNEX E

List of least developed developing countries to which the first subparagraph of Article 3 (2) does not apply

Afghanistan

Bangladesh

Bénin

Bhutan

Botswana

Burundi

Malawi

Maldives Islands

Mali

Nepal

Niger

Rwanda

Central African Republic

Chad

Ethiopia

Gambia

Guinea

Haiti

Laos

Lesotho

Somalia

Sudan

Tanzania

Uganda

Upper Volta

Western Samoa

Yemen, People's Democratic Republic of

Yemen Arab Republic

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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,

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 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,

(1) OJ No L 73, 27. 3. 1972, p. 195.

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 1977 for these raw or unmanufactured tobaccos, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 60 000 metric tons, at a customs duty rate of 7% with a minimum charge of 15 units of account per 100 kilogrammes net weight for Virginia type tobaccos falling within subheading 24.01 ex B and with a maximum charge of 45 units of account per 100 kilogrammes 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, for the tobaccos concerned, this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 of this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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, 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 quota amount may be set out as follows:

| | |
|----------------|--------------------|
| Germany | 10 525 metric tons |
| Benelux | 5 700 metric tons |
| France | 1 000 metric tons |
| Italy | 4 000 metric tons |
| Denmark | 1 900 metric tons |
| Ireland | 1 975 metric tons |
| United Kingdom | 34 900 metric tons |

Whereas, without affecting the Community nature of the tariff quota under consideration, 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 this transitional stage it appears feasible that such allocation could be made according to the amounts set out above;

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 shares of the Member States in the Community tariff quota, in view of its duration and its amount, do not appear in this instance to compromise the equal access for Community importers to Community tariff quotas; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

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,

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 178.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1977, a Community tariff quota of 60 000 metric tons 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 units of account per 100 kilogrammes net weight for Virginia type tobaccos falling within subheading 24.01 ex B and a maximum charge of 45 units of account per 100 kilogrammes net weight for Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duty given in the first subparagraph and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

However, the duties given in the first subparagraph shall be applied from 1 January to 30 June 1977, where the duties resulting from the abovementioned calculation are higher than them. From 1 July 1977 the duties given in the first subparagraph shall be applied.

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

The Community tariff quota mentioned in Article 1 shall be allocated in shares which, for each Member State, shall be of the amount indicated below:

| | |
|----------------|--------------------|
| Germany | 10 525 metric tons |
| Benelux | 5 700 metric tons |
| France | 1 000 metric tons |
| Italy | 4 000 metric tons |
| Denmark | 1 900 metric tons |
| Ireland | 1 975 metric tons |
| United Kingdom | 34 900 metric tons |

Article 3

1. The Member States shall ensure free access to the share which has been allocated to them for importers of the products concerned who are established on their territory.

2. The extent to which the 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 4

Member States shall inform the Commission at monthly intervals of imports of the said goods charged against their shares. This information shall show both the value expressed in units of account and the quantity expressed in metric tons.

Article 5

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 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 6

1. In order to ensure that Article 5 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 7

Articles 5 and 6 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 8

Member States and the Commission shall cooperate closely to ensure that the above Articles are observed.

Article 9

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, 13 December 1976.

For the Council

The President

M. van der STOEL

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldiv Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Cook Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

COUNCIL REGULATION (EEC) No 3025/76

of 13 December 1976

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,

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; where-

(1) OJ No L 73, 27. 3. 1972, p. 195.

as it is appropriate to extend this system henceforth also for tobaccos falling within subheading 24.01 A ex II;

Whereas it is expedient, therefore, that the Community should open for 1977 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 metric tons, 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 kilogrammes net weight;

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, for the product concerned, this scheme would, however, involve the application in the new Member States in the first half of 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should during the said period be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 of this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them; 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 1977, 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 kilogrammes net weight and a maximum charge of 45 units of account per 100 kilogrammes net weight.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the products mentioned above the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duty given in the first subparagraph and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

However, the duties given in the first subparagraph shall be applied from 1 January to 30 June 1977, where the duties resulting from the abovementioned

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

calculation are higher than them. From 1 July 1977 the duties given in the first subparagraph shall be applied.

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 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 metric tons.

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 metric tons.

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.

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 implementation of the safeguard clauses adopted in pursuance of the common agricultural policy under Article 43 of the Treaty and of those adopted in pursuance of

the common commercial policy under Article 113 of the Treaty.

Article 9

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, 13 December 1976.

For the Council

The President

M. van der STOEL

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldives Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

20. 12. 76

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COUNCIL REGULATION (EEC) No 3026/76
of 13 December 1976

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,

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, more-

over, 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, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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 C, subject to the customs duties given in respect of each of them, throughout 1977; 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 ⁽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 1977, Community imports of the products listed in Annex A shall benefit from the customs duties specified for each product.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in Annex C and the Common Customs Tariff, by 80% throughout 1977, in respect of products listed in Annex B and by 80% in respect of other products given in Annex A, from 1 January to 30 June 1977.

However, from 1 January 1977, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them. From 1 July 1977 the duties given in Annex A shall be applied for the products not mentioned in Annex B.

2. The treatment provided for in paragraph 1 shall be enjoyed solely by products originating in the countries and territories listed in Annex C.

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.

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 implementation of the safeguard clauses adopted in pursuance

of the common agricultural policy under Article 43 of the Treaty and of those adopted in pursuance of the common agricultural policy under 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 1977.

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

Done at Brussels, 13 December 1976.

For the Council

The President

M. van der STOEL

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 |
|----------------|--|-------------------------------|
| 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: c) Sharks g) Halibut (<i>Hippoglossus vulgaris</i> , <i>Hippoglossus reinhardtius</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% |

(a) Preferences are not to be granted in respect of the products, marked with an asterisk, originating in Romania.
 Note: The terms expressed in the 'Rate of duty' column are explained under 'Abbreviations' on page 134.

| 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> <p> I. Crawfish 8 %</p> <p> II. Lobsters (<i>Homarus</i> sp.p.):</p> <p> a) Live 8 %</p> <p> b) Other:</p> <p> 1. Whole 8 %</p> <p> 2. Other 8 %</p> <p> III. Crabs and freshwater crayfish 8 %</p> <p> IV. Shrimps and prawns:</p> <p> a) Prawns (<i>Pandalidae</i> sp.p) 6 %</p> <p> ex c) Other:</p> <p> — Shrimps (<i>Palaemonidae</i> sp.p) 6 %</p> <p> — Shrimps (<i>Penaeidae</i> sp.p) 7 %</p> <p>B. Molluscs:</p> <p> II. Mussels 7 %</p> <p> IV. Other:</p> <p> a) Frozen:</p> <p> 1. Squid:</p> <p> aa) <i>Ommastrephes sagittatus</i> and <i>Loglio</i> sp.p 5 %</p> <p> 2. Cuttle-fish of the species <i>Sepia officinalis</i>, <i>Rossia macrosoma</i> and <i>Sepiola rondeleti</i> 6 %</p> <p> 4. Other 5 %</p> <p> b) Other:</p> <p> 1. Squid (<i>Ommastrephes sagittatus</i> and <i>Loligo</i> sp.p 5 %</p> <p> 2. Other 5 %</p> | |
| 04.06 (*) | Natural honey | 25 % |
| 04.07 | Edible products of animal origin, not elsewhere specified or included | 6 % |
| 05.03 | <p>Horsehair and horsehair 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 | 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 |
| 05.15 | Animal products not elsewhere specified or included; dead animals of Chapter 1 or Chapter 3, unfit for human consumption: A. Fish, crustaceans and molluscs: I. Fish of a length of 6 cm or less and shrimps and prawns, dried | 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) | Free |
| 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 |

| 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 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 % |
| 08.05 | 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 % |
| ex 08.09 | Other fruit, fresh: — Rose-hips fruit — Other, excluding melons and watermelons | Free 6 % |

| CCT heading No | Description | Rate of duty |
|----------------|---|--|
| 08.10 | Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex A. Bilberries, 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 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 cardamons: 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 | 4 % |

| CCT heading No | Description | Rate of duty |
|-------------------|---|--------------------------|
| 09.10 (cont'd) | II. Crushed or ground: b) Other | 5% |
| 11.03 | Flours of the leguminous vegetables falling within heading No 07.05: A. Of peas, beans or lentils B. Other | 5% 5% |
| 11.04 | Flours of the fruit falling within any heading in Chapter 8: A. Of bananas: — Denatured ⁽¹⁾ — Other B. Other: — Chestnuts — Not specified..... | Free 6% 7.5% 5% |
| 12.07 | 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: B. Liquorice roots C. Tonquin beans | Free Free |
| 12.08 | 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: B. Locust bean seeds: I. Not decorticated, crushed or ground II. Other C. Apricot, peach and plum stones, and kernels thereof | Free 6% Free |
| 13.02 | Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams: A. Conifer resins | Free |
| 13.03 | Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: A. Vegetable saps and extracts: III. Of quassia amara IV. Of liquorice V. Of pyrethrum and of the roots of plants containing rotenone | Free Free Free |

⁽¹⁾ Entry 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) | <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>B. Pectic substances, pectinates and pectates:</p> <p> ex I. Dry, excluding apple, pear and quinze pectic substances</p> <p> ex II. Other, excluding apple, pear and quinze pectic substances</p> <p>C. Agar-agar and other mucilages and thickeners derived from vegetable products:</p> <p> I. Agar-agar</p> <p> II. Mucilages and thickeners extracted from locust beans or locust bean seeds</p> | <p>Free</p> <p>Free</p> <p>12%</p> <p>7%</p> <p>Free</p> <p>Free</p> |
| 14.01 | <p>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):</p> <p>A. Osier:</p> <p> II. Other</p> <p>B. Cereal straw, cleaned, bleached or dyed</p> | <p>Free</p> <p>Free</p> |
| 15.03 | <p>Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way:</p> <p>A. Lard stearin and oleostearin:</p> <p> II. Other</p> <p>B. Tallow oil for industrial uses other than the manufacture of foodstuffs for human consumption ⁽¹⁾</p> <p>C. Other</p> | <p>3%</p> <p>Free</p> <p>5%</p> |
| 15.04 | <p>Fats and oils, of fish and marine mammals, whether or not refined:</p> <p>A. Fish-liver oil:</p> <p> I. Of a vitamin A content not exceeding 2 500 international units per gramme</p> | <p>Free</p> |
| 15.05 | <p>Wool grease and fatty substances derived therefrom (including lanolin):</p> <p>A. Wool grease, crude</p> <p>B. Other</p> | <p>Free</p> <p>Free</p> |
| 15.06 | <p>Other animal oils and fats (including neat's foot oils and fats from bones or waste)</p> | <p>Free</p> |
| 15.07 | <p>Fixed vegetable oils, fluid or solid, crude, refined or purified:</p> <p>B. China-wood and oiticica oils; myrtle wax and Japan wax</p> | <p>Free</p> |

¹⁾ 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) | C. Castor oil: II. Other | 6% |
| | D. Other oils: I. For technical or industrial uses other than the manu- facture of foodstuffs for human consumption ⁽¹⁾ : a) Crude: 1. Palm oil | 2.5% |
| | ex 3. Other, excluding linseed oil, groundnut oil, sunflower seed oil and colza oil | 2.5% |
| | b) Other: ex 2. Other: — Palm kernel and coconut oil | 6.5% |
| | II. Other: a) Palm oil: 1. Crude | 4% |
| | 2. Other | 12% |
| | b) Other: 1. Solid, in immediate packings of a net capacity of 1 kg or less | 18% |
| | 2. Solid, other; fluid: ex aa) Crude: — Palm kernel and coconut oil | 7% |
| | ex bb) Other: — Palm kernel and coconut oil | 13% |
| 15.09 | Degras | Free |
| 15.10 | Fatty acids; acid oils from refining; fatty alcohols: A. Stearic acid | 2% |
| | B. Oleic acid | 5% |
| | C. Other fatty acids; acid oils from refining | Free |
| | D. Fatty alcohols | 6% |
| 15.11 | Glycerol and glycerol lyes: A. Crude glycerol and glycerol lyes | Free |
| | B. Other, including synthetic glycerol | Free |

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities.

| CCT heading No | Description | Rate of duty |
|----------------|---|---|
| 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 % |
| 15.14 | Spermaceti, crude, pressed or refined, whether or not coloured | Free |
| 15.15 | Beeswax and other insect waxes, whether or not coloured: B. Other | Free |
| 15.16 | Vegetable waxes, whether or not coloured: B. Other | Free |
| 15.17 | Residues resulting from the treatment of fatty substances or animal or vegetable waxes: B. Other: I. Oil foots and dregs; soapstocks II. Other | 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: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue 2. Not specified: 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 % |

| CCT heading No | Description | Rate of duty |
|----------------|---|--|
| 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 sp. p.</i>) and mackerel G. Other: I. Fillets, raw, coated with batter or breadcrumbs, deep frozen II. Other | 12% 16% 4% 19% 10% 10% |
| 16.05 | Crustaceans and molluscs, prepared or preserved: A. Crabs ex B. Other, excluding shrimps of the <i>Crangon sp.p.</i> type and snails | 6.5% 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 B. Chewing gum C. White chocolate D. Other | 9% 3% + vc with a max. of 23% 5% + vc with a max. of 27% + ads 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 C. Chocolate and chocolate goods, whether or not filled; sugar confectionary and substitutes therefor made from sugar substitution products, containing cocoa | 3% + vc 10% + vc with a max. of 27% + ads |
| 19.02 | 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: A. Containing malt extract and not less than 30% by weight of reducing sugars (expressed as maltose) | 3% + vc |

| CCT heading No | Description | Rate of duty |
|-------------------|--|--|
| 19.02 (cont'd) | B. Other: — Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad' — Other | Free 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 |
| 19.06 | Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products | Free + vc |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit: A. Crispbread B. Matzos C. Gluten bread for diabetics D. Other | 3% + vc with a maximum of 24% + adf Free + vc with a maximum of 20% + adf 5% + 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 | 14% 20% 16% 12% |

| CCT heading No | Description | Rate of duty |
|----------------|---|--------------|
| 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 | 12 % + (L) |
| | 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 % |
| 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: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons | 8 % + (L) |
| | ex II. 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 | 8 % |
| 20.05 | Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: ex I. With a sugar content exceeding 30 % by weight, excluding orange jam and marmalade | 19 % + (L) |
| | ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight, excluding orange jam and marmalade | 19 % + (L) |
| | ex III. Other, excluding orange jam and marmalade | 19 % |
| | C. Other: I. With a sugar content exceeding 30 % by weight: ex b) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons .. | 12 % + (L) |
| | ex II. With a sugar content exceeding 13 % but not 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 | 12 % + (L) |

| CCT heading No | Description | Rate of duty |
|-------------------|--|---|
| 20.06 (cont'd) | <p>e) Other fruits:</p> <p>ex 1. With a sugar content exceeding 9% by weight, excluding cherries</p> <p>ex 2. Other, excluding cherries</p> <p>f) Mixtures of fruit:</p> <p>1. With a sugar content exceeding 9% by weight</p> <p>2. Other</p> <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</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>— Tamarind (pods, pulp)</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>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>25% + (L)</p> <p>25%</p> <p>25% + (L)</p> <p>25%</p> <p>11% + (L)</p> <p>19% + (L)</p> <p>18% + (L)</p> <p>8% + (L)</p> <p>8% + (L)</p> <p>11% + (L)</p> <p>20% + (L)</p> <p>19% + (L)</p> <p>8% + (L)</p> |

| CCT heading No | Description | Rate of duty |
|-------------------|---|---|
| 20.06 (cont'd) | <p>— Fruit falling within heading Nos 08.01 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>2. Of less than 4.5 kg:</p> <p>ex bb) Other fruit and mixtures of fruit:</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>8 %</p> <p>8 %</p> |
| 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>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>b) Of a value not exceeding 30 u.a. per 100 kg net weight:</p> <p>ex 1. With an added sugar content exceeding 30 % 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 2. 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>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>2. Grapefruit juice</p> <p>3. Lemon juice or other citrus fruit juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Excluding lemon juice</p> <p>ex bb) Other:</p> <p>— Excluding lemon juice</p> <p>6. Other fruit and vegetable juices:</p> <p>ex aa) Containing added sugar:</p> | <p>15 %</p> <p>15 % + (L)]</p> <p>15 %</p> <p>8 %</p> <p>13 %</p> <p>13 %</p> |

| CCT heading No | Description | Rate of duty |
|-----------------------|---|--------------|
| 20.07 (*) (cont'd) | <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 10% — Other, excluding apricot and peach juices 17% ex bb) 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 10% — Other, excluding apricot and peach juices 18% 7. 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. Containing added sugar 17% 22. Other 18% b) Of a value of 30 u.a. or less per 100 kg net weight: <ul style="list-style-type: none"> 2. Grapefruit juice: <ul style="list-style-type: none"> aa) With an added sugar content exceeding 30% by weight: 8% + (L) bb) Other 8% 4: Other citrus fruit juices: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> ex aa) With an added sugar content exceeding 30% by weight: <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 10% + (L) — Other, excluding apricot and peach juices 17% + (L) ex bb) With an added sugar content of 30% or less by weight: | |

| CCT heading No | Description | Rate of duty |
|-------------------------------|---|--|
| <p>20.07 (*) (cont'd)</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>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>10%</p> <p>17%</p> <p>10%</p> <p>18%</p> <p>17% + (L)</p> <p>17%</p> <p>18%</p> |
| <p>21.01</p> | <p>Roasted chicory and other roasted coffee substitutes, extracts, essences and concentrates thereof:</p> <p>A. Roasted chicory and other roasted coffee substitutes:</p> <p>II. Other</p> <p>B. Extracts, essences and concentrates of the products described under subheading A:</p> <p>II. Other</p> | <p>2% + vc</p> <p>6% + vc</p> |
| <p>21.02</p> | <p>Extracts, essences or concentrates, of coffee, tea or maté; preparations with a basis of those extracts, essences or concentrates:</p> <p>ex A. Essences or concentrates of coffee</p> <p>B. Extracts, essences or concentrates of tea or maté; preparations with a basis of these extracts essences or concentrates thereof</p> | <p>9%</p> <p>Free</p> |
| <p>21.03</p> | <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> |

| CCT heading No | Description | Rate of duty |
|----------------|---|---|
| 21.04 | Sauces; mixed condiments and mixed seasonings: ex B. Other: — Products with a tomato ketchup basis — Other, excluding sauces with a vegetable oil basis.. | 8% 6% |
| 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% 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 F. 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 |

| CCT heading No | Description | Rate of duty |
|----------------|---|---|
| 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% |
| 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 | Free |
| 24.02 | Manufactured tobacco; tobacco extracts and essences: A. Cigarettes | 87% |
| | B. Cigars | 47% |
| | 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.
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ANNEX B

List of products in respect of which the difference between the lowest duties applied on 1 January 1972 to the developing countries by Denmark, Ireland and the United Kingdom and the Common Customs Tariff duties must be reduced by 80% in accordance with Article 1 of this Regulation

| CCT heading No | Description |
|----------------|---|
| 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: — Orchids (family Orchidaceae) and Anthurium</p> <p>ex II. From 1 November to 31 May: — Orchids (family Orchidaceae) and Anthurium</p> |
| 07.01 | <p>Vegetables, fresh or chilled:</p> <p>ex T. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)</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: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)</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: — Mushrooms, excluding cultivated mushrooms — Horse-radish (<i>Cochlearia armoracia</i>)</p> |
| 08.05 | <p>Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not:</p> <p>D. Pistachios</p> <p>E. Pecans</p> <p>F. Areca (or betel) and cola</p> <p>ex G. Other (excluding hazelnuts)</p> |

| C.C.T. heading No | Description |
|-------------------------|--|
| 08.07 | Stone fruit, fresh: E. Other |
| 08.08 | Berries, fresh: F. Other |
| ex 08.09 | Other fruit, fresh: — Rose-hips fruit — Other, excluding melons and watermelons |
| 08.10 | Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex A Bilberries, 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 |
| 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 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 |
| 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) |
| 08.13 | Peel of melons and citrus fruit, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions |
| 16.02 (a) | Other prepared or preserved meat or meat offal: B. Other: III. Other: |

(a) This heading is to be deleted from 4 April 1977.

| CCT heading No | Description |
|-----------------------|---|
| 16.02 (a) (cont'd) | b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue |
| 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: ex B. Other, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers |
| 20.02 | Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers |
| 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 |
| 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: — 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: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons |
| 20.05 | Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: 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 |

| CCT heading No | Description |
|-------------------|---|
| 20.05 (cont'd) | <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> |
| 20.06 | <p>Fruit, otherwise prepared or preserved, whether or not containing added sugar or 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>a) Ginger</p> <p>b) Pineapples, in immediate packings of a net capacity:</p> <p>1. Of more than 1 kg:</p> <p>aa) With a sugar content exceeding 17% by weight</p> <p>bb) Other</p> <p>2. Of 1 kg or less:</p> <p>aa) With a sugar content exceeding 19% by weight</p> <p>bb) Other</p> <p>c) Grapes:</p> <p>1. With a sugar content exceeding 13% by weight</p> <p>2. Other</p> <p>d) Peaches, pears and apricots, in immediate packings of a net capacity:</p> |

| CCT heading No | Description |
|----------------------|--|
| 20.06 (cont'd) | <p>1. Of more than 1 kg:</p> <p>aa) With a sugar content exceeding 13% by weight</p> <p>bb) Other</p> <p>2. Of 1 kg or less:</p> <p>aa) With a sugar content exceeding 15% by weight</p> <p>bb) Other</p> <p>c) Other fruits:</p> <p>ex 1. With a sugar content exceeding 9% by weight, excluding cherries</p> <p>ex 2. Other, excluding cherries</p> <p>f) Mixtures of fruit:</p> <p>1. With a sugar content exceeding 9% by weight</p> <p>2. Other</p> <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</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>— Tamarind (pods, pulp)</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>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> |

| CCT heading No | Description |
|-------------------|--|
| 20.06 (cont'd) | <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>2. Of less than 4.5 kg:</p> <p>ex bb) Other fruit and mixtures of fruit:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> |
| 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>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>b) Of a value not exceeding 30 u.a. per 100 kg net weight:</p> <p>ex 1. With an added sugar content 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 2. 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>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>2. Grapefruit juice</p> <p>3. Lemon juice or other citrus fruit juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Excluding lemon juice</p> <p>ex bb) Other:</p> <p>— Excluding lemon juice</p> <p>6. Other fruit and vegetable juices:</p> <p>ex aa) Containing added sugar:</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>— Other, excluding apricot and peach juices</p> |

| CCT heading No | Description |
|-----------------------|--|
| 20.07 (*) (cont'd) | <p>ex bb) Other:</p> <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 — Other, excluding apricot and peach juices <p>7. 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> <ul style="list-style-type: none"> 11. Containing added sugar 22. Other <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <ul style="list-style-type: none"> aa) With an added sugar content exceeding 30 % by weight bb) Other <p>4. Other citrus fruit juices:</p> <ul style="list-style-type: none"> aa) With an added sugar content exceeding 30 % by weight bb) With an added sugar content of 30 % or less by weight cc) Not containing added sugar <p>7. Other fruit and vegetable juices:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <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 <p>ex bb) With an added sugar content of 30 % or less by weight:</p> <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 <p>ex cc) Not containing added sugar:</p> <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 |

| CCT heading No | Description |
|-----------------------|---|
| 20.07 (*) (cont'd) | <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> <ol style="list-style-type: none">11. With an added sugar content exceeding 30% by weight22. With an added sugar content of 30% or less by weight33. Not containing added sugar |

ANNEX C

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldive Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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 Carolinés, Marianas and Marshall Islands).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

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COUNCIL REGULATION (EEC) No 3027/76

of 13 December 1976

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,

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 1977;

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 1977 two Community tariff quotas within the respective limits of 21 600 metric tons and at a customs duty of 8% for cocoa butter and of 18 750 metric tons and a duty of 9% for soluble coffee;

Whereas, in accordance with Protocol 23 to the Act of Accession (4), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas for the said products this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 of this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference

(4) OJ No L 73, 27. 3. 1972, p. 14.

scheme, the duties given in Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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 ⁽¹⁾;

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 the available statistical data as yet cover only a relatively brief period; whereas, in this particular case, they should be weighted on the basis of the estimates which may be made in respect of the quota year; whereas the shares in the quota amounts may be set out as follows:

| | <i>metric tons</i> | |
|----------------|---------------------|-----------------------|
| | <i>cocoa butter</i> | <i>soluble coffee</i> |
| Germany | 800 | 900 |
| Benelux | 12 150 | 1 550 |
| France | 100 | 250 |
| Italy | 50 | 50 |
| Denmark | 50 | 50 |
| Ireland | 50 | 50 |
| United Kingdom | 8 400 | 15 900 |

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

Whereas, without affecting the Community nature of the tariff quotas under consideration, 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 this transitional stage it appears feasible that such allocation could be made according to the percentages set out in the above table;

Whereas the percentage for the shares of the Member States in the Community tariff quotas, in view of their duration and their amounts, does not appear in this instance to compromise the equal access for Community importers to Community tariff quotas; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

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 1977, 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 metric tons | Rate of duty |
|----------------|---|-----------------------|--------------|
| 18.04 | Cocoa butter, including cocoa fat or oil | 21 600 | 8 % |
| 21.02 | Extracts, or essences or concentrates of coffee, tea or maté; preparations with a basis of those extracts, or concentrates: ex A. Extracts, essences or concentrates of coffee; 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 % |

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the above-mentioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in the first subparagraph and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

| | <i>metric tons</i> | |
|----------------|---------------------|-----------------------|
| | <i>cocoa butter</i> | <i>soluble coffee</i> |
| Germany | 800 | 900 |
| Benelux | 12 150 | 1 550 |
| France | 100 | 250 |
| Italy | 50 | 50 |
| Denmark | 50 | 50 |
| Ireland | 50 | 50 |
| United Kingdom | 8 400 | 15 900 |

However, the duties given in the first subparagraph shall be applied from 1 January to 30 June 1977 where the duties resulting from the abovementioned calculation are higher than them. From 1 July 1977 the duties given in the first subparagraph shall be applied.

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

The Community tariff quotas mentioned in Article 1 shall be allocated, in respect of each Member State, in shares the amounts of which are set out below:

Article 3

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 4

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 metric tons.

Article 5

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 6

1. In order to ensure that Article 5 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 7

Articles 5 and 6 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 8

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, 13 December 1976.

For the Council
The President
M. van der STOEL

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldives Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean (*)
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands (**)
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship (**)
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands (**)

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

(*) Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

(**) Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

(***) 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).

(****) Dominica, St Lucia, St Vincent.

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COUNCIL REGULATION (EEC) No 3028/76

of 13 December 1976

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,

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, 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 1977;

Whereas it is expedient, therefore, that the Community should open for 1977 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 45 000 metric tons 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);

(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, for the said products, this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 of this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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 preference 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 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 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

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 1977, a Community tariff quota of 45 000 metric tons 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).

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the above-mentioned products the customs duty obtained by multiplying, by a coefficient equal to the margin of preferences existing between the duty of 12% given in paragraph 1 and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

However, the duty of 12% given in the first subparagraph shall be applied when the customs duty resulting from the abovementioned calculation is higher than it.

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 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 metric tons shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1977, shall for each Member State be as follows:

| | |
|----------------|--------------------|
| Germany | 7 380 metric tons |
| Benelux | 1 764 metric tons |
| France | 180 metric tons |
| Italy | 720 metric tons |
| Denmark | 684 metric tons |
| Ireland | 360 metric tons |
| United Kingdom | 24 912 metric tons |

2. The second tranche of 9 000 metric tons 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 1977.

Article 5

A Member State which on 15 September 1977 has not exhausted one of its initial shares shall, not later than 1 October 1977, 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 1977, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1977 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 1977, 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 metric tons.

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 1977.

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

Done at Brussels, 13 December 1976.

For the Council

The President

M. van der STOEL

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|---|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldiv Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Notes: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

COUNCIL REGULATION (EEC) No 3029/76

of 13 December 1976

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,

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 1977;

Whereas it is expedient, therefore, that the Community should open for 1977 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 28 000 metric tons 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);

(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, for the said products, this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 to this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14
⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 of the quota amount 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, without affecting the Community nature of the tariff quota under consideration, 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 this transitional stage it appears feasible that such allocation could be made according to the percentage set out in the above table;

Whereas the percentage for the shares of the Member States in the Community tariff quotas, in view of their duration and their amount, does not appear in this instance to compromise the equal access for Community importers to Community tariff quotas; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

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 share 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 1977, a Community tariff quota of 28 000 metric tons 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).

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duty obtained by multiplying, by a coefficient equal to the margin of preferences existing between the duty of 15% given in paragraph 1 and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

However, the duty of 15% given in the first subparagraph shall be applied when the customs duty resulting from the abovementioned calculation is higher than it.

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 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

The Community tariff quotas mentioned in Article 1 shall be allocated in shares which in respect of each Member State shall be of the amount indicated below:

| | |
|----------------|--------------------|
| Germany | 9 820 metric tons |
| Benelux | 3 640 metric tons |
| France | 280 metric tons |
| Italy | 780 metric tons |
| Denmark | 770 metric tons |
| Ireland | 280 metric tons |
| United Kingdom | 12 430 metric tons |

Article 3

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 the 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 4

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall cover both the value expressed in units of account and quantity expressed in metric tons.

Article 5

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 6

1. In order to ensure that Article 5 is applied, the Commission may, by way of a Regulation, re-introduce Common Customs Tariff 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 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 7

The provisions of Articles 5 and 6 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 8

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, 13 December 1976.

For the Council

The President

M. van der STOEL

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|---|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldive Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL

of 13 December 1976

opening, allocating and providing for the administration of tariff quotas for certain steel products originating in developing countries

(76/908/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 1977, 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⁾.

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.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

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, 13 December 1976.

The President

M. van der STOEL

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 | 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

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|--|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Rwanda |
| Argentina | India | Sao Tome and Principe |
| Bahamas | Indonesia | Saudi Arabia |
| Bahrain | Iran | Senegal |
| Bangladesh | Iraq | Seychelles |
| Barbados | Ivory Coast | Sierra Leone |
| Bénin | Jamaica | Singapore |
| Bhutan | Jordan | Somalia |
| Bolivia | Kenya | Sri Lanka |
| Botswana | Khmer Republic | Sudan |
| Brazil | Korea (South) | Surinam |
| Burma | Kuwait | Swaziland |
| Burundi | Laos | Syria |
| Cameroon | Lebanon | Tanzania |
| Cape Verde Islands | Lesotho | Thailand |
| Central African Republic | Liberia | Togo |
| Chad | Libya | Tonga |
| Chile | Malagasy Republic | Trinidad and Tobago |
| Colombia | Malawi | Tunisia |
| Comoros | Malaysia | Uganda |
| Congo, People's Republic of | Maldiv Islands | United Arab Emirates: |
| Costa Rica | Mali | Abu Dhabi |
| Cuba | Mauritania | Dubai |
| Cyprus | Mauritius | Ras al Khaimah |
| Dominican Republic | Mexico | Fujairah |
| Ecuador | Morocco | Ajman |
| Egypt, Arab Republic of | Mozambique | Sharjah |
| El Salvador | Nauru | Ummal Qaiwain |
| Equatorial Guinea | Nepal | Upper Volta |
| Ethiopia | Nicaragua | Uruguay |
| Fiji | Niger | Venezuela |
| Gabon | Nigeria | Vietnam |
| Gambia | Oman | Western Samoa |
| Ghana | Pakistan | Yemen, People's Democratic Republic of |
| Grenada | Panama | Yemen Arab Republic |
| Guatemala | Papua New Guinea | Yugoslavia |
| Guinea | Paraguay | Zaire |
| Guinea Bissau | Peru | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

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DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

of 13 December 1976

opening tariff preferences for certain steel products originating in developing countries

(76/909/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 1977, 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 1974 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.

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 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).

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, 13 December 1976.

The President

M. van der STOEL

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⁾ | <p>Blooms, billets, slabs and sheet bars (including tinsplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:</p> <p>A. Blooms and billets:</p> <p style="padding-left: 20px;">I. Rolled</p> <p>B. Slabs and sheet bars (including tinsplate bars):</p> <p style="padding-left: 20px;">I. Rolled</p> |
| 73.09 | Universal plates of iron or steel |
| 73.11 ⁽²⁾ ⁽³⁾ | <p>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:</p> <p>A. Angles, shapes and sections:</p> <p style="padding-left: 20px;">I. Not further worked than hot-rolled or extruded</p> <p style="padding-left: 20px;">IV. Clad or surface-worked (for example, polished, coated):</p> <p style="padding-left: 40px;">a) Not further worked than clad:</p> <p style="padding-left: 60px;">1. Hot-rolled or extruded</p> <p>B. Sheet piling</p> |
| 73.12 | <p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled</p> <p>B. Not further worked than cold-rolled:</p> <p style="padding-left: 20px;">I. In coils for the manufacture of tinsplate</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p style="padding-left: 20px;">III. Tinned:</p> <p style="padding-left: 40px;">a) Tinsplate</p> <p style="padding-left: 20px;">V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p style="padding-left: 40px;">a) Not further worked than clad:</p> <p style="padding-left: 60px;">1. Hot-rolled</p> |

⁽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.a.

| CCT heading No | Description |
|-----------------------|--|
| 73.15 (*) (cont'd) | <p>b) Other sheets and plates:</p> <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 | <p>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:</p> <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

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|---|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Rwanda |
| Argentina | India | Sao Tome and Principe |
| Bahamas | Indonesia | Saudi Arabia |
| Bahrain | Iran | Senegal |
| Bangladesh | Iraq | Seychelles |
| Barbados | Ivory Coast | Sierra Leone |
| Bénin | Jamaica | Singapore |
| Bhutan | Jordan | Somalia |
| Bolivia | Kenya | Sri Lanka |
| Botswana | Khmer Republic | Sudan |
| Brazil | Korea (South) | Surinam |
| Burma | Kuwait | Swaziland |
| Burundi | Laos | Syria |
| Cameroon | Lebanon | Tanzania |
| Cape Verde Islands | Lesotho | Thailand |
| Central African Republic | Liberia | Togo |
| Chad | Libya | Tonga |
| Chile | Malagasy Republic | Trinidad and Tobago |
| Colombia | Malawi | Tunisia |
| Comoros | Malaysia | Uganda |
| Congo, People's Republic of | Maldive Islands | United Arab Emirates: |
| Costa Rica | Mali | Abu Dhabi |
| Cuba | Mauritania | Dubai |
| Cyprus | Mauritius | Ras al Khaimah |
| Dominican Republic | Mexico | Fujairah |
| Ecuador | Morocco | Ajman |
| Egypt, Arab Republic of | Mozambique | Sharjah |
| El Salvador | Nauru | Ummal Qaiwain |
| Equatorial Guinea | Nepal | Upper Volta |
| Ethiopia | Nicaragua | Uruguay |
| Fiji | Niger | Venezuela |
| Gabon | Nigeria | Vietnam |
| Gambia | Oman | Western Samoa |
| Ghana | Pakistan | Yemen, People's Democratic Republic of |
| Grenada | Panama | Yemen Arab Republic |
| Guatemala | Papua New Guinea | Yugoslavia |
| Guinea | Paraguay | Zaire |
| Guinea Bissau | Peru | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Phoenix Islands.

⁽²⁾ Antigua, Montserrat, St Kitt-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

COMMISSION REGULATION (EEC) No 3136/76

of 22 December 1976

amending for the second time Regulation (EEC) No 3376/75 as regards the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States in 1977

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 3376/75 of 23 December 1975, as amended by Regulation (EEC) No 1501/76, laid down the rules for the application of Regulation (EEC) No 3328/75; whereas following the extension of the import arrangements for beef and veal originating in certain African, Caribbean and Pacific States, certain provisions of Regulation (EEC) No 3376/75 require amendment;

Whereas, in order to avoid abuses, provision should be made for charging the full amount of the levies fixed in accordance with Articles 10 to 13 of Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal (1), as last amended by Regulation (EEC) No 568/76 (2), in respect of the quantities imported pursuant to Article 2 (4) of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products (3), as last amended by Regulation (EEC) No 2219/76 (4);

Whereas because of the geographical situation and the climate of the States concerned, particularly Botswana, beef and veal production is concentrated at the beginning of the year; whereas accordingly the dates for the submission of applications for import licences and for the issue of licences for January 1977 should be brought forward;

(1) OJ No L 148, 28. 6. 1968, p. 24.

(2) OJ No L 67, 15. 3. 1976, p. 28.

(3) OJ No L 25, 31. 1. 1975, p. 10.

(4) OJ No L 250, 14. 9. 1976, p. 5.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (4) of Regulation (EEC) No 3376/75 is hereby amended to read as follows:

'4. The import licences shall be valid only until 31 December of the year of issue.'

Article 2

Article 4 of Regulation (EEC) No 3376/75 is hereby amended to read as follows:

Article 4

1. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into Ireland or the United Kingdom shall be equal to 90 % of the amount resulting from the levy reduced by the accession compensatory amount applicable to imports into the United Kingdom from non-member countries and by the monetary compensatory amount which are valid for imports into that Member State during the week preceding that in which commences the quarter for which the amount of the reduction is calculated.

2. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into a Member State other than those mentioned in paragraph 1 shall be equal to 90 % of the amount resulting from the levy adjusted, where appropriate, by the monetary compensatory amount applicable for France during the week preceding that in which commences the quarter for which the amount of the reduction is calculated.'

Article 3

There shall be added to Regulation (EEC) No 3376/75 the following Article 5a :

'Article 5a

For the quantities imported pursuant to Article 2 (4) of Regulation (EEC) No 193/75, the full amount of the levies fixed in accordance with Articles 10 to 13 of Regulation (EEC) No 805/68 shall be charged.'

Article 4

In the second paragraph of Article 6 of Regulation (EEC) No 3376/75 the date '31 December 1976' is hereby replaced by '31 December 1977'.

Article 5

By way of derogation from Article 2 (1) and (5) of Regulation (EEC) No 3376/75, in January 1977 applications for import licences may be submitted to the competent agencies of the Member States during the first five days of the month. The licences shall be issued in that month on the twelfth day following the first day of the period for the submission of applications.

Article 6

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, 22 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

29. 12. 76

Official Journal of the European Communities

No L 357/21

COMMISSION REGULATION (EEC) No 3171/76

of 23 December 1976

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76, and in particular Article 1 thereof, *

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 3136/76,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the first quarter of 1977, be as shown in the Annex hereto.

Article 2

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, 23 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| N° du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles todtarif | Ireland + United Kingdom UC / RE / UA / 100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemstater UC / RE / UA / 100 kg |
|---|--|---|
| 01.02 A II a) | 13,127 | 29,419 |
| 01.02 A II b) | 13,127 | 29,419 |
| 02.01 A II a) 1 aa) 11 | 25,602 | 55,897 |
| 02.01 A II a) 1 aa) 22 | 20,450 | 44,717 |
| 02.01 A II a) 1 aa) 33 | 30,765 | 67,076 |
| 02.01 A II a) 1 bb) 11 | 25,602 | 55,897 |
| 02.01 A II a) 1 bb) 22 | 20,450 | 44,717 |
| 02.01 A II a) 1 bb) 33 | 30,765 | 67,076 |
| 02.01 A II a) 1 cc) 11 | 66,074 | 95,432 |
| 02.01 A II a) 1 cc) 22 | 71,179 | 109,202 |
| 02.01 A II a) 2 aa) | 44,933 | 72,962 |
| 02.01 A II a) 2 bb) | 35,908 | 58,370 |
| 02.01 A II a) 2 cc) | 56,214 | 91,203 |
| 02.01 A II a) 2 dd) 11 | 93,088 | 119,750 |
| 02.01 A II a) 2 dd) 22 aaa) | 55,549 | 91,203 |
| 02.01 A II a) 2 dd) 22 bbb) (1) | 55,549 | 91,203 |
| 02.01 A II a) 2 dd) 22 ccc) | 99,132 | 135,183 |
| 02.06 C I a) 1 | 67,352 | 95,432 |
| 02.06 C I a) 2 | 67,147 | 109,202 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Hensførelse under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

**COUNCIL REGULATION (EEC) No 328/77
of 14 February 1977**

amending the list of the countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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 Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Council Regulation (EEC) No 706/76 of 30 March 1976 laid down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the Comoros, Seychelles and Surinam, which appear on the list of the countries and territories

contained in Annex I to that Regulation, have become independent;

Whereas the said States acceded to the ACP-EEC Convention of Lomé⁽³⁾ on 16 July, 27 August and 13 September 1976 respectively and should, consequently, be counted among the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I should, therefore, be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be deleted in the Annex to Regulation No 706/76: 'The Comoros', 'Seychelles' and 'Surinam'.

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, 14 February 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

COUNCIL REGULATION (EEC) No 329/77
of 14 February 1977

amending Regulations (EEC) No 1464/76 and (EEC) No 1465/76 on the opening, allocation and administration of Community tariff quotas for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States and the overseas countries and territories associated with the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 136 thereof,

Having regard to Council Decision 76/198/EEC on import arrangements for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Decision 76/198/EEC, the Council, by Regulation (EEC) No 1465/76 (1), opened a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community; whereas Surinam belonged to this group of countries; whereas, when the volume of the tariff quota was fixed, Community imports of the said products originating in Surinam were taken into account;

Whereas, on 16 July 1976, Surinam acceded to the ACP-EEC Convention of Lomé (2); whereas the reference to Surinam was accordingly deleted by Decision 77/155/EEC (3) from the list in Annex I to Decision 76/568/EEC (4); whereas, therefore, Surinam no longer benefits under the tariff quota; whereas, however, Surinam is now covered by Protocol 7 to the Convention of Lomé, pursuant to which Regulation (EEC) No 1464/76 opened a Community tariff quota for the same products originating in the ACP States;

(1) OJ No L 165, 25. 6. 1976, p. 7.

(2) GEN O 2

(3) GEN O 187

(4) OJ No L 176, 17. 7. 1976, p. 8.

Whereas the abovementioned Decision 76/198/EEC and Protocol 7 lay down strict rules for the fixing of the annual quota volumes for the products in question; whereas, therefore, the volumes of the tariff quotas opened by Regulations (EEC) No 1464/76 and (EEC) No 1465/76 should be adjusted; whereas, during the reference year used for the fixing of the volume of the tariff quota for the overseas countries and territories, only the Benelux countries and the Federal Republic of Germany imported quantities of the products in question originating in the said overseas countries and territories; whereas, therefore, the shares allocated to those Member States within the two tariff quotas in question should also be adjusted;

Whereas these measures do not disturb the equilibrium of the markets for the products in question and do not harm interests within the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 1 of Regulation (EEC) No 1464/76, the volume of the Community tariff quota shall be increased from 162 013 hectolitres to 171 166 hectolitres of pure alcohol.

2. The text of Article 2 of Regulation (EEC) No 1464/76 shall be replaced by the following:

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two parts. The first part (125 395 hectolitres of pure alcohol) shall be for United Kingdom consumption. The second part (45 771 hectolitres of pure alcohol) shall be allocated among the other Member States,

2. The shares of each of the Member States to which the second part is allocated pursuant to paragraph 1 shall consist of the following quantities :

| | <i>(hectolitres of pure alcohol)</i> |
|---------|--|
| Benelux | 4 827 |
| Denmark | 2 700 |
| Germany | 24 643 |
| France | 12 051 |
| Ireland | 1 000 |
| Italy | 550' |

Article 2

1. In Article 1 of Regulation (EEC) No 1465/76, the volume of the Community tariff shall be fixed at 71 571 hectolitres of pure alcohol.

2. The text of Article 2 of Regulation (EEC) No 1465/76 shall be replaced by the following :

Article 2

The Community tariff quota referred to in Article 1 shall be allocated among the Member States as follows :

| | <i>(hectolitres of pure alcohol)</i> |
|----------------|--|
| Benelux | 3 140 |
| Denmark | 160 |
| Germany | 68 147 |
| France | 8 |
| Ireland | 8 |
| Italy | 8 |
| United Kingdom | 100' |

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 February 1977.

For the Council

The President

J. SILKIN

COUNCIL DECISION

of 14 February 1977

amending the list of the countries and territories referred to in Decision 76/198/EEC on import arrangements for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community

(77/157/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas Decision 76/198/EEC⁽¹⁾ laid down import arrangements for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community;

Whereas the Comores, Seychelles and Surinam, which appear in the list of the countries and territories contained in the Annex to the said Decision, have become independent;

Whereas these States acceded to the ACP-EEC Convention of Lomé⁽²⁾ on 16 July, 27 August and 13 September 1976 respectively and should consequently be counted among the ACP States to which Protocol

7 on rum annexed to the Convention is applicable; whereas the list in the Annex to Decision 76/198/EEC should, therefore, be adjusted,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be deleted in the Annex to Decision 76/198/EEC: 'The Comores', 'Seychelles' and 'Surinam'.

Article 2

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 14 February 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No L 37, 12. 2. 1976, p. 24.

⁽²⁾ GEN O 2

21. 3. 77

Official Journal of the European Communities

No L 73/33

COUNCIL REGULATION (EEC) No 523/77

of 14 March 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,

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 generalized system of tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the generalized system of 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, 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 1977;

Whereas it is expedient, therefore, that the Community should open for 1977 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);

(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 for the said products this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 of this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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 system of preferences; 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 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 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

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 1977, 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).

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the above-mentioned products the customs duty obtained by multiplying, by a coefficient equal to the margin of preferences existing between the duty of 12% given in paragraph 1 and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

However, the duty of 12% given in the first subparagraph shall be applied when the customs duty resulting from the abovementioned calculation is higher than it.

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 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 1977, 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 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 1977.

Article 5

A Member State which on 15 September 1977 has not exhausted one of its initial shares shall, not later than 1 October 1977, 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 1977, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1977 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 1977, 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 reintroduced.

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 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 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 10

1. The Commission may decide, by means of a Regulation, to reintroduce 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.

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

Done at Brussels, 14 March 1977.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

1. Council Regulation (EEC) No 3028/76 of 13 December 1976 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 is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation.

Article 14

This Regulation shall enter into force on 1 April 1977.

For the Council

The President

J. SILKIN

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|---|
| Afghanistan | Haiti | Romania |
| Algeria | Honduras | Rwanda |
| Angola | India | Sao Tome and Principe |
| Argentina | Indonesia | Saudi Arabia |
| Bahamas | Iran | Senegal |
| Bahrain | Iraq | Seychelles |
| Bangladesh | Ivory Coast | Sierra Leone |
| Barbados | Jamaica | Singapore |
| Bénin | Jordan | Somalia |
| Bhutan | Kenya | Sri Lanka |
| Bolivia | Khmer Republic | Sudan |
| Botswana | Korea (South) | Surinam |
| Brazil | Kuwait | Swaziland |
| Burma | Laos | Syria |
| Burundi | Lebanon | Tanzania |
| Cameroon | Lesotho | Thailand |
| Cape Verde Islands | Liberia | Togo |
| Central African Republic | Libya | Tonga |
| Chad | Malagasy Republic | Trinidad and Tobago |
| Chile | Malawi | Tunisia |
| Colombia | Malaysia | Uganda |
| Comoros | Maldives Islands | United Arab Emirates: |
| Congo, People's Republic of | Mali | Abu Dhabi |
| Costa Rica | Mauritania | Dubai |
| Cuba | Mauritius | Ras al Khaimah |
| Cyprus | Mexico | Fujairah |
| Dominican Republic | Morocco | Ajman |
| Ecuador | Mózambique | Sharjah |
| Egypt, Arab Republic of | Nauru | Ummal Qaiwain |
| El Salvador | Nepal | Upper Volta |
| Equatorial Guinea | Nicaragua | Uruguay |
| Ethiopia | Niger | Venezuela |
| Fiji | Nigeria | Vietnam |
| Gabon | Oman | Western Samoa |
| Gambia | Pakistan | Yemen, People's Democratic Republic of |
| Ghana | Panama | Yemen Arab Republic |
| Grenada | Papua New Guinea | Yugoslavia |
| Guatemala | Paraguay | Zaire |
| Guinea | Peru | Zambia |
| Guinea Bissau | Philippines | |
| Guyana | Qatar | |

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

Afars and Iseas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

COUNCIL REGULATION (EEC) No 524/77

of 14 March 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,

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 1977;

Whereas it is expedient, therefore, that the Community should open for 1977 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);

(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, for the said products, this scheme would, however, involve the application in the new Member States in 1977 of customs duties higher than or very close to those which will be applied by the new Member States to non-member countries in general on the basis of the provisions of the abovementioned Act; whereas this situation would comply neither with the spirit nor with the very nature of the generalized preference scheme; whereas, in order to maintain an equivalent preferential margin for these products, also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Article 1 to this Regulation; whereas, with a view to granting the beneficiary developing countries the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in the abovementioned Article 1 should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them;

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;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 of the quota amount 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, without affecting the Community nature of the tariff quota under consideration, 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 this transitional stage it appears feasible that such allocation could be made according to the percentage set out in the above table;

Whereas the percentage for the shares of the Member States in the Community tariff quotas, in view of their duration and their amount, does not appear in this instance to compromise the equal access for Community importers to Community tariff quotas; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

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 share 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 1977, 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).

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duty obtained by multiplying, by a coefficient equal to the margin of preferences existing between the duty of 15% given in paragraph 1 and the Common Customs Tariff duties applicable, the duties obtained by reducing by 80% the difference between the lowest duty applied on 1 January 1972 to the developing countries set out in the Annex and the Common Customs Tariff.

However, the duty of 15% given in the first subparagraph shall be applied when the customs duty resulting from the abovementioned calculation is higher than it.

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 preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purpose 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

The Community tariff quotas mentioned in Article 1 shall be allocated in shares which in respect of each Member State shall be of the amount indicated below:

| | |
|----------------|----------------|
| Germany | 9 820 tonnes, |
| Benelux | 3 640 tonnes, |
| France | 280 tonnes, |
| Italy | 780 tonnes, |
| Denmark | 770 tonnes, |
| Ireland | 280 tonnes, |
| United Kingdom | 12 430 tonnes. |

Article 3

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 the 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 4

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall cover both the value expressed in units of account and quantity expressed in tonnes.

Article 5

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 6

1. In order to ensure that Article 5 is applied, the Commission may, by way of a Regulation, re-introduce Common Customs Tariff 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 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 7

The provisions of Articles 5 and 6 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.

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

Done at Brussels, 14 March 1977.

Article 8

1. Council Regulation (EEC) No 3029/76 of 13 December 1976 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 is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation.

Article 9

This Regulation shall enter into force on 1 April 1977.

For the Council

The President

J. SILKIN

ANNEX

List of developing countries and territories enjoying generalized tariff preferences

I. INDEPENDENT COUNTRIES

| | | |
|-----------------------------|-------------------|---|
| Afghanistan | Guyana | Philippines |
| Algeria | Haiti | Qatar |
| Angola | Honduras | Romania |
| Argentina | India | Rwanda |
| Bahamas | Indonesia | Sao Tome and Principe |
| Bahrain | Iran | Saudi Arabia |
| Bangladesh | Iraq | Senegal |
| Barbados | Ivory Coast | Seychelles |
| Bénin | Jamaica | Sierra Leone |
| Bhutan | Jordan | Singapore |
| Bolivia | Kenya | Somalia |
| Botswana | Khmer Republic | Sri Lanka |
| Brazil | Korea (South) | Sudan |
| Burma | Kuwait | Surinam |
| Burundi | Laos | Swaziland |
| Cameroon | Lebanon | Syria |
| Cape Verde Islands | Lesotho | Tanzania |
| Central African Republic | Liberia | Thailand |
| Chad | Libya | Togo |
| Chile | Malagasy Republic | Tonga |
| Colombia | Malawi | Trinidad and Tobago |
| Comoros | Malaysia | Tunisia |
| Congo, People's Republic of | Maldive Islands | Uganda |
| Costa Rica | Mali | United Arab Emirates: |
| Cuba | Mauritania | Abu Dhabi |
| Cyprus | Mauritius | Dubai |
| Dominican Republic | Mexico | Ras al Khaimah |
| Ecuador | Morocco | Fujairah |
| Egypt, Arab Republic of | Mozambique | Ajman |
| El Salvador | Nauru | Sharjah |
| Equatorial Guinea | Nepal | Ummal Qaiwain |
| Ethiopia | Nicaragua | Upper Volta |
| Fiji | Niger | Uruguay |
| Gabon | Nigeria | Venezuela |
| Gambia | Oman | Vietnam |
| Ghana | Pakistan | Western Samoa |
| Grenada | Panama | Yemen, People's Democratic Republic of |
| Guatemala | Papua New Guinea | Yemen Arab Republic |
| Guinea | Paraguay | Yugoslavia |
| Guinea Bissau | Peru | Zaire |
| | | Zambia |

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

Afars and Issas (Territory of the)
 Australian Antarctic Territory
 Belize
 Bermuda
 British Antarctic Territory
 British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)
 British Pacific Ocean ⁽¹⁾
 Brunei
 Cayman Islands and Dependencies
 Christmas Island
 Cocos (Keeling) Islands
 Corn Islands and Swan Islands
 Falkland Islands and Dependencies
 French Polynesia
 French Southern and Antarctic Territories
 Gibraltar
 Heard Island and McDonald Islands
 Hong Kong
 Leeward Islands ⁽²⁾
 Macao
 Mayotte
 Netherlands Antilles
 New Caledonia and Dependencies
 Norfolk Island
 Pacific Islands administered by the United States of America or under United States trusteeship ⁽³⁾
 Portuguese Timor
 St Helena (including Ascension, Gough Island, and Tristan da Cunha)
 Spanish territories in Africa
 Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)
 Turks and Caicos Islands
 Virgin Islands of the United States (St Croix, St Thomas, St John, etc.)
 Wallis and Futuna Islands
 Windward Islands ⁽⁴⁾

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium, and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ 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).

⁽⁴⁾ Dominica, St Lucia, St Vincent.

30. 3. 77

Official Journal of the European Communities

No L 81/11

COMMISSION REGULATION (EEC) No 645/77

of 29 March 1977

derogating from Regulation (EEC) No 3376/75 as regards the calculation of the amount of the reduction of import charges for the African, Caribbean and Pacific countries for the period beginning 1 April 1977

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76, and in particular Article 3 (2) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 laying down rules for the application of Regulation (EEC) No 3328/75, as last amended by Regulation (EEC) No 3136/76, stipulates that the amount of the reduction of the import charges referred to in Article 1 (1) of Regulation (EEC) No 3328/75 shall be calculated taking into account the levies and the monetary and accession compensatory amounts that are valid during the week preceding that in which commences the quarter for which the amount of the reduction is calculated;

Whereas Article 3 (2) of Regulation (EEC) No 3328/75 permits derogation to be made from the rules

concerning the reference period for the calculation of that amount; whereas the application from 1 April 1977 of new levies and monetary compensatory amounts renders it necessary to adjust the method of calculating the amount of the reduction of the import charges applicable during the quarter commencing on 1 April 1977;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the second quarter of 1977 and by way of derogation from Article 4 of Regulation (EEC) No 3376/75, the levies and the monetary and accession compensatory amounts used for the calculation of the amount of the reduction referred to in Article 1 (1) of Regulation (EEC) No 3328/75 shall be those valid at 1 April 1977.

Article 2

This Regulation shall enter into force on 1 April 1977.

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

Done at Brussels, 29 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

1. 4. 77

Official Journal of the European Communities

No L 84/53

COMMISSION REGULATION (EEC) No 684/77

of 31 March 1977

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76 and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African,

Caribbean and Pacific States, as last amended by Regulation (EEC) No 3136/76;

Whereas, however, pursuant to Commission Regulation (EEC) No 645/77 of 29 March 1977, the levies and compensatory amounts used for calculating that reduction are to be those in force on 1 April 1977,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the second quarter of 1977, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1977.

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

Done at Brussels, 31 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles todtarif | Ireland + United Kingdom <i>UK / RE / IIA / 100 kg</i> | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater <i>UK / RE / IIA / 100 kg</i> |
|--|--|--|
| 01.02 A II | 20,583 | 37,348 |
| 02.01 A II a) 1 | 39,770 | 70,961 |
| 02.01 A II a) 2 | 31,784 | 56,770 |
| 02.01 A II a) 3 | 47,767 | 85,154 |
| 02.01 A II a) 4 aa) | 85,776 | 116,032 |
| 02.01 A II a) 4 bb) | 93,712 | 132,756 |
| 02.01 A II b) 1 | 50,031 | 78,534 |
| 02.01 A II b) 2 | 39,990 | 62,828 |
| 02.01 A II b) 3 | 62,590 | 98,168 |
| 02.01 A II b) 4 aa) | 99,358 | 126,331 |
| 02.01 A II b) 4 bb) 11 | 61,825 | 98,168 |
| 02.01 A II b) 4 bb) 22 ⁽¹⁾ | 61,825 | 98,168 |
| 02.01 A II b) 4 bb) 33 | 106,475 | 143,096 |
| 02.06 C I a) 1 | 87,054 | 116,032 |
| 02.06 C I a) 2 | 89,680 | 132,756 |
| 16.02 B III b) 1 aa) | 93,712 | 132,756 |

(¹) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(¹) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities

(¹) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht

(¹) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee

(¹) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen

(¹) Hentførelse under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 744/77

of 5 April 1977

on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States which have signed Agreements of Accession to the Convention

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 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⁾, as last amended by Regulation (EEC) No 2670/76 ⁽²⁾, and in particular Article 12 thereof,

Having regard to the Act of Accession, and in particular Article 116 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Agreements of Accession to the ACP-EEC Convention of Lomé ⁽³⁾, in accordance with Article 90 thereof, were signed between the European Economic Community and the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea;

Whereas, when these Agreements were signed, the Community and the States concerned agreed in exchanges of letters to apply unilaterally from the first day of the second month following the signing of these exchanges of letters certain provisions of the ACP-EEC Convention of Lomé relating to trade, in accordance with the arrangements laid down in the Accession Agreements;

Whereas it is, therefore, necessary to take appropriate measures to this end;

Whereas, furthermore, the arrangements provided for in Article 116 (1) of the Act of Accession for imports into the United Kingdom of products originating in or coming from Papua New Guinea must cease to have effect as from the date of entry into force of the new arrangements applicable under this Regulation to trade between that country and the Member States of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall apply from 1 May 1977 to the States referred to in Annex I:

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 302, 4. 11. 1976, p. 1.

⁽³⁾ GEN 0 2

(a) — Articles 2, 3, 4, 9 and 10 of the ACP-EEC Convention of Lomé,

— Protocols 1, 6 and 7 annexed to the Convention,

— the joint declaration on fishing activities annexed to the Convention,

— the declarations by the Community on Article 2 of the Convention, on Article 3 of the Convention and on Article 10 (2) of the Convention contained in Annexes XIV, XV and XVI to the Final Act of the Convention;

(b) Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ;

(c) Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé ;

(d) Council Regulation (EEC) No 1464/76 of 21 June 1976 on the opening, allocation and administration of a Community tariff quota for the products falling within subheading 22.09 C I of the Common Customs Tariff originating in the ACP States ;

(e) Annex II to this Regulation.

Article 2

The provisions of Article 116 (1) of the Act of Accession shall cease to apply.

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 apply in respect of each of the States referred to in Annex I until the entry into force of the Accession Agreement concerning it or until 31 December 1977 at the latest.

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

Done at Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

ANNEX I

List of the States referred to in Article 1

The Democratic Republic of Sao Tome and Principe

The Republic of Cape Verde

Papua New Guinea

ANNEX II

concerning the transitional arrangements for the issue of certificates of origin

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating products' and which, on the date of entry into force of the Accession Agreement, are being either transported or held in the Community, in an ACP State or in one of the States referred to in Annex I, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the aforesaid Agreement, subject to the submission to the customs authorities in the importing country, within four months of the said date, of:

(a) a movement certificate [EUR.1] issued retrospectively by the customs authorities of the exporting State; or

(b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

DECISION No 4 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

regarding the scope of
Article 17(4) of the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, hereinafter called "Convention", and in
particular Article 17(4) thereof,

Whereas the export earnings to which the stabilization system applies are those accruing from the exportation by the ACP States to the Community of the products listed in Article 17(1) of the Convention;

Whereas pursuant to Article 17(4), for certain special cases the system is to apply to exports of the products in question irrespective of destination;

Whereas pursuant to the joint statement regarding Article 17(4) which is annexed to the minutes of the final ACP-EEC negotiations, the special cases referred to are those of Burundi, Ethiopia, Guinea Bissau, Rwanda and Swaziland; whereas pursuant to the said statement it may be decided by common agreement that the list of countries referred to above is to be amended;

Whereas these special cases should include those of the Comoro State, Lesotho, Western Samoa, Seychelles and Tonga,

HAS DECIDED AS FOLLOWS:

Article 1

The Comoro State, Lesotho, Western Samoa, Seychelles and Tonga shall be included in the list of ACP States to which Article 17(4) of the Convention applies, pursuant to the joint statement regarding this provision which is annexed to the minutes of the final ACP-EEC negotiations.

Article 2

The ACP States, the Member States and the Community shall, for their part, take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force on 16 April 1977.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

STATEMENT FOR ENTRY IN THE MINUTES

In adopting Decision No 4 /77 regarding the scope of Article 17(4) of the ACP-EEC Convention of Lomé, the ACP-EEC Council of Ministers are agreed that Cape Verde, which signed an Agreement of Accession to that Convention on 28 March 1977, will, upon the entry into force of that Agreement, be included in the list of ACP States to which Article 17(4) of the Convention applies at present, pursuant to the joint statement regarding this provision which is annexed to the minutes of the final ACP-EEC negotiations held in Brussels on 31 January 1975.

RESOLUTION OF THE ACP-EEC COUNCIL OF MINISTERS

on the attainment of common objectives
regarding commodity exports

THE ACP-EEC COUNCIL OF MINISTERS,

With a view to attaining the common objectives of the Community and the ACP States regarding commodity exports as these objectives are defined in the Lomé Convention;

Desiring to promote, for the purposes referred to above, the necessary liaison between the signatories to the Convention;

In accordance with Article 74(4) of the Lomé Convention,

HEREBY ADOPTS THIS RESOLUTION:

1. The Council of Ministers considers that satisfactory conditions for the export of the various commodities could, in appropriate cases, be found in the framework of worldwide commodity agreements or arrangements to be concluded for those commodities between industrialized countries and developing countries.
2. The Contracting Parties will take account of their mutual interests at international level, inter alia on the occasion of current or future international negotiations, in accordance with the principles on which the Convention is based.

3. To this end the Contracting Parties shall ensure that the necessary liaison takes place between them and shall afford each other all possible assistance.

4. The chief aim of these consultations shall be to try to identify, by mutual agreement at international level, possible solutions to the problems presented on the one hand by the supply of commodities and on the other hand by the disposal and marketing of those commodities.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

DRAFT STATEMENT BY THE EEC FOR ENTRY IN
THE MINUTES OF THE ACP-EEC COUNCIL OF MINISTERS

In view of the requests made by the ACP States, the consultations referred to in point 4 of the Resolution of the ACP-EEC Council of Ministers on the attainment of common objectives regarding commodity exports will cover the following products:

- rubber;
 - copper;
 - phosphates.
-

**COMMISSION REGULATION (EEC) No 931/77
of 29 April 1977**

derogating from Regulation (EEC) No 3376/75 as regards the calculation of the amount of the reduction of import charges for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 May 1977

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76, and in particular Article 3 (2) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 laying down rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 3136/76, stipulates that the amount of the reduction of the import charges referred to in Article 1 (1) of Regulation (EEC) No 3328/75 shall be calculated taking into account the levies and the monetary and accession compensatory amounts that are valid during the week preceding that in which commences the quarter for which the amount of the reduction is calculated;

Whereas Article 3 (2) of Regulation (EEC) No 3328/75 provides for a possible derogation from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially when the transition from one marketing year to the

next makes it necessary; whereas it is important to take into account the levies and compensatory amounts, both accession and monetary, calculated on the basis of the new price;

Whereas the beginning of the 1977/78 marketing year has been fixed for 2 May 1977 by Council Regulation (EEC) No 649/77 of 29 March 1977 extending the 1976/77 marketing year for beef and veal (1), as amended by Regulation (EEC) No 869/77 (2);

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 of Regulation (EEC) No 3376/75 the amount of the reduction of import charges for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 1 (1) of Regulation (EEC) No 3328/75, shall be fixed for the period beginning 2 May 1977 and calculated on the basis of the levies and compensatory amounts, both accession and monetary, applicable from that date.

Article 2

This Regulation shall enter into force on 2 May 1977.

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

Done at Brussels, 29 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 82, 31. 3. 1977, p. 2.
(2) OJ No L 106, 29. 4. 1977, p. 12.

**COMMISSION REGULATION (EEC) No 932/77
of 29 April 1977**

**fixing the amounts by which import charges on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3328/75 of 18 December 1975 renewing the arrange-
ments for the reduction of import charges on beef and
veal products originating in the African, Caribbean
and Pacific States, as last amended by Regulation
(EEC) No 2841/76, and in particular Article 1
thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75
provides for a 90 % reduction in the import charges
on beef and veal; whereas the amount of this reduc-
tion must be calculated in conformity with Article 4
of Commission Regulation (EEC) No 3376/75 of 23
December 1975 on detailed rules for the application
of Council Regulation (EEC) No 3328/75 renewing
the arrangements for the reduction of import charges
on beef and veal products originating in the African,

Caribbean and Pacific States, as last amended by
Regulation (EEC) No 3136/76,

Whereas, however, pursuant to Commission Regula-
tion (EEC) No 931/77 of 29 April 1977, the levies
and compensatory amounts used for calculating that
reduction are to be those in force on 2 May 1977,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and
veal are to be reduced pursuant to Article 1 (1) of
Regulation (EEC) No 3328/75 shall, in respect of
importations from 2 May to 30 June 1977, be as
shown in the Annex hereto,

Article 2

This Regulation shall enter into force on 2 May 1977.

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

Done at Brussels, 29 April 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom <i>UC / RE / UA / 100 kg</i> | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater <i>UC / RE / UA / 100 kg</i> |
|--|---|---|
| 01.02 A II | 26,494 | 40,364 |
| 02.01 A II a) 1 | 50,337 | 76,693 |
| 02.01 A II a) 2 | 40,269 | 61,354 |
| 02.01 A II a) 3 | 60,404 | 92,031 |
| 02.01 A II a) 4 aa) | 98,842 | 125,818 |
| 02.01 A II a) 4 bb) | 111,650 | 143,956 |
| 02.01 A II b) 1 | 60,195 | 83,632 |
| 02.01 A II b) 2 | 48,153 | 66,905 |
| 02.01 A II b) 3 | 75,239 | 104,539 |
| 02.01 A II b) 4 aa) | 111,598 | 135,035 |
| 02.01 A II b) 4 bb) 11 | 75,239 | 104,539 |
| 02.01 A II b) 4 bb) 22 (1) | 75,239 | 104,539 |
| 02.01 A II b) 4 bb) 33 | 122,856 | 152,858 |
| 02.06 C I a) 1 | 98,842 | 125,818 |
| 02.06 C I a) 2 | 111,650 | 143,956 |
| 16.02 B III b) 1 aa) | 111,650 | 143,956 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 1200/77

of 3 June 1977

regarding the application of Decision 1/77 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)

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 ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé ⁽¹⁾ signed on 28 February 1975, adopted, pursuant to Article 9(2) of the Convention, Decision 1/77 of 14 April 1977 derogating from the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74(3) of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION :

Article 1

Decision 1/77 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

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 from 1 June 1977 to 31 May 1978.

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

Done at Brussels, 3 June 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ GEN O 2

7. 6. 77

Official Journal of the European Communities

No L 139/23

ACP-EEC COUNCIL OF MINISTERS DECISION 1/77

of 14 April 1977

derogating from the concept of 'originating products' to take into account the special situation of the Republic of Malawi with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of the Republic of Malawi for a one-year derogation from the definition set out in the Protocol for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request;

Whereas in order to take into account the special situation of the Republic of Malawi and to enable the relevant industrial sector to develop its industry and to seek new sources of supply for the raw materials needed in the manufacture of the items referred to above, derogation should accordingly be made, for a maximum of one year, from the definition set out in Protocol 1;

Whereas any possible deflection of trade should be avoided; whereas this aim can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Malawi and falling within tariff heading No ex 97.07 'fishing flies', shall be considered as originating in Malawi, provided that the value of the non-originating fish-hooks used for their manufacture, falling within tariff heading No ex 97.07, does not exceed 25 % of the value of the finished product.

Article 2

The movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following endorsements:

- 'Varer med oprindelsesstatus i henhold til AVS-EØF-Ministerrådets afgørelse nr. 1/77',
- 'Ursprungswaren gemäß Beschluß Nr. 1/77 des AKP-EWG-Ministerrats',
- 'Originating products by virtue of Decision 1/77 of the ACP-EEC Council of Ministers',
- 'Marchandises originaires en vertu de la décision n° 1/77 du Conseil des Ministres ACP-CEE',
- 'Merci originarie in virtù della decisione n. 1/77 del Consiglio dei ministri ACP-CEE',
- 'Goederen van oorsprong uit hoofde van Besluit nr. 1/77 van de ACS-EEG-Raad van Ministers'.

This endorsement shall be entered under the heading 'Remarks'.

Article 3

The competent authorities of the Republic of Malawi shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 4

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 June 1977. It shall apply until 31 May 1978.

Done at Suva, 14 April 1977.

*For the ACP-EEC Council
of Ministers*

The President

Ratu Sir K.K.T. MARA K.B.E.

COUNCIL REGULATION (EEC) No 1201/77
of 3 June 1977

regarding the application of Decision 2/77 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)

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 ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾ signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision 2/77 of 14 April 1977 derogating from the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision 2/77 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

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 from 1 June 1977 to 31 May 1978.

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

Done at Brussels, 3 June 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 2.

7. 6. 77

Official Journal of the European Communities

No L 139/25

ACP-EEC COUNCIL OF MINISTERS DECISION 2/77

of 14 April 1977

derogating from the concept of 'originating products' to take into account the special situation of the Republic of Kenya with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of the Republic of Kenya for a one-year derogation from the definition set out in the protocol for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request;

Whereas in order to take into account the special situation of the Republic of Kenya and to enable the relevant industrial sector to develop its industry and to seek new sources of supply for the raw materials needed in the manufacture of the items referred to above, derogation should accordingly be made, for a maximum of one year, from the definition set out in Protocol 1;

Whereas any possible deflection of trade should be avoided; whereas this aim can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Kenya and falling within tariff heading No ex 97.07 'fishing flies', shall be considered as originating in Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within tariff heading No ex 97.07, does not exceed 25 % of the value of the finished product.

Article 2

The movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following endorsements:

- 'Varer med oprindelsesstatus i henhold til AVS-EØF-Ministerrådets afgørelse nr. 2/77',
- 'Ursprungswaren gemäß Beschluß Nr. 2/77 des AKP-EWG-Ministerrats',
- 'Originating products by virtue of Decision 2/77 of the ACP-EEC Council of Ministers',
- 'Marchandises originaires en vertu de la décision n° 2/77 du Conseil des ministres ACP-CEE',
- 'Merci originarie in virtù della decisione n. 2/77 del Consiglio dei ministri ACP-CEE',
- 'Goederen van oorsprong uit hoofde van Besluit nr. 2/77 van de ACS-EEG-Raad van Ministers'.

This endorsement shall be entered under the heading 'Remarks'.

Article 3

The competent authorities of the Republic of Kenya shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 4

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 June 1977.

It shall apply until 31 May 1978.

Done at Suva, 14 April 1977.

*For the ACP-EEC Council
of Ministers*

The President

Ratu Sir K.K.T. MARA K.B.E.

COUNCIL REGULATION (EEC) No 1377/77

of 21 June 1977

on the opening, allocation and administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 CI of the Common Customs Tariff and originating in the ACP States (1977/78)

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 under the ACP-EEC Convention of Lomé signed on 28 February 1975, and in particular under Protocol 7 thereto, products originating in the ACP States which fall within tariff subheading 22.09 CI (rum, arrack, tafia), shall, until the entry into force of a common organization of the market in spirits, be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available, the size of the tariff quota for the period 1 July 1977 to 30 June 1978 should therefore be fixed at 173 009 hectolitres of pure alcohol;

Whereas, since the entry into force of Regulation (EEC) No 329/77, Community imports of the aforementioned products originating in Surinam have been taken into account for the purposes of fixing the Community quota;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth

rates provided for in Protocol 7 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, 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 the 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 1977 until 30 June 1978 rum, arrack and tafia falling within subheading 22.09 CI of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 173 009 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 126 030 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 46 979 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities :

| | <i>(in hl of pure alcohol)</i> |
|-----------|--------------------------------|
| Benelux : | 5 926, |
| Denmark : | 4 000, |
| Germany : | 24 000, |
| France : | 11 395, |
| Ireland : | 1 000, |
| Italy : | 658. |

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, declared at customs for clearance for home use.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé⁽¹⁾, shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 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 18, 27. 1. 1976, p. 1.

1. 7. 77

Official Journal of the European Communities

No L 161/71

COMMISSION REGULATION (EEC) No 1462/77

of 29 June 1977

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**THE COMMISSION OF THE EUROPEAN COMMUNITIES,**

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application

of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 3136/76,

HAS ADOPTED THIS REGULATION :*Article 1*

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the third quarter of 1977, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1977.

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

Done at Brussels, 29 June 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| N° du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom <i>UC/RE/u.a./100 kg</i> | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemstater <i>UC/RE/u.a./100 kg</i> |
|--|---|--|
| 01.02 A II | 26,494 | 40,364 |
| 02.01 A II a) 1 | 50,337 | 76,693 |
| 02.01 A II a) 2 | 40,269 | 61,354 |
| 02.01 A II a) 3 | 60,404 | 92,031 |
| 02.01 A II a) 4 aa) | 98,842 | 125,818 |
| 02.01 A II a) 4 bb) | 111,650 | 143,956 |
| 02.01 A II b) 1 | 60,195 | 83,632 |
| 02.01 A II b) 2 | 48,153 | 66,905 |
| 02.01 A II b) 3 | 75,239 | 104,539 |
| 02.01 A II b) 4 aa) | 111,598 | 135,035 |
| 02.01 A II b) 4 bb) 11 | 75,239 | 104,539 |
| 02.01 A II b) 4 bb) 22 (1) | 75,239 | 104,539 |
| 02.01 A II b) 4 bb) 33 | 122,856 | 152,858 |
| 02.06 C I a) 1 | 98,842 | 125,818 |
| 02.06 C I a) 2 | 111,650 | 143,956 |
| 16.02 B III b) 1 aa) | 111,650 | 143,956 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Hentfærel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

30. 7. 77

Official Journal of the European Communities

No L 191/65

**COMMISSION REGULATION (EEC) No 1752/77
of 29 July 1977**

**opening an invitation to tender for the mobilization of long grain milled rice as
food aid for the United Republic of Tanzania**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾,

Having regard to Council Regulation (EEC) No
2750/75 of 29 October 1975 laying down the condi-
tions for the mobilization of cereals as food aid ⁽²⁾, and
in particular Article 6 thereof,

Whereas on 8 February 1977 the Council of the Euro-
pean Communities declared that it proposed, by way
of Community action, to grant the equivalent of 2 500
tonnes of husked rice, (in other words 1 880 tonnes of
long grain milled rice) to the United Republic of
Tanzania under its 1976/77 food-aid programme ;

Whereas pursuant to Article 3 (3) of Council Regula-
tion (EEC) No 2750/75 the goods may be purchased
anywhere on the Community market ;

Whereas tenders should be invited for the supply of
the product to the port of shipment in the vicinity of
the vessel, the goods to be set down at the place nomi-
nated by the recipient or its agent ;

Whereas in view of the different monetary circum-
stances in the Member States, the observation of these
conditions is not guaranteed by the application of
exchange rates applicable in the framework of the
common agricultural policy since monetary compensa-
tory amounts do not apply in the rice sector ; whereas
it is advisable to take account of the monetary situa-
tion as regards different offers ;

Whereas the award under the invitation to tender
must be made to the tenderer offering the best terms ;

Whereas, should *force majeure* make it impossible to
complete the operation in question within the time
limits specified, it must be made clear who is to bear
the liability for any resulting costs ;

Whereas provision should be made for security to be
given to guarantee fulfilment of the obligations arising
by virtue of participation in the invitation to tender ;

Whereas the Italian intervention agency should be
made responsible for the tendering procedure ;

Whereas the Commission must be informed quickly
of the tenders submitted in response to the invitation
and of those accepted by the intervention agency ;

Whereas the Monetary Committee will be consulted ;
whereas, in view of the urgency, the measures envis-
aged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Council Regulation
No 129 on the value of the unit of account and the
exchange rates to be applied for the purposes of the
common agricultural policy ⁽³⁾, as last amended by
Regulation (EEC) No 2543/73 ⁽⁴⁾, and in particular
Article 3 thereof ;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

1. Tenders are hereby invited for the supply to the
United Republic of Tanzania by way of Community
food-aid action of 1 880 tonnes of long grain milled
rice.

2. The tendering procedure shall take place in Italy
in one lot. The product shall be mobilized on the
Community market. The products shall be loaded for
departure from any Community port.

3. The product referred to in paragraph 1 is to be
delivered in new jute sacks of a net capacity of 50 kilo-
grams to the port of shipment in the vicinity of the
vessel. The goods must be set down at the place nomi-
nated by the recipient country or its agent, the timing
of delivery being settled by the tenderer and the recip-
ient country's agent.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

'Rice — Gift of the European Economic Community to Tanzania'

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 22 August 1977.

2. The closing date for the submission of tenders shall be 22 August 1977 at 12 noon.

3. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* not less than nine days before the closing date for the submission of tenders.

Article 3

1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

2. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the accession compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender.

3. The rates used for converting into units of account those offers made in national currencies shall be :

- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

If the tenderer is unable to deliver the goods in compliance with Article 1 (3) on the date given in the

notice of invitation to tender as a result of the late availability of the vessels to be used for sea transportation, the resulting costs shall be borne by the intervention agency.

Article 6

1. The successful tenderer shall give security of a value of 10 units of account per tonne ; the security is intended to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 7

1. The long grain milled rice referred to in Article 1 to be supplied to the United Republic of Tanzania must meet the following requirements :

- moisture : 15 % ;
- broken rice : 15 % maximum ;
- chalky grains : 5 % maximum ;
- grains striated with red : 3 % maximum ;
- spotted grains : 1.5 % maximum ;
- stained grains : 1 % maximum ;
- yellow grains : 0.050 % maximum ;
- amber grains : 0.20 % maximum.

Rice not meeting these requirements shall be refused.

2. Tenders for supply to the United Republic of Tanzania of the long grain milled rice referred to in Article 1 must relate to a product with the following characteristics :

- moisture : 15 % ;
- broken rice : 15 % maximum ;
- chalky grains : 5 % maximum ;
- grains striated with red : 3 % maximum ;
- spotted grains : 1.5 % maximum ;
- stained grains : 1 % maximum ;
- yellow grains : 0.050 % maximum ;
- amber grains : 0.20 % maximum.

Article 8

1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.

2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

4. The intervention agency shall request the successful tenderer to supply the following information :

(a) after each shipment a certificate showing the quantities dispatched and the quality of the products ;

(b) the date of departure of the vessels.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 9

On delivery of the goods at the port of shipment, a handing-over certificate shall be supplied to the successful tenderer, acting as agent for the Community, by the agent of the recipient country or, in the absence of the latter, by the intervention agency of the Member State in whose territory the port of shipment is situated.

Article 10

This Regulation shall enter into force on the day 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, 29 July 1977.

For the Commission

Finn GUNDELACH

Vice-President

9. 8. 77

Official Journal of the European Communities

No L 202/1

COUNCIL REGULATION (EEC) No 1826/77

of 5 August 1977

amending Regulation (EEC) No 1599/75 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories as last amended by Regulation (EEC) No 405/76, provides in particular for the reduction of import levies on certain agricultural products;

Whereas some of these products are subject to the system of accession compensatory amounts in trade between the Community as originally constituted and the new Member States; whereas the application of such amounts to products benefiting from the arrangements provided for in Regulation (EEC) No 1599/75 is as a rule likely to lead to deflection of trade; whereas Article 22 of that Regulation consequently provided for measures to prevent such deflection;

Whereas, however, no risk of trade deflection can exist for the products listed in Article 8 of Regulation (EEC) No 1599/75; whereas this is due to the obliga-

tion laid down in Article 9 of that Regulation whereby the cif price, at the time of exportation from the ACP States or overseas countries and territories increased by the reduced levy, must be equal to or more than the threshold price, adjusted if necessary for the product in question, reduced by a certain amount; whereas the effect is that imports are subject to normal competition irrespective of the importing Member State, notwithstanding the application of accession compensatory amounts;

Whereas the arrangements resulting from the aforementioned Regulation should therefore be amended retroactively so that the importers concerned by the measures taken can obtain the cancellation of the effects thereof,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of the second subparagraph of Article 22 (1) of Regulation (EEC) No 1599/75, in force during the period 1 July to 31 December 1975, shall, at the request of those concerned, not apply to the products listed in Article 8 of that Regulation.

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, 5 August 1977.

For the Council

The President

H. SIMONET

COMMISSION REGULATION (EEC) No 2181/77
of 29 September 1977

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 3136/76,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the fourth quarter of 1977, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1977.

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

Done at Brussels, 29 September 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| No du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UC / RE / n.a. / 100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater UC / RE / n.a. / 100 kg |
|--|--|--|
| 01.02 A II | 26,692 | 40,364 |
| 02.01 A II a) 1 | 50,712 | 76,693 |
| 02.01 A II a) 2 | 40,569 | 61,354 |
| 02.01 A II a) 3 | 60,854 | 92,031 |
| 02.01 A II a) 4 aa) | 99,217 | 125,818 |
| 02.01 A II a) 4 bb) | 112,078 | 143,956 |
| 02.01 A II b) 1 | 60,529 | 83,632 |
| 02.01 A II b) 2 | 48,420 | 66,905 |
| 02.01 A II b) 3 | 75,657 | 104,539 |
| 02.01 A II b) 4 aa) | 111,932 | 135,035 |
| 02.01 A II b) 4 bb) 11 | 75,657 | 104,539 |
| 02.01 A II b) 4 bb) 22 ⁽¹⁾ | 75,657 | 104,539 |
| 02.01 A II b) 4 bb) 33 | 123,274 | 152,858 |
| 02.06 C I a) 1 | 99,217 | 125,818 |
| 02.06 C I a) 2 | 112,078 | 143,956 |
| 16.02 B III b) 1 aa) | 112,078 | 143,956 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Hentførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

11. 11. 77

Official Journal of the European Communities

No L 287/1

**COUNCIL REGULATION (EEC) No 2478/77
of 7 November 1977**

on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community and repealing Regulation (EEC) No 158/76

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the recommendation from the Commission,

Whereas Article 17 of the ACP-EEC Convention of Lomé establishes the list of products covered by the system of stabilization of export earnings of the ACP States ;

Whereas by Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾ the same system was introduced for the said countries and territories ;

Whereas Council Regulation (EEC) No 158/76 of 20 January 1976 on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community, provided for the sending by the Member States to the Commission of statements of imports of the products covered by the said stabilization system ;

Whereas Decision No 3 of the ACP-EEC Council of Ministers of 14 April 1977 amended the list set out in Article 17 of the Convention ;

Whereas the ACP States and the countries and territories covered by the system of stabilization of export earnings should be specified ;

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

Whereas Regulation (EEC) No 158/76 should consequently be replaced by this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

1. Before the end of each month, Member States shall forward to the Commission a statement of imports during the previous month of the products listed in Annex I :

- from the ACP and other States listed in Annex II,
- from the countries and territories listed in Annex III.

2. However, in the case of imports in 1977 of products falling within the following headings listed in Annex I, a statement drawn up on a monthly basis shall be sent to the Commission before 31 January 1978 : 15.07-29, 09.05-00, 09.07-00, 53.01-10 to 53.01-40, 53.02-95, 13.02-91, 12.07-10, 13.03-15, 33.01-23.

Article 2

The statement referred to in Article 1 shall give details of all products :

- which are released for home use in the Member State concerned,
- which are brought under the inward processing arrangements there in order to be processed.

Article 3

The statement referred to in Article 1 shall show the country of origin of the products, according to the common geographical code in force, the quantities imported and the cif values of these imports, in the national currencies of the Member States.

Article 4

Regulation (EEC) No 158/76 is hereby repealed.

Article 5

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, 7 November 1977.

For the Council

The President

A. HUMBLET

ANNEX I

Products referred to in Article 1

| NIMEXE code | Description of goods |
|--|--|
| (a) <i>Ground-nut products</i> 12.01-31 to 12.01-35 | Oil seeds and oleaginous fruit, whole or broken : Ground-nuts, in shell or shelled |
| 15.07-74 and 15.07-87 | Ground-nut oil for the manufacture of foodstuffs for human consumption, crude Ground-nut oil for the manufacture of foodstuffs for human consumption, other |
| 23.04-10 | Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other : Of ground-nuts |
| (b) <i>Cocoa products</i> 18.01-00 | Cocoa beans, whole or broken, raw or roasted |
| 18.03-10 to 18.03-30 | Cocoa paste (in bulk or in block), whether or not defatted : Not defatted Wholly or partly defatted |
| 18.04-00 | Cocoa butter (fat or oil) |
| (c) <i>Coffee products</i> 09.01-11 to 09.01-17 | Coffee, whether or not roasted or freed of caffeine ; coffee husks and skins ; containing coffee in any proportion : Coffee, unroasted : Not freed of caffeine ; freed of caffeine Coffee, roasted : Not freed of caffeine ; freed of caffeine |
| 21.02-10 | Extracts, essences or concentrates of coffee ; preparations with a basis of coffee extracts, essences or concentrates |
| (d) <i>Cotton products</i> 55.01-10 to 55.01-90 | Cotton, not carded or combed |
| 55.02-10 to 55.02-90 | Cotton linters, raw and other |
| (e) <i>Coconut products</i> 08.01-71 to 08.01-75 | Coconuts : Desiccated coconut Other |
| 12.01-42 | Oil seeds and oleaginous fruit, whole or broken : Copra |
| 15.07-29 and 15.07-77 and 15.07-92 | Coconut or copra oil for technical or industrial uses, crude Coconut or copra oil for the manufacture of foodstuffs for human consumption, crude |

| NIMEXE code | Description of goods |
|--|--|
| 23.04-20 | Coconut or copra oil for the manufacture of foodstuffs for human consumption, other Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other : Of copra (= of coconut) |
| (f) <i>Palm, palm nut, and kernel products</i> 15.07-19 and 15.07-61 and 15.07-63 | Palm oil, for technical or industrial uses, crude Palm oil, for the manufacture of foodstuffs for human consumption, crude Palm oil, for the manufacture of foodstuffs for human consumption, other |
| 15.07-31 and 15.07-78 and 15.07-93 | Palm kernel oil, for technical or industrial uses, crude Palm kernel oil, for the manufacture of foodstuffs for human consumption, solid or fluid, other than in packings of 1 kg or less, crude Palm kernel oil, for the manufacture of foodstuffs for human consumption, solid or fluid, other than in packings of 1 kg or less, other |
| 23.04-30 | Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : Other : |
| 12.01-44 | Of palm nuts or kernels Oil seeds and oleaginous fruit, whole or broken : Palm nuts and kernels |
| (g) <i>Raw hides, skins and leather</i> 41.01-11 to 41.01-95 | Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool |
| 41.02-05 to 41.02-50 | Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| 41.03-10 to 41.03-99 | Sheep and lamb skin leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| 41.04-10 to 41.04-99 | Goat and kid skin leather, except leather falling within heading No 41.06, 41.07 or 41.08 |
| (h) <i>Wood products</i> 44.03-20 to 44.03-99 | Wood in the rough, whether or not stripped of its bark or merely roughed down |
| 44.04-20 to 44.04-98 | Wood, roughly squared or half-squared, but not further manufactured |
| 44.05-10 to 44.05-79 | Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm |
| (i) <i>Fresh bananas</i> 08.01-31 | Bananas : Fresh |
| (j) <i>Tea and spices</i> 09.02-10 and 09.02-90 | Tea : In immediate packings of a net capacity not exceeding 3 kg Other |

| NIMEXE code | Description of goods |
|--|---|
| 09.05-00 | Vanilla |
| 08.07-00 | Cloves (whole fruit, cloves and stones) |
| (k) <i>Raw sisal</i> 57.04-10 | Sisal fibres and other fibres of the Agave family, including waste of such fibres and pulled or garnetted rags or ropes |
| (l) <i>Iron ore</i> 26.01-12 to 26.01-18 | Metallic ores and concentrates and roasted iron pyrites : Iron ores and concentrates and roasted iron pyrites |
| (m) <i>Wool</i> 53.01-10 to 53.01-40 | Sheep's or lambs' wool not carded or combed |
| (n) <i>Other animal hair</i> (fine or coarse) 53.02-95 | Fine animal hair : Of Angora goats (mohair) |
| (o) <i>Gums</i> 13.02-91 | Gum arabic |
| (p) <i>Pyrethrum</i> 12.07-10 and 13.03-15 | Pyrethrum (flowers, leaves, stems, peel and roots) Saps and extracts from pyrethrum |
| (q) <i>Essential oils</i> 33.01-23 | Essential oils, terpenless, of ylang-ylang |

ANNEX II

ACP and other States referred to in Article 1

1. *African States :*

Mauritania, Mali, Upper Volta, Niger, Senegal, Ivory Coast, Togo, Benin, Cameroon, Chad, Central African Empire, Gabon, Congo, Rwanda, Burundi, Somalia, Zaire, Kenya, Uganda, Tanzania, Botswana, Lesotho, Swaziland, Gambia, Ghana, Malawi, Nigeria, Sierra Leone, Zambia, Ethiopia, Guinea, Equatorial Guinea, Guinea-Bissau, Liberia, Sudan.

2. *Caribbean States :*

Barbados, Guyana, Jamaica, Bahamas, Grenada, Trinidad and Tobago, Surinam.

3. *Pacific States :*

Fiji, Western Samoa, Tonga.

4. *Indian Ocean States :*

Madagascar, Mauritius, the Comoros, Seychelles.

5. *Countries which have requested accession or are in the process of acceding to the Convention :*

Cape Verde, Republic of Djibouti, Papua New Guinea, Sao Tome and Principe.

*ANNEX III***Countries and territories referred to in Article 1**

1. Overseas countries of the Kingdom of the Netherlands :
 - Netherlands Antilles (Aruba, Bonaire, Curaçao and St Martin, Saba, St Eustasius).
 2. Overseas territories of the French Republic :
 - Mayotte,
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland :
 - Belize,
 - Brunei,
 - Associated States of the Caribbean (Antigua, Dominica, St Lucia, St Vincent, St Christopher, Nevis and Anguilla),
 - Cayman Islands,
 - Falkland Islands and dependencies,
 - Gilbert Islands,
 - Solomon Islands,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Monserrat,
 - Pitcairn,
 - St Helena and dependencies,
 - British Antarctic territory,
 - British Indian Ocean territory,
 - Tuvalu.
 4. Anglo-French Condominium of the New Hebrides.
-

24. 11. 77

Official Journal of the European Communities

No L 300/1

COUNCIL REGULATION (EEC) No 2570/77

of 21 November 1977

extending the period of validity of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States

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 certain signatory States of the ACP-EEC Convention of Lomé are traditional suppliers of beef and veal to the Community; whereas the production of beef and veal is an essential factor in their economies which are highly dependant upon these exports; whereas since the States concerned are the least developed among the States which export beef and veal to the Community, special measures could contribute to maintaining a regular flow of imports;

Whereas this situation has been taken into account by Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific

States, as last amended by Regulation (EEC) No 2841/76⁽¹⁾; whereas as a result, provided the ACP States apply an export tax of a corresponding amount, there is partial compensation of the import charges other than customs duties in respect of the products referred to in Article 1 (a) of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾; whereas the arrangements set up by Regulation (EEC) No 3328/75 expire on 31 December 1977;

Whereas, to take into account the vital importance which the beef and veal sector has for the abovementioned countries, these measures should be prolonged from 1 January to 31 December 1978 for the ACP States which export beef and veal to the Community,

HAS ADOPTED THIS REGULATION:

Sole Article

In the second paragraph of Article 4 of Regulation (EEC) No 3328/75 '31 December 1977' shall be replaced by '31 December 1978'.

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 L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

DECISION No 11/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 NOVEMBER 1977

derogating from the concept of "originating products"
to take account of the special situation of Mauritius
with regard to certain products
of the textile industry

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 hereinafter called "the Convention", and in
particular Article 9(2) thereof,

Having regard to Decision No 11/76 of the ACP-EEC Council of
Ministers of 15 July 1976 on the delegation of certain powers
to the ACP-EEC Committee of Ambassadors, and in particular
Article 1(1) thereof,

Whereas Article 27 of Protocol No 1 to the Convention, concerning
the definition of the concept of "originating products" and
methods of administrative co-operation, states that derogations
from the rules of origin may be made, in particular to facilitate
the development of existing industries or the creation of new
industries;

Whereas the ACP States have submitted a request from the
Government of Mauritius for a one-year derogation from the
definition set out in the said Protocol for textile products
manufactured in that State;

Whereas, in accordance with Article 27 of Protocol No 1, the Customs Co-operation Committee has adopted a report on the said request;

Whereas in order to take account of the special situation of Mauritius and to enable the industrial sectors concerned to set up new industries which necessitate derogations from the said Protocol for a period of one year, provision should be made for a derogation from the definition set out in the said Protocol;

Whereas an assurance has been given that the products subject to this request for a derogation will meet the relevant criteria laid down in Protocol No 1, at the latest by the end of the period of the said derogation;

Whereas the quantity covered by the derogation should be broken down among the Member States of destination,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, unbleached cotton fabrics falling within tariff heading No ex 55.09 manufactured in Mauritius from non-originating yarn, shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 400 tonnes of unbleached cotton fabrics falling within tariff heading No ex 55.09 imported into the Community between 25 November 1977 and 31 July 1978, this quantity being broken down as follows:

| | <u>in tonnes</u> |
|-----------------------------|------------------|
| Federal Republic of Germany | 108 |
| Benelux | 40 |
| France | 76 |
| Italy | 56 |
| Denmark | 28 |
| Ireland | 4 |
| United Kingdom | 88 |

Article 3

Movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following entries:

- "marchandises originaires en vertu de la décision n° 11/77 du Conseil des Ministres ACP-CEE",
- "Ursprungen gemäss Beschluss Nr. 11/77 des AKP-EWG-Ministerrates",
- "merci originarie in virtù della decisione n. 11/77 del Consiglio dei ministri ACP-EEC",
- "goederen van oorsprong uit hoofde van Besluit nr. 11/77 van de ACS-EEG-Raad van Ministers",
- "originating products by virtue of Decision No 11/77 of the ACP-EEC Council of Ministers",
- "varer med oprindelsesstatus i henhold til AVS-EØF-ministerradets afgørelse nr. 11/77".

This entry shall be made under the heading "Remarks".

Article 4

The competent authorities of Mauritius shall ensure that exports to each of the Member States do not exceed the quantities stipulated in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this decision.

Article 6

This Decision shall enter into force on 25 November 1977.

It shall apply until 31 July 1978.

Done at Brussels, 23 November 1977
For the ACP-EEC Committee of Ambassadors
The President

(s.) J. VAN DER MEULEN

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

15. 12. 77

Official Journal of the European Communities

No L 320/17

COMMISSION REGULATION (EEC) No 2771/77

of 14 December 1977

amending for the third time Regulation (EEC) No 3376/75 as regards the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States in 1978

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 3376/75 of 23 December 1975, as last amended by Regulation (EEC) No 3136/76, laid down the rules for the application of Regulation (EEC) No 3328/75; whereas following the extension of the import arrangements for beef and veal originating in certain African, Caribbean and Pacific States, certain provisions of Regulation (EEC) No 3376/75 require amendment;

Whereas with effect from 1 January 1978 the accession compensatory amounts applicable to imports into the United Kingdom and Ireland will be abolished; whereas it is necessary, consequently, to adapt the methods of calculating the amount referred to in Article 1 (1) of Regulation (EEC) No 3328/75 for imports into those Member States;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

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

Done at Brussels, 14 December 1977.

HAS ADOPTED THIS REGULATION :

Article 1

Article 4 (1) of Regulation (EEC) No 3376/75 is hereby amended to read as follows :

'1. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into Ireland or the United Kingdom shall be equal to 90 % of the amount resulting from the levy adjusted, where appropriate, by the monetary compensatory amount valid for imports into the United Kingdom during the week preceding that in which commences the quarter for which the amount of the reduction is calculated.'

Article 2

In the second paragraph of Article 6 of Regulation (EEC) No 3376/75 the date '31 December 1977' is hereby replaced by '31 December 1978'.

Article 3

This Regulation shall enter into force on 1 January 1978.

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 be 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 | 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. | | | | |
| 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 | 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. | | | |
| 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 |

ANNEX C

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 '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).

19. 12. 77

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No L 324/13

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 22.5% 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.

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

Done at Brussels, 28 November 1977.

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.

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 taken 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 (**) |

(*) 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 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 '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 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 α 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 peroxysalts 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, proteinate, tannates and similar compounds, whether or not chemically defined
- 28.50 Fissile chemical elements and isotopes; other radio-active chemical elements and radioactive 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 maximum filling 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 (*)

(*) 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 terpeneol)
- 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; linnoxyn
- 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 25% 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 25% 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 cooperers' 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.s. 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.s.

⁽³⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 3 220 000 u.s.

⁽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.s. 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.s.

⁽⁶⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 1 651 000 u.s.

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.s. 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.a. 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.a. 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, lapjointed)
- 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 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.s. 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.s. 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.s. 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; 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 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 3 983 000 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.s.; 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.s. 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% 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.a. 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 29 654 000 u.a. 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.a. 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.a. 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.a.

- 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.a. 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.a. 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.s. 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 8 173 050 u.a. and 2.5% 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.a.

- 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, 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 | 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 |

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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 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 | 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 | 3 216 | 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 | 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 | |
| 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 '000) (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 293.19 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 't) (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 85.50 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 2311 tonnes

² Pursuant to Article 6.2 this share is increased by 17411 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 | 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 | 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) |
| 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 | 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) |
| 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 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 '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

- 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 Maldive 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;

(1) OJ No L 73, 27. 3. 1972, p. 195.

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

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, Marianas 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-

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

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 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 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 '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).

19. 12. 77

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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) | 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% |

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 (<i>Homarus</i> 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 (<i>Pandalidae</i> spp) 6% ex c) Other: <ul style="list-style-type: none"> — Shrimps (<i>Palaemonidae</i> spp) 6% — Shrimps (<i>Penaeidae</i> 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>Loglio</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>Horsehair and horsehair 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 | 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 |

| 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 cardamons: 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 (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, bambóos, 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 2.5% ex 3. Other, excluding linseed oil, groundnut oil, sunflower seed oil and colza oil 2.5% b) Other: ex 2. Other: — Palm kernel and coconut oil 6.5% II. Other: a) Palm oil: 1. Crude 4% 2. Other 12% b) Other: 1. Solid, in immediate packings of a net capacity of 1 kg or less 18% 2. Solid, other; fluid: ex aa) Crude: — Palm kernel and coconut oil 7% ex bb) Other: — Palm kernel and coconut oil 13% | |
| 15.10 | Fatty acids; acid oils from refining; fatty alcohols: A. Stearic acid 2% B. Oleic acid 5% C. Other fatty acids; acid oils from refining Free D. Fatty alcohols 6% | |
| 15.11 | Glycerol and glycerol lyes: A. Crude glycerol and glycerol lyes Free B. Other, including synthetic glycerol 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 16% B. Other 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 toots 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 (Sarda spp) 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 |

| OCT heading No | Description | Rate of duty |
|----------------|--|---|
| 19.07 | <p>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:</p> <p>A. Crispbread</p> <p>B. Matzos</p> <p>C. Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products</p> <p>D. Other</p> | <p>3% + vc with a maximum of 24% + adf</p> <p>Free + vc with a maximum of 20% + adf</p> <p>Free + vc</p> <p>5% + vc</p> |
| 19.08 | <p>Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:</p> <p>A. Gingerbread and the like</p> | <p>5% + vc</p> |
| 20.01 | <p>Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salts, spices or mustard:</p> <p>ex B. Other, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers</p> | <p>15%</p> |
| 20.02 | <p>Vegetables prepared or preserved otherwise than by vinegar or acetic acid:</p> <p>B. Truffles</p> <p>D. Asparagus</p> <p>E. Sauerkraut</p> <p>ex F. Capers</p> <p>ex H. Other, including mixtures:</p> <p>— Moringa oleifera (drumsticks)</p> | <p>14%</p> <p>20%</p> <p>16%</p> <p>12%</p> <p>Free</p> |
| 20.03 | <p>Fruit preserved by freezing, containing added sugar:</p> <p>ex A. With a sugar content exceeding 13% by weight:</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>ex B. 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>12% + (L)</p> <p>12%</p> |
| 20.04 | <p>Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized):</p> <p>B. Other:</p> <p>ex I. With a sugar content exceeding 13% by weight:</p> | |

| 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) | <ul style="list-style-type: none"> a) Ginger 10% b) Pineapples, in immediate packings of a net capacity: <ul style="list-style-type: none"> 1. Of more than 1 kg: <ul style="list-style-type: none"> aa) With a sugar content exceeding 17% by weight 10% + (L) bb) Other 10% 2. Of 1 kg or less: <ul style="list-style-type: none"> aa) With a sugar content exceeding 19% by weight 10% + (L) bb) Other 10% c) Grapes: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 1. Of more than 1 kg: <ul style="list-style-type: none"> aa) With a sugar content exceeding 13% by weight 25% + (L) bb) Other 25% 2. Of 1 kg or less: <ul style="list-style-type: none"> aa) With a sugar content exceeding 15% by weight 25% + (L) bb) Other 25% e) Other fruits: <ul style="list-style-type: none"> ex 1. With a sugar content exceeding 9% by weight, excluding cherries 25% + (L) ex 2. Other, excluding cherries 25% f) Mixtures of fruit: <ul style="list-style-type: none"> 1. With a sugar content exceeding 9% by weight 25% + (L) 2. Other 25% <p>II. Not containing added spirit:</p> <ul style="list-style-type: none"> a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: <ul style="list-style-type: none"> 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: <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 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 | |
|---|---|--------------|-----------|
| 20.07 (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 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 17% 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 10% — Other, excluding apricot and peach juices 18% 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: 17% + (L) 22. With an added sugar content of 30% or less by weight 17% 33. Not containing added sugar 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 9% B. Extracts, essences or concentrates of tea or maté and preparations with a basis of those extracts, essences or concentrates Free C. Roasted chicory and other roasted coffee substitutes: <ul style="list-style-type: none"> II. Other 2% + vc D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes: <ul style="list-style-type: none"> II. Other 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 Free II. Of more than 1 kg Free B. Prepared mustard 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 8% — Other, excluding sauces with a vegetable oil basis 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 1 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.
-

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) | |
|----------------|---------------------|----------------------|
| | <i>cocoa butter</i> | <i>soluble coffe</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 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:

| | (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 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

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.

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 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 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 Swains Island), Northern Mariana 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 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 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 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.

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

Done at Brussels, 28 November 1977.

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.

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 '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, 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 COUN-
CIL,

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 | 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 | 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 '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).

19. 12. 77

Official Journal of the European Communities

No L 324/155

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: 1. 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: 1. 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> <p> I. Ingots, blooms, billets, slabs and sheet bars:</p> <p> b) Other:</p> <p> 2. Blooms, billets, slabs and sheet bars</p> <p> III. Coils for re-rolling</p> <p> IV. Universal plates</p> <p> V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:</p> <p> b) Not further worked than hot-rolled or extruded</p> <p> d) Clad or surface-worked (for example, polished, coated):</p> <p> 1. Not further worked than clad:</p> <p> aa) Hot-rolled or extruded</p> <p> VI. Hoop and strip:</p> <p> a) Not further worked than hot-rolled</p> <p> c) Clad, coated or otherwise surface-treated:</p> <p> 1. Not further worked than clad:</p> <p> aa) Hot-rolled</p> <p> VII. Sheets and plates:</p> <p> a) Not further worked than hot-rolled</p> <p> b) Not further worked than cold-rolled, of a thickness of:</p> <p> 2. Less than 3 mm</p> <p> c) Polished, clad, coated or otherwise surface-treated</p> <p> d) Otherwise shaped or worked:</p> <p> 1. Cut into shapes other than rectangular shapes, but not further worked</p> <p>B. Alloy steel:</p> <p> I. Ingots, blooms, billets, slabs and sheet bars:</p> <p> b) Other:</p> <p> 2. Blooms, billets, slabs and sheet bars</p> <p> III. Coils for re-rolling</p> <p> IV. Universal plates</p> <p> V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:</p> <p> b) Not further worked than hot-rolled or extruded</p> <p> d) Clad or surface-worked (for example, polished, coated):</p> <p> 1. Not further worked than clad:</p> <p> aa) Hot-rolled or extruded</p> <p> VI. Hoop and strip:</p> <p> a) Not further worked than hot-rolled</p> <p> c) Clad, coated or otherwise surface-treated:</p> <p> 1. Not further worked than clad:</p> <p> aa) Hot-rolled</p> <p> VII. Sheets and plates:</p> <p> a) 'Electrical' sheets and plates</p> |

⁽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.a.

| 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 '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).

31. 12. 77

Official Journal of the European Communities

No L 351/51

COMMISSION REGULATION (EEC) No 2995/77**of 21 December 1977****fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2771/77,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the first quarter of 1978, be as shown in the Annex hereto.

Article 2

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, 21 December 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| Numéro du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Ireland + United Kingdom UC/RE/u.a./100 kg | Autres États membres Other Member States Andere Mitgliedstaaten Altri Stati membri Andere Lid-Staten Andre medlemsstater UC/RE/u.a./100 kg |
|--|--|--|
| 01.02 A II | 31,009 | 37,978 |
| 02.01 A II a) 1 | 58,915 | 72,159 |
| 02.01 A II a) 2 | 47,132 | 57,728 |
| 02.01 A II a) 3 | 70,699 | 86,594 |
| 02.01 A II a) 4 aa) | 108,041 | 121,285 |
| 02.01 A II a) 4 bb) | 123,652 | 138,779 |
| 02.01 A II b) 1 | 67,819 | 79,601 |
| 02.01 A II b) 2 | 54,256 | 63,680 |
| 02.01 A II b) 3 | 84,773 | 99,500 |
| 02.01 A II b) 4 aa) | 119,222 | 131,004 |
| 02.01 A II b) 4 bb) 11 | 84,773 | 99,500 |
| 02.01 A II b) 4 bb) 22 ⁽¹⁾ | 84,773 | 99,500 |
| 02.01 A II b) 4 bb) 33 | 133,092 | 147,820 |
| 02.06 C I a) 1 | 108,041 | 121,285 |
| 02.06 C I a) 2 | 123,652 | 138,779 |
| 16.02 B III b) 1 aa) | 123,652 | 138,779 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførelse under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 3013/77
of 20 December 1977

amending Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products, originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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 in consequence of the Customs Cooperation Council recommendation the Common Customs Tariff Nomenclature shall be amended in a number of instances with effect from 1 January 1978;

Whereas other amendments have been made autonomously to the Common Customs Tariff;

Whereas it is therefore necessary to adapt certain tariff specifications set out in Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, so

that, by means of exact alignment of these tariff specifications with the amended Common Customs Tariff Nomenclature, the tariff advantages previously granted to the African, Caribbean and Pacific States and to the overseas countries and territories are preserved unchanged,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 706/76 is hereby amended as follows:

1. In Article 3, the words 'falling within subheading 02.01 A II a) of the Common Customs Tariff' shall read: 'falling within subheading 02.01 A II of the Common Customs Tariff'.
2. In Article 12:
 - in the second indent of paragraph 2, the reference '11.06' shall be replaced by '11.04 C';
 - the table in paragraph 3 shall be amended as follows:

| 'CCT heading No | Description |
|-----------------|---|
| 07.06 | (unchanged) |
| 11.04 | 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: C. Flour and meal of sago and of roots and tubers falling within heading No 07.06: ex I. Denatured (a): — Flour and meal of arrowroot II. Other: ex (a) For the manufacture of starches (a): — Flour and meal of arrowroot ex (b) Other: — Flour and meal of arrowroot |
| 11.08 | (unchanged) |

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

- 3 In Article 14(1) the reference to 'Regulation (EEC) No 865/68' shall be replaced by a reference to 'Regulation (EEC) No 516/77⁽¹⁾'.

The footnote referring to Regulation (EEC) No 516/77 shall be added at the bottom of the page corresponding to Article 14 :

⁽¹⁾ OJ No L 73, 21 3 1977, p 1'

4. The following provisions shall be inserted after the table in Article 14

TITLE VIII

Wine

Article 14a

The products listed below shall be imported free of customs duties

| CCT heading No | Description |
|----------------|--|
| 2007 | <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>1 Grape juice (including grape must)</p> <p>ex (a) Of a value exceeding 22 u.a. per 100 kg net weight</p> <p>— With an added sugar content exceeding 30 % by weight</p> <p>(b) Of a value not exceeding 22 u.a. per 100 kg net weight</p> <p>1. With an added sugar content exceeding 30 % by weight</p> <p>B Of a specific gravity of 1.33 or less at 15 °C.</p> <p>1. Grape, apple and pear juice (including grape must), mixtures of apple and pear juice :</p> <p>(a) Of a value exceeding 18 u.a. per 100 kg net weight .</p> <p>1 Grape juice (including grape must) :</p> <p>(aa) Concentrated :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>(bb) Other :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>(b) Of a value of 18 u.a. or less per 100 kg net weight :</p> <p>1. Grape juice (including grape must) :</p> <p>(aa) Concentrated :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>(bb) Other :</p> <p>11. With an added sugar content exceeding 30 % by weight.</p> |

5. The table in Article 17 shall read as follows :

| CCT heading No | Description |
|----------------------|---|
| 17.04 | (unchanged) |
| 18.06 | (unchanged) |
| 19.02 | Malt extract; preparations of flour, meal, starch or malt extract (the remainder unchanged) |
| | B. Other : |
| | II. Other : |
| | (a) Containing no milkfats or containing less than 1.5 % by weight of such fats : |
| | 4. Containing 45 % or more but less than 65 % by weight of starch : |
| 19.04 | (unchanged) |
| 19.07 | Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products : |
| | D. (unchanged) |
| | ex II. (unchanged) |
| 19.08 | (unchanged) |

6. The table in Article 19 shall read as follows :

| CCT heading No | Description |
|----------------------|--|
| 01.02 | (unchanged) |
| 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 : |
| | II. Of bovine animals |
| 10.06 | (unchanged) |

Article 2

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, 20 December 1977.

For the Council

The President

J. CHABERT

**COUNCIL REGULATION (EEC) No 3014/77
of 21 December 1977**

on the application of Decision No 11/77 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry

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 ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾ signed on 28 February 1975, hereinafter called 'the Convention', adopted, pursuant to Article 75 of the said Convention, Decision 11/76 of 15 July 1976 delegating its powers to the ACP-EEC Committee of Ambassadors,

Whereas the ACP-EEC Committee of Ambassadors has adopted Decision No 11/77 of the ACP-EEC Council of Ministers of 23 November 1977 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry;

Whereas it is necessary, in accordance with Article 74(3) of the Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION .

Article 1

Decision No 11/77 of the ACP-EEC Council of Ministers shall apply in the Community

The text of the Decision is annexed to this Regulation.

Article 2

Member States shall manage their shares in the quota in accordance with their own relevant provisions.

Member States shall ensure that importers of the product in question, established in their territory, have free access to the shares allocated to them.

The extent to which each Member State has used up its share shall be determined on the basis of the imports of the products in question entered with the customs authorities for home use.

Member States shall forward to the Commission, not later than the fifteenth day of each month, a statement of all imports of the products in question effected during the previous month.

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 from 25 November 1977 until 31 July 1978.

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

Done at Brussels, 21 December 1977.

For the Council

The President

J. CHABERT

⁽¹⁾ GEN O 2

ANNEX

DECISION No 11/77 OF THE ACP-EEC COUNCIL OF MINISTERS
of 23 November 1977

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter called 'the Convention', and in particular Article 9 (2) thereof,

Having regard to Decision No 11/76 of the ACP-EEC Council of Ministers of 15 July 1976 on the delegation of certain powers to the ACP-EEC Committee of Ambassadors, and in particular Article 1 (1) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, states that derogations from the rules of origin may be made, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a one-year derogation from the definition set out in the said Protocol for textile products manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on the said request;

Whereas in order to take account of the special situation of Mauritius and to enable the industrial sectors concerned to set up new industries which necessitate derogations from the said Protocol for a period of one year, provision should be made for a derogation from the definition set out in the said Protocol;

Whereas an assurance has been given that the products subject to this request for a derogation will meet the relevant criteria laid down in Protocol 1, at the latest by the end of the period of the said derogation;

Whereas the quantity covered by the derogation should be broken down among the Member States of destination,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol 1, unbleached cotton fabrics falling within tariff heading No ex 55.09 manufactured in Mauritius from non-originating yarn, shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 400 tonnes of unbleached cotton fabrics falling within tariff heading

No ex 55.09 imported into the Community between 25 November 1977 and 31 July 1978, this quantity being broken down as follows:

| | <i>(in tonnes)</i> |
|-----------------------------|--------------------|
| Federal Republic of Germany | 108 |
| Benelux | 40 |
| France | 76 |
| Italy | 56 |
| Denmark | 28 |
| Ireland | 4 |
| United Kingdom | 88. |

Article 3

Movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following entries:

- 'marchandises originaires en vertu de la décision n° 11/77 du Conseil des ministres ACP—CEE',
- 'Ursprungswaren gemäß Beschluß Nr. 11/77 des AKP—EWG—Ministerrates',
- 'merci originarie in virtù della decisione n. 11/77 del Consiglio dei ministri ACP—EEC',
- 'goederen van oorsprong uit hoofde van Besluit Nr. 11/77 van de ACS—EEG-Raad van Ministers',
- 'originating products by virtue of Decision No 11/77 of the ACP—EEC Council of Ministers',
- 'varer med oprindelsesstatus i henhold til AVS—EØF—Ministerrådets afgørelse nr. 11/77'.

This entry shall be made under the heading 'Remarks'.

Article 4

The competent authorities of Mauritius shall ensure that exports to each of the Member States do not exceed the quantities stipulated in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this decision.

Article 6

This Decision shall enter into force on 25 November 1977.

It shall apply until 31 July 1978.

No L 355/36

Official Journal of the European Communities

31. 12. 77

**COUNCIL REGULATION (EEC) No 3015/77
of 21 December 1977**

**on the application of Decision No 12/77 of the ACP-EEC Council of Ministers
derogating from the concept of 'originating products' to take account of the
special situation of Mauritius with regard to its production of canned tuna**

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 ACP-EEC Council of Ministers set up
under the ACP-EEC Convention of Lomé⁽¹⁾ signed
on 28 February 1975, hereinafter called 'the Con-
vention', adopted, pursuant to Article 75 of the said
Convention, Decision No 11/76 of 15 July 1976 dele-
gating its powers to the ACP-EEC Committee of
Ambassadors;

Whereas the ACP-EEC Committee of Ambassadors
has adopted Decision No 12/77 of the ACP-EEC
Council of Ministers of 23 November 1977 derogating
from the concept of 'originating products' to take
account of the special situation of Mauritius with
regard to its production of canned tuna;

Whereas it is necessary, in accordance with Article 74
(3) of the Convention, to take the measures required
to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 12/77 of the ACP-EEC Council of Minis-
ters shall apply in the Community.

The text of the Decision is annexed to this Regula-
tion.

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 25 November 1977 until 24
November 1978.

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

Done at Brussels, 21 December 1977.

For the Council

The President

J. CHABERT

⁽¹⁾ OJ No L 23, 30. 1. 1976, p. 2.

ANNEX

DECISION No 12/77 OF THE ACP-EEC COUNCIL OF MINISTERS

of 23 November 1977

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna

THE ACP-EEC COMMITTEE OF AMBASSADORS

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975 hereinafter called 'the Convention', and in particular Article 9 (2) thereof,

Having regard to Decision No 12/76 of the ACP-EEC Council of Ministers of 15 July 1976 on the delegation of certain powers to the ACP-EEC Committee of Ambassadors, and in particular Article 1 (1) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative co-operation, states that derogations from the rules of origin may be made, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a derogation from the definition set out in the said Protocol for canned tuna produced by that State; whereas a one-year derogation should be sufficient to satisfy that request;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on the said request;

Whereas, in order not to hinder the future development of an existing industry, the very existence of which is at present threatened as a result of unforeseen circumstances, a temporary derogation should be granted from the definition in the said Protocol,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol 1, canned tuna manufactured in Mauritius and falling within tariff heading No ex 16.04 shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 1 600 tonnes of canned tuna falling within tariff heading No ex 16.04

imported into the Community between 25 November 1977 and 24 November 1978.

Article 3

Movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following entries:

- 'marchandises originaires en vertu de la decision n° 12/77 du Conseil des ministres ACP-CEE',
- 'Ursprungen gemäß Beschluß Nr. 12/77 des AKP-EWG-Ministerrates',
- 'merci originarie in virtù della decisione n. 12/77 del Consiglio dei ministri ACP-EEC',
- 'goederen van oorsprong uit hoofde van Besluit nr. 12/77 van de ACS-EEG-Raad van Ministers',
- 'originating products by virtue of Decision No 12/77 of the ACP-EEC Council of Ministers',
- varer med oprindelsesstatus i henhold til AVS/EØF-Ministerrådets afgørelse nr. 12/77',

This entry shall be made under the heading 'Remarks'.

Article 4

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 6

This Decision shall enter into force on 25 November 1977.

It shall apply until 24 November 1978.

**COMMISSION REGULATION (EEC) No 424/78
of 28 February 1978**

re-establishing the levying of customs duties on gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, falling within heading No 61.10 and originating in developing countries to which the preferential tariff arrangements set out in Council 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) of that Regulation provides that customs duties may, for each category of products listed in Annex C thereto, be suspended up to a Community ceiling equal to 87 % of the sum arrived at by adding together the tonnage of the products in question, imported into the Community in 1968 and coming from countries listed in Annex D, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements; whereas Article 3 (1) of the aforesaid 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, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, the ceiling, calculated as indicated above, should be 21 tonnes; whereas on 23 February

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 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 4 March 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community:

| CCI heading No | Description |
|----------------|--|
| 61.10 | Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods |

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, 28 February 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 425/78

of 28 February 1978

re-establishing the levying of customs duties on spoons, forks, fish-eaters, etc., of stainless steel, falling within subheading 82.14 A 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 the aforesaid Regulation provides that 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 thereto, once the Community ceiling has been reached;

Whereas, in respect of spoons, forks, fish-eaters, etc., of stainless steel, falling within subheading 82.14 A,

the ceiling, calculated as indicated above, should be 4 437 000 units of account; whereas on 17 February 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 4 March 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 |
|----------------|--|
| 82.14 | Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware : A. Of stainless steel |

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, 28 February 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

COUNCIL REGULATION (EEC) No 430/78

of 28 February 1978

on the arrangements applicable to fresh or chilled tomatoes falling within subheading ex 07.01 M of the Common Customs Tariff, originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, as last amended by Regulation (EEC) No 3013/77, provides for the total or partial exemption from customs duties for such products; whereas, because of the significance of fresh and chilled tomatoes for the economies of these States, countries and territories, these products should be allowed to benefit from a partial exemption of customs duties for a fixed period of the year;

Whereas a Community tariff quota of 1 000 tonnes of fresh or chilled tomatoes falling under subheading ex 07.01 M I of the Common Customs Tariff should be opened for the period 15 November to 15 April; whereas the customs duty applicable within this quota may be fixed at 4.4 % with a minimum charge of two units of account per 100 kilograms net weight; whereas a quota of 300 tonnes should be opened for the period 1 March to 15 April 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;

Whereas, 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 the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 March 1978 to 29 February 1980, the products listed below originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall be imported subject to customs duties equal to 40 % of the Common Customs Tariff duties within a Community tariff quota of 1 000 tonnes with a minimum charge of two units of account per 100 kilograms net weight:

| CCT heading No | Description |
|----------------|--|
| 07.01 | Vegetables, fresh or chilled: M. Tomatoes: I. From 1 November to 14 May: — From 15 November to 15 April |

Article 2

1. From 1 March to 15 April 1978, a Community tariff quota of 300 tonnes shall be opened in the Community for fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common

Customs Tariff, originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

2. Within this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at 4.4 % with a minimum charge of two units of account per 100 kilograms net weight.

3. The volume of the tariff quota referred to in paragraph 1 shall constitute a Community reserve.

4. 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.

5. The shares drawn pursuant to paragraph 4 shall be valid until 15 April 1978.

Article 3

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 cumulative portions of the Community quota.

2. Each Member State shall ensure that importers of the products concerned established in its 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 4

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 5

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

Article 6

The rules of origin applicable to the products imported under this Regulation shall be, respectively, those of Protocol 1 annexed to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and the methods of administrative cooperation, and those of Annex II to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾.

Article 7

This Regulation shall enter into force on 1 March 1978.

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

Done at Brussels, 28 February 1978.

For the Council

The President

P. DALSGER

⁽¹⁾ GEN O 41

COMMISSION REGULATION (EEC) No 465/78

of 6 March 1978

re-establishing the levying of customs duties on other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir falling within heading No ex 62.05 originating in developing countries to which the preferential tariff arrangements set out in Council 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) of that Regulation provides that customs duties may, for each category of products listed in Annex C to that Regulation, be suspended up to a Community ceiling equal to 87 % of the sum arrived at by adding together the tonnage of the products in question, imported into the Community in 1968 and coming from countries listed in Annex D, but not including products coming from countries already covered by various preferential tariff arrangements established by the Community, and 5 % of the 1970 tonnage of such imports coming from other countries and from countries already covered by such arrangements, 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 other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir, the ceiling, calculated as indicated above, should be 166 tonnes; whereas on 1 March 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 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 10 March 1978, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 2706/77, shall be re-established in respect of the following products, imported into the Community:

| CCT heading No | Description |
|----------------|--|
| 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 |

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, 6 March 1978.

For the Commission

Etienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 571/78

of 21 March 1978

on the system of import and export licences for beef and veal and repealing Regulation (EEC) No 585/77

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾, and in particular Articles 13 (4) (b), 14 (4) (c), 15 (2), 16 (4), 18 (6) and 25 thereof,

Having regard to Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽³⁾, as last amended by Regulation (EEC) No 3013/77⁽⁴⁾, and in particular Article 22 thereof,

Whereas, under the first subparagraph of Article 15 (1) of Regulation (EEC) No 805/68, products subject to levies may not be imported into the Community except on presentation of an import licence; whereas experience has shown the need to monitor the foreseeable trend of trade in all products in the beef and veal sector that are of special importance to the balance of this particularly sensitive market; whereas, therefore, for with a view to the more efficient management of the market, import licences should also be required for products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff, until export licences should be required for all products for which import licences are required;

Whereas special detailed rules for the application of the system of import and export licences in the beef and veal sector need to be adopted; whereas these rules either supplement or derogate from the provisions of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural

products⁽⁵⁾, as last amended by Regulation (EEC) No 1470/77⁽⁶⁾;

Whereas the general arrangements for duty-free importation of products of the beef and veal sector originating in and coming from the African, Caribbean and Pacific States or overseas countries and territories are laid down in Regulation (EEC) No 706/76; whereas duty-free importation of certain of these products is subject to annual quotas; whereas to enable the quantities imported under these arrangements to be monitored, provision should be made for a special entry on the import licence in respect of the nature and origin of the products in question;

Whereas the application of the special import arrangements for young male bovine animals for fattening and frozen beef for processing requires strict surveillance of imports and effective checks as to their use and destination; whereas the risk of deflection from such use or destination can be reduced if the import licence is made personal to the applicant;

Whereas Article 14 (3) (b) of Regulation (EEC) No 805/68 provides that the issue of import licences for frozen meat with exemption from levy may be made conditional on the production of a contract for the purchase of frozen meat held by an intervention agency; whereas these arrangements were introduced by Commission Regulation (EEC) No 2900/77 of 22 December 1977 laying down detailed rules for the sale of beef held by the intervention agencies to enable the import with total suspension of the levy of frozen beef and veal intended for processing⁽⁷⁾, as last amended by Regulation (EEC) No 148/78⁽⁸⁾;

Whereas no time limit is necessary for the issue of licences under these arrangements;

Whereas the wording of Article 11 (9), first subparagraph, and 11a (5), first subparagraph, of Commission Regulation (EEC) No 585/77 of 18 March 1977 on the system of import and export licences for beef and veal⁽⁹⁾, as last amended by Regulation (EEC) No 2901/77⁽¹⁰⁾, may give rise to difficulties of interpretation and should therefore be clarified;

⁽⁵⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 11.

⁽⁷⁾ OJ No L 338, 28. 12. 1977, p. 6.

⁽⁸⁾ OJ No L 22, 27. 1. 1978, p. 18.

⁽⁹⁾ OJ No L 75, 23. 3. 1977, p. 5.

⁽¹⁰⁾ OJ No L 338, 28. 12. 1977, p. 9.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁴⁾ OJ No L 355, 31. 12. 1977, p. 31.

Whereas this Regulation incorporates the provisions of Regulation (EEC) No 585/77, which should therefore be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

A licence shall be required for the import into the Community and export therefrom of any of the products referred to in Article 1(1)(a) of Regulation (EEC) No 805/68 and of any products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff.

Article 2

1. Import licences shall be valid from their date of issue within the meaning of Article 9(1) of Regulation (EEC) No 193/75 for:

- (a) 90 days for the following products originating in and coming from non-European third countries:
 - frozen meat,
 - products falling within subheading 16.02 B III b) 1 of the Common Customs Tariff;
- (b) 45 days for all products originating in and coming from non-European third countries other than those specified in (a);
- (c) 30 days for all products not meeting the conditions under (a) or (b).

2. Nevertheless, licences giving entitlement to one of the special import arrangements referred to in Article 13 or 14 of Regulation (EEC) No 805/68 shall be valid for 90 days from their actual date of issue.

3. Import licences with advance fixing of the levy shall be valid for 30 days from their date of issue within the meaning of Article 9(1) of Regulation (EEC) No 193/75.

Article 3

1. Export licences shall be valid for 90 days from their date of issue within the meaning of Article 9(1) of Regulation (EEC) No 193/75.

2. Export licences with advance fixing of the refund shall be valid from their date of issue within the meaning of Article 9(1) of Regulation (EEC) No 193/75 until the end of the second month following the month of issue.

Article 4

1. The amount of the security in respect of import licences shall be:

- (a) five units of account per head for live animals;
- (b) three units of account per 100 kilograms net for other products.

2. The amount of the security in respect of import licences with advance fixing of the levy shall be eight units of account per 100 kilograms net.

3. The amount of the security in respect of export licences shall be:

- (a) five units of account per head for live animals;
- (b) three units of account per 100 kilograms net for other products.

4. The amount of the security in respect of export licences with advance fixing of the refund shall be:

- (a) 12 units of account per head for live animals;
- (b) eight units of account per 100 kilograms net for other products.

Article 5

1. Where the refund for a product can be fixed in advance only for certain destinations, Section 13 of the application for a licence with advance fixing of the refund and of the licence itself shall be endorsed with the destination in question.

The licence shall carry with it an obligation to export the goods to this destination.

2. Furthermore, when advance fixing of the refund for certain or all destinations is possible only in respect of products covered by part of a subheading of the Common Customs Tariff, Section 12 of the licence application and of the licence itself shall give the description of that part of the subheading of the Common Customs Tariff, and the tariff number entered in Section 8 shall be preceded by the expression 'ex'.

The licence shall apply only to the product thus described.

3. Where the description of products according to the nomenclature used for refunds relates to products covered by two subheadings of the Common Customs Tariff, the licence shall be issued for both the subheadings concerned.

Article 6

1. Section 12 of the application for an import licence for the products referred to in Article 2(1)(a) and (b), other than those imported under the special import arrangements referred to in Article 2(2), and of the licence itself shall contain an asterisk corres-

ponding to those entered in Sections 13 and 14, followed by one of the following endorsements;

'Non-European third countries',
'Ikke-europæiske tredjelande',
'Nichteuropäische Drittländer',
'Pays tiers non européens',
'Paesi terzi non europei',
'Niet-Europese derde landen',

Every licence so endorsed shall carry with it an obligation to import from such a country.

2. Sections 13 and 14 of the application for an import licence with advance fixing of the levy as referred to in Article 16(2) of Regulation (EEC) No 805/68 and of the licence itself shall contain:

— either one of the following endorsements:

'Argentine',
'Argentina',
'Argentinien',
'Argentinië',

— or the following endorsement: 'Uruguay'.

The licence shall carry with it an obligation to import from the country in question.

Article 7

1. An application for an import licence in respect of products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 706/76 and, where appropriate, free of levies pursuant to Article 19 of that Regulation, and the licence itself shall contain:

(a) in Section 12, one of the following endorsements:

'ACP/OCT product (Regulation (EEC) No 706/76)',
'AVS/OLT-varer (forordning (EØF) nr. 706/76)',
'AKP/ÜLG-Erzeugnis (Verordnung (EWG) Nr. 706/76)',
'Produit ACP/PTOM (règlement (CEE) n° 706/76)',
'Prodotto ACP/PTOM (regolamento (CEE) n. 706/76)',
'ACS/LGO-produkt (Verordening (EEG) nr. 706/76)';

(b) in Section 14, the name of the state, country or territory in which the product originated.

2. Every import licence so endorsed shall carry with it an obligation to import under Regulation (EEC) No 706/76 from the state, country or territory entered thereon.

Article 8

In order to qualify for the special import arrangements referred to in Article 13 of Regulation (EEC) No 805/68:

- (a) the application for a licence shall relate to a quantity equal to or exceeding 50 animals;
- (b) Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'Young male bovine animals intended for fattening',
'Ungtyre bestemt til opfedning',
'Männliche, zum Masten bestimmte Jungrinder',
'Jeunes bovins mâles destinés à l'engraissement',
'Giovani bovini maschi destinati all'ingrasso',
'Jonge mannelijke runderen bestemd voor de mesterij'.

This endorsement shall be followed by:

— either, one of the following endorsements:

'weight per head not exceeding 300 kg',
'højeste vægt pr. dyr 300 kg',
'Stückgewicht höchstens 300 kg',
'poids par tête, jusqu'à 300 kg',
'peso per capo, fino a 300 kg',
'gewicht per dier, ten hoogste 300 kg';

— or, where a rate of suspension of the levy is laid down separately for each category of animal specified in Article 13(4) of Regulation (EEC) No 805/68, one of the following endorsements as appropriate:

'weight per head less than 80 kg' or 'weight per head 80 to less than 220 kg' or 'weight per head 220 to 300 kg',
'vægt pr. dyr under 80 kg' or 'vægt pr. dyr fra 80 til under 220 kg' or 'vægt pr. dyr 220 til 300 kg',
'Stückgewicht weniger als 80 kg' or 'Stückgewicht 80 bis weniger als 220 kg' or 'Stückgewicht 220 bis 300 kg',
'poids par tête inférieur à 80 kg' or 'poids par tête de 80 à moins de 220 kg' or 'poids par tête de 220 à 300 kg',
'peso per capo inferiore a 80 kg' or 'peso per capo da 80 a meno di 220 kg' or 'peso per capo da 220 a 300 kg',
'gewicht per dier minder dan 80 kg' or 'gewicht per dier 80 tot minder dan 220 kg' or 'gewicht per dier 220 tot en met 300 kg'.

The licence shall apply only to the product thus described;

(c) Section 20 of the licence shall contain one of the following endorsements:

'Levy reduced by ... %. Licence valid in respect of ... (quantity in figures and words) animals',
'Nedsættelse af importafgiften med ... %. Licens gyldig for ... dyr',

'Aussetzung der Abschöpfung in Höhe von ... v.H. Lizenz gültig für ... Tiere',
 'Prélèvement réduit de ... %. Certificat valable pour ... animaux',
 'Prelievo ridotto del ... %. Titolo valido per ... animali',
 'Heffing verminderd met ... %. Certificaat geldig voor ... dieren'.

The percentage reduction in the levy shall be that valid for the quarter in which the application for a licence is lodged.

Article 9

1. In order to qualify for the special import arrangements referred to in Article 14 (1)(a) of Regulation (EEC) No 805/68 :

(a) the licence application or applications lodged by any one applicant shall relate to a quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangement in question for the quarter during which the application is lodged; 100 kilograms of bone-in meat correspond to 77 kilograms of boned meat;

(b) Section 12 of the licence application and of the licence itself shall contain one of the following endorsements :

'Meat intended for the manufacture of preserved food — system (a) — at ...' (exact designation of establishment where manufacture is to take place),
 'Kød bestemt til fremstilling af konserver — ordning (a) — i ...',

'Fleisch zur Herstellung von Konserven bestimmt — Regelung (a) — bei ...',

'Viandes destinées à la fabrication de conserves — régime (a) — auprès de ...',

'Carni destinate alla fabbricazione di conserve — regime (a) — presso ...',

'Vlees bestemd voor de vervaardiging van conserven — regeling (a) — door ...';

(c) Section 20 of the licence shall contain one of the following endorsements :

'Levy suspended. Licence valid for ... (quantity in figures and words) kg',

'Importafgiften suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificaat geldig voor ... kg'.

2. Where the applicant has lodged several licence applications relating to products falling within

different subheadings of the Common Customs Tariff, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be carried over to one or more of the licences applied for, provided that the quantity covered by each licence is not exceeded.

Article 10

1. In order to qualify for the special import arrangements referred to in Article 14 (1)(b) of Regulation (EEC) No 805/68 :

(a) the licence application or applications lodged by any one applicant party shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application is lodged; 100 kilograms of bone-in meat correspond to 77 kilograms of boned meat;

(b) Section 12 of the licence application and of the licence itself shall contain one of the following endorsements :

'Meat intended for processing — system (b)',

Kød bestemt til forarbejdning — ordning (b)',

'Zur Verarbeitung bestimmtes Fleisch — Regelung (b)',

'Viandes destinées à la transformation — régime (b)',

'Carni destinate alla trasformazione — regime (b)',

'Vlees bestemd voor verwerking — regeling (b)';

(c) Section 20 of the licence shall contain one of the following endorsements :

'Levy reduced by ... %. Licence valid for ... (quantity in figures and words) kg',

'Nedsættelse af importafgiften med ... %. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung in Höhe von ... v.H. Lizenz gültig für ... kg',

'Prélèvement réduit de ... %. Certificat valable pour ... kg',

'Prelievo ridotto del ... %. Titolo valido per ... kg',

'Heffing verminderd met ... %. Certificaat geldig voor ... kg'.

The percentage reduction in the levy shall be that valid for the quarter in which the licence application is lodged.

2. Where the applicant has lodged several licence applications relating to products falling within different subheadings of the Common Customs Tariff, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest, two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be carried over to one or more of the licences applied for, provided that the quantity covered by each licence is not exceeded.

Article 11

1. Licence applications under Articles 8 to 10 may be lodged only during the first 10 days of each quarter. Applications shall be considered only if:

- (a) the special arrangements indicated therein are applicable on the day designated for the actual issue of the licences;
- (b) the applicant is a natural or legal person who for at least 12 months has been carrying on business in the meat and livestock sector and who, in the cases covered by Articles 9 and 10, is officially registered in a Member State;
- (c) the applicant declares and undertakes in writing that in respect of the current quarter he has not lodged and will not lodge any application under the same special arrangement in any Member State other than that where his present application is lodged; if an applicant lodges applications in respect of the same special arrangement in two or more Member States, no such application shall be considered;
- (d) in the case of applications under Article 9, the applicant proves to the satisfaction of the competent authority of the Member State where the application is lodged, that the person responsible for the factory indicated in the application has agreed to the manufacture in those premises of the preserved food in question.

2. On the 18th day of each quarter, the Member States shall before 4 p.m. communicate to the Commission by telex a list of applicants and quantities in respect of which applications have been lodged during the period referred to in paragraph 1, specifying the import arrangement concerned and, where appropriate, the categories of live weight and, in the case of applications under Article 9, the factories indicated in the applications.

If the day referred to in the preceding subparagraph is not a working day in a Member State, the communication shall be made by that Member State before 4 p.m. on the first working day thereafter.

3. Licences shall be issued on the 30th day of each quarter. However, if that day is not a working day in the Member State where the application was lodged, licences shall be issued on the first working day thereafter.

4. The quantities applied for may be reduced.

5. For each of the arrangements referred to in Articles 8 to 10 all applications from any one applicant shall be regarded as a single application.

6. The security shall be released forthwith in respect of any quantity for which the application is not granted.

7. When the quantity for which applications have been lodged during the period referred to in paragraph 1 is less than the quantity laid down for the quarter in question, it may be decided that further applications for licences may be lodged during one or more periods within that quarter. In that case new dates shall be fixed for the communication referred to in paragraph 2 and for the issue of licences.

8. By way of derogation from Article 3 of Regulation (EEC) No 193/75, the rights arising from the import licences referred to in Articles 8 to 10 shall not be transferable.

9. When lodging applications for licences under Articles 8 to 10, the applicant shall undertake in writing either to carry out himself, or to have carried out under his responsibility, in the Member State where the application is lodged and where the goods will be put into free circulation, the following operations, as appropriate:

- (a) the fattening referred to in Article 13 of Regulation (EEC) No 805/68;
- (b) the processing referred to in Article 14(1)(a) thereof;
- (c) the processing referred to in Article 14(1)(b) thereof.

The applicant shall further undertake in writing either to carry out himself or have carried out under his responsibility, in the establishment designated in his application in accordance with Article 9(1)(b), the processing referred to in (b) above.

10. For purposes of the first subparagraph of paragraph 9(1), Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

- 'Licence valid ...' (issuing Member State),
- 'Licens gyldig i ...',
- 'Lizenz gültig in ...',
- 'Certificat valable en ...',
- 'Titolo valido in ...',
- 'Certificaat geldig in ...'.

Article 12

1. In order to qualify for the special import arrangements provided for in Article 14 (3)(b) of Regulation (EEC) No 805/68 :

- (a) all licence applications submitted by any one applicant shall be accompanied by the original of a purchase contract for frozen beef held by an intervention agency, entered into in accordance with Regulation (EEC) No 2900/77 during the quarter in which the application is made, and by proof that the purchase price shown in the contract has been paid ; the name of the applicant shall be that entered as the purchaser in the contract ;
- (b) the licence application and the licence itself shall relate to products listed in the Annex and shall comply with the limits laid down therein ;
- (c) the licence application and the licence itself shall contain the endorsements laid down in :
 - Article 9 (1)(b) or 10 (1)(b), depending on the endorsement on the purchase contract pursuant to Article 7 of Regulation (EEC) No 2900/77, and
 - Article 11 (10) ;
- (d) the licence shall contain one of the endorsements laid down in Article 9 (1)(c).

2. Licence applications shall be considered only if :

- (a) the applicant is a natural or legal person who for at least 12 months has been carrying on business in the meat and livestock sector and is officially registered in a Member State ;
- (b) in the case of an application under Article 9, the applicant proves to the satisfaction of the competent authorities of the Member State where the application is lodged that the person responsible for the establishment indicated in the application has agreed to the manufacture on those premises of the preserved food in question.

3. Each purchase contract as referred to in paragraph 1 (a) may be used in a single Member State only for purposes of one or more licence applications, submitted either simultaneously or consecutively, up to the limits referred to in paragraph 1 (b).

4. By way of derogation from Article 3 of Regulation (EEC) No 193/75, the rights arising from import licences shall not be transferable.

5. When lodging an application for a licence the applicant shall undertake in writing either to carry out himself, or to have carried out under his responsibility, in the Member State where the application is lodged and where the goods will be put into free circulation, the following operations, as appropriate :

- (a) the processing referred to in Article 14 (1)(a) of Regulation (EEC) No 805/68 ;
- (b) the processing referred to in Article 14 (1)(b) thereof.

The applicant shall further undertake in writing either to carry out himself or to have carried out under his responsibility, in the establishment designated in his application in accordance with Article 9 (1)(b), the processing referred to in (a).

6. Licences shall be issued to applicants forthwith.

7. On the issue of each import licence, there shall be entered on the original of the purchase contract the quantity of meat in respect of which that contract still gives the purchaser entitlement to an import licence. When this quantity has been used up, the licensing body shall delete the endorsement made on the original of the contract pursuant to Article 7 of Regulation (EEC) No 2900/77.

Article 13

On the first, 11th and 21st day of each month Member States shall communicate to the Commission, by product, the quantities in respect of which, during the 10 days preceding the date of such communication, they issued :

- (a) import licences, giving separate figures for each of the categories specified in Article 2 (1)(a), (b) and (c) ;
- (b) import licences, giving separate figures for each state, country or territory or origin as referred to in Article 7 (1)(b) ;
- (c) import licences with advance fixing of the levy, giving separate figures for each country of origin as referred to in Article 6 (2) ;
- (d) export licences with advance fixing of the refund, specifying the destination of the products where Article 5 (1) applies ;
- (e) other export licences.

Article 14

1. Regulation (EEC) No 585/77 is hereby repealed.

2. Any reference to Regulation (EEC) No 585/77 or to Articles contained therein in any Community Act shall be construed as references to this Regulation or to the corresponding Articles of this Regulation.

Article 15

This Regulation shall enter into force on 1 April 1978.

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

ANNEX

Products and quantities to be imported on presentation of a purchase contract for meat held by an intervention agency

| CCT heading No | Description | Quantities in kilograms which may be imported for every kilogram of unboned frozen meat bought from the intervention agencies | Quantities in kilograms which may be imported for every kilogram of boneless frozen meat bought from the intervention agencies |
|----------------|--|---|--|
| 1 | 2 | 3 | 4 |
| ex 02.01 | <p>Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh chilled or frozen :</p> <p>A. Meat :</p> <p>II. Of bovine animals :</p> <p>b) Frozen :</p> <p>2. Separated or unseparated forequarters</p> <p>4. Other :</p> <p>bb) Boned or boneless :</p> <p>11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; compensated quarters in two blocks one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece</p> <p>22. Crop, chuck and blade brisket cuts (e)</p> <p>33. Other</p> | <p>1-00</p> <p>0-77</p> <p>0-77</p> <p>0-46</p> | <p>1-30</p> <p>1-00</p> <p>1-00</p> <p>0-60</p> |

(e) Entry under this subheading is subject to the production of a licence issued in accordance with the conditions laid down by the competent authorities of the European Communities

COUNCIL REGULATION (EEC) No 595/78

of 20 March 1978

extending Regulation (EEC) No 744/77 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States that have signed Accession Agreements to that Convention

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 Agreements of Accession to the ACP-EEC Convention of Lomé, in accordance with Article 90 thereof, were signed between the European Economic Community and the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea on 28 March 1977;

Whereas, when these Agreements were signed, the Community and the States concerned agreed in exchanges of letters to apply unilaterally certain provisions of the ACP-EEC Convention of Lomé relating to trade, in accordance with the arrangements laid down in the Accession Agreements;

Whereas, in order to give effect to the abovementioned exchanges of letters, the Council adopted on 5

April 1977 Regulation (EEC) No 744/77 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade;

Whereas the procedures of ratification of the Accession Agreements were not completed by the Member States by 31 December 1977;

Whereas the period of validity of Regulation (EEC) No 744/77 should therefore be extended beyond 31 December 1977,

HAS ADOPTED THIS REGULATION:

Article 1

In the second paragraph of Article 3 of Regulation (EEC) No 744/77, '31 December 1977' shall be replaced by '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*.

It shall apply with effect from 1 January 1978.

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

Done at Brussels, 20 March 1978.

For the Council

The President

K. HEINESEN

31. 3. 78

Official Journal of the European Communities

No L 84/15

COMMISSION REGULATION (EEC) No 622/78
of 30 March 1978

amending Regulation (EEC) No 3376/75 as regards the calculation of the amounts by which import charges on beef and veal products originating in the African, Caribbean and Pacific States are reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 129 on the value of the unit of account and on the exchange rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2543/73⁽²⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 3376/75 of 23 December 1975, as last amended by Regulation (EEC) No 2771/77, laid down the detailed rules for the application of Regulation (EEC) No 3328/75;

Whereas at present the calculation of the amounts by which the import charges on the products in question are reduced is based only on two Community regions; whereas in view of the movement of the currencies of the various Member States, the amount by which the import charges are reduced should in future be calculated separately for each Member State on the basis of the monetary compensatory amount applicable to imports in the Member State concerned;

Whereas the reduction consists of levy and monetary compensatory amount components; whereas, moreover, the fixing of the reduction in units of account may create problems, especially for the exporting country as regards the exchange rate to be used; whereas consequently the amount by which the charges are reduced should be fixed in national currency for each Member State of destination;

Whereas it appears useful to outline the manner in which the amount to be actually levied on imports is calculated;

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

Whereas the amount by which the import charges are reduced is fixed quarterly; whereas this amount may vary during the time of transportation to the Community; whereas at the time of export the exporting country, when calculating the export tax to be levied, can only base itself on the reduction in force; whereas the export tax must be compared to the reduction applicable at the time of export;

Whereas the amount representing import charges is that applicable on the day of acceptance of the declaration of putting into free circulation; whereas these charges are reduced by the reduction applicable on that date;

Whereas the Monetary Committee will be consulted; whereas, in view of their urgency, the measures proposed should be adopted in accordance with the conditions laid down in Article 3 (2) of Regulation No 129;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EEC) No 3376/75 is hereby amended to read as follows:

Article 4

1. The amount provided for in Article 1 (1) of Regulation (EEC) No 3328/75 for each product intended for importation into a Member State shall be equal to 90 % of the amount resulting from the levy corrected, as appropriate, by the monetary compensatory amount valid for imports into that Member State during the week preceding that in which the quarter for which the reduction is calculated begins.

The reduction shall be fixed for each Member State in its national currency.

2. The reduction shall be deducted from the levy valid on the day on which the customs import formalities are completed in the Member State concerned, corrected in advance, where appropriate, by the monetary coefficient listed in Annex II to the Commission Regulation fixing the monetary compensatory amounts and by the monetary compensatory amount valid in the Member State concerned on the same date.'

Article 2

Article 5 of Regulation (EEC) No 3376/75 is hereby amended to read as follows :

'Article 5

1. The import charges shall be reduced by the amount fixed in accordance with Article 4 only if :

- (a) an export tax at least equal to the amount fixed pursuant to Article 4 has been levied ;
- (b) the model of the EUR.1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the Convention of Lomé indicates :
 - in box 7, the amount of the export tax levied per 100 kilograms,
 - in box 8, the subheading of the Common Customs Tariff for the product in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. When the customs import formalities for putting into free circulation are completed, the amount of the export tax levied per 100 kilograms shall for the importing Member State be compared to the amount fixed in accordance with Article 4 which was applicable at the time when the EUR.1 certificate for the movement of goods was issued.

If the amount of the export tax levied is expressed in a currency other than that of the importing Member State, the exchange rate used shall be the most recent selling rate recorded on the most representative exchange market or markets of that Member State.

The export tax levied shall be considered as corresponding to the amount fixed in accordance with Article 4 when the comparison shows that the export tax expressed in the currency of the importing Member State is not lower than the said amount.

3. The amount by which the import charges shall be reduced shall be that applicable on the date on which the declaration of putting into free circulation is accepted.

4. The application of this Regulation may in no event give rise to the granting of an amount.'

Article 3

This Regulation shall enter into force on 1 April 1978.

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

Done at Brussels, 30 March 1978.

For the Commission

Finn GUNDELACH

Vice-President

1. 4. 78

Official Journal of the European Communities

No L 86/39

COMMISSION REGULATION (EEC) No 650/78
of 30 March 1978

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal ; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 622/78,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the second quarter of 1978, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1978.

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

Done at Brussels, 30 March 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| Numero du tarif douanier commun CCT heading No Nr des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Deutschland DM/100 kg | Belgique/ Luxembourg FB/Flux/100 kg | Nederland Fl/100 kg | United Kingdom £/100 kg | Ireland £/100 kg | Italia Lit/100 kg | France FF/100 kg | Danmark Dkr./100 kg |
|--|--------------------------|---|------------------------|-------------------------------|---------------------|----------------------|---------------------|------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 01.02 A II | 182,40 | 2 520,08 | 173,76 | 24,707 | 35,723 | 47 491 | 252,77 | 432,79 |
| 02.01 A II a) 1 | 346,57 | 4 788,14 | 330,16 | 46,941 | 67,873 | 90 232 | 480,24 | 822,29 |
| 02.01 A II a) 2 | 277,25 | 3 830,49 | 264,11 | 37,553 | 54,298 | 72 185 | 384,19 | 657,83 |
| 02.01 A II a) 3 | 415,88 | 5 745,73 | 396,18 | 56,330 | 81,446 | 108 277 | 576,29 | 986,74 |
| 02.01 A II a) 4 aa) | 498,07 | 7 123,43 | 491,18 | 84,551 | 105,397 | 152 513 | 830,18 | 1 233,44 |
| 02.01 A II a) 4 bb) | 569,65 | 8 147,96 | 561,83 | 96,764 | 120,572 | 174 512 | 949,99 | 1 410,88 |
| 02.01 A II b) 1 | 382,71 | 5 406,40 | 372,78 | 60,233 | 78,809 | 110 862 | 599,11 | 933,43 |
| 02.01 A II b) 2 | 306,17 | 4 325,16 | 298,23 | 48,188 | 63,048 | 88 691 | 479,30 | 746,75 |
| 02.01 A II b) 3 | 478,39 | 6 757,98 | 465,98 | 75,291 | 98,511 | 138 577 | 748,89 | 1 166,79 |
| 02.01 A II b) 4 aa) | 554,69 | 8 057,35 | 555,57 | 102,927 | 121,406 | 181 561 | 996,35 | 1 400,15 |
| 02.01 A II b) 4 bb) 11 | 478,39 | 6 757,98 | 465,98 | 75,291 | 98,511 | 138 577 | 748,89 | 1 166,7 |
| 02.01 A II b) 4 bb) 22 (1) | 478,39 | 6 757,98 | 465,98 | 75,291 | 98,511 | 138 577 | 748,89 | 1 166,7 |
| 02.01 A II b) 4 bb) 33 | 640,04 | 9 249,88 | 637,79 | 115,423 | 138,552 | 205 034 | 1 122,29 | 1 605,50 |
| 02.06 C I a) 1 | 498,07 | 7 123,43 | 491,18 | 84,551 | 105,397 | 152 513 | 830,18 | 1 233,44 |
| 02.06 C I a) 2 | 569,65 | 8 147,96 | 561,83 | 96,764 | 120,572 | 174 512 | 949,99 | 1 410,88 |
| 16.02 B III b) 1 aa) | 569,65 | 8 147,96 | 561,83 | 96,764 | 120,572 | 174 512 | 949,99 | 1 410,88 |

(1) L'admission dans cette sous-position est subordonnée a la présentation d'un certificat delivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COMMISSION DECISION

of 19 April 1978

fixing the quantities of beef and veal products originating in Kenya and Madagascar in view of the issue of import licences in May 1978

(78/434/EBC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 3 thereof,

Having regard to Commission Regulation (EEC) No 3376/75 of 23 December 1975 laying down rules for the application of Council Regulation (EEC) No 3328/75, as last amended by Regulation (EEC) No 622/78, and in particular the second subparagraph of Article 2 (2) thereof,

Whereas Regulation (EEC) No 3328/75 provides for the possibility of issuing import licences for beef and veal products;

Whereas, during the period 1 to 10 April 1978, no application for licences has been submitted; whereas it is possible, therefore, to fix the remaining quantities

for which applications may be submitted from 1 May 1978,

HAS ADOPTED THIS DECISION :*Article 1*

Applications for licences may be submitted, in accordance with Article 2 (3) of Regulation (EEC) No 3376/75, during the first 10 days of May 1978 for the following quantities of boned beef and veal :

| | |
|------------|-----------------|
| Kenya | 130.0 tonnes, |
| Madagascar | 6 878.9 tonnes. |

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 April 1978.

For the Commission

Finn GUNDELACH

Vice-President

**COMMISSION REGULATION (EEC) No 1051/78
of 19 May 1978**

derogating from Regulation (EEC) No 3376/75 as regards the calculation of the amount of the reduction of import charges for beef and veal products from the African, Caribbean and Pacific States for the period beginning 22 May 1978

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 3 (2) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 laying down rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 622/78, stipulates that the amount of the reduction of the import charges referred to in Article 1 (1) of Regulation (EEC) No 3328/75 shall be calculated taking into account the levies and the monetary compensatory amounts that are valid during the week preceding that in which commences the quarter for which the amount of the reduction is calculated;

Whereas Article 3 (2) of Regulation (EEC) No 3328/75 provides for a possible derogation from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially

when the transition from one marketing year to the next makes it necessary; whereas it is important to take into account the levies and monetary compensatory amounts calculated on the basis of the new price;

Whereas the beginning of the 1978/79 marketing year has been fixed for 22 May 1978 by Council Regulation (EEC) No 909/78 of 27 April 1978 extending the 1977/78 marketing year for beef and veal (4);

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 of Regulation (EEC) No 3376/75, the amount of the reduction of import charges for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 1 (1) of Regulation (EEC) No 3328/75, shall be fixed for the period beginning 22 May 1978 and calculated on the basis of the levies and monetary compensatory amounts applicable from that date.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

(4) OJ No L 117, 29. 4. 1978, p. 83.

COMMISSION REGULATION (EEC) No 1053/78
of 19 May 1978
fixing the amounts by which import charges on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African,

Caribbean and Pacific States, as last amended by Regulation (EEC) No 622/78, ; whereas, however, pursuant to Commission Regulation (EEC) No 1051/78 of 19 May 1978 the levies and compensatory amounts used for calculating that reduction are to be those in force on 22 May 1978,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations from 22 May to 30 June 1978, be as shown in the Annex hereto,

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 19 May 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGI — BILAG

| Numero di tariffa doganiera comune CCI heading No Nr. de Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Deutschland DM/100 kg | Belgique Luxembourg FB Flux/100 kg | Nederland fl/100 kg | United Kingdom £ (f)/100 kg | Irland £ (f)/100 kg | Italia Lit/100 kg | France FF/100 kg | Danimark dkr/100 kg |
|--|--------------------------|--|------------------------|--------------------------------|------------------------|----------------------|---------------------|------------------------|
| 01 02 A II | 191,95 | 2 674,88 | 184,44 | 27,286 | 41,393 | 57 003 | 309,87 | 459,77 |
| 02.01 A II a) 1 | 364,70 | 5 082,28 | 350,43 | 51,843 | 78,647 | 108 306 | 588,76 | 873,56 |
| 02.01 A II a) 2 | 291,76 | 4 065,87 | 280,35 | 41,476 | 62,917 | 86 646 | 471,02 | 698,85 |
| 02.01 A II a) 3 | 437,64 | 6 098,75 | 420,53 | 62,213 | 94,375 | 129 968 | 706,52 | 1 048,27 |
| 02.01 A II a) 4 aa) | 525,69 | 7 563,22 | 521,50 | 93,201 | 119,893 | 173 736 | 938,55 | 1 310,35 |
| 02.01 A II a) 4 bb) | 610,91 | 8 678,30 | 598,39 | 99,677 | 136,276 | 193 665 | 1 048,68 | 1 498,84 |
| 02.01 A II b) 1 | 398,85 | 5 668,03 | 390,83 | 65,243 | 89,031 | 126 599 | 685,47 | 979,03 |
| 02.01 A II b) 2 | 319,08 | 4 534,45 | 312,66 | 52,195 | 71,225 | 101 279 | 548,38 | 783,23 |
| 02.01 A II b) 3 | 480,56 | 7 085,05 | 488,53 | 81,554 | 111,289 | 158 248 | 856,84 | 1 223,78 |
| 02.01 A II b) 4 aa) | 579,28 | 8 448,52 | 582,54 | 111,595 | 135,257 | 199 928 | 1 077,48 | 1 468,55 |
| 02.01 A II b) 4 bb) 11 | 498,56 | 7 085,05 | 488,53 | 81,554 | 111,289 | 158 248 | 856,84 | 1 223,78 |
| 02.01 A II b) 4 bb) 22 (1) | 498,56 | 7 085,05 | 488,53 | 81,554 | 111,289 | 158 248 | 856,84 | 1 223,78 |
| 02.01 A II b) 4 bb) 33 | 668,16 | 9 698,64 | 668,74 | 125,123 | 154,741 | 227 175 | 1 225,31 | 1 683,93 |
| 02.06 C. I a) 1 | 525,69 | 7 563,22 | 521,50 | 93,201 | 119,893 | 173 736 | 938,55 | 1 310,35 |
| 02.06 C. I a) 2 | 601,25 | 8 651,02 | 596,51 | 106,664 | 137,147 | 198 769 | 1 073,75 | 1 498,84 |
| 16 02 B III b) 1 aa) | 601,25 | 8 651,02 | 596,51 | 106,664 | 137,147 | 198 769 | 1 073,75 | 1 498,84 |

a) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

c) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

d) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

e) Inleiding onder deze onderschikking is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

f) Hentning under denne underposition er betinget af, at der fremlægges en bevis, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

**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 1198/78
of 30 May 1978**

amending Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, as regards the list of the countries and territories

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 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⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Regulation (EEC) No 706/76 laid down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the Territory of the Afars and Issas, which is listed among the countries and territories in Annex I to that Regulation, has attained independence as the Republic of Jibuti;

Whereas that State acceded to the ACP-EEC Convention of Lomé⁽³⁾ on 2 February 1978, thus becoming one of the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I to that Regulation should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The words 'Territory of the Afars and Issas' shall be deleted from Annex I to Regulation (EEC) No 706/76.

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, 30 May 1978.

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

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 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 (Agave sisalana) | 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 3.94 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 Benelux France Italy Denmark Ireland United Kingdom | 108.54 40.20 76.38 56.28 28.14 4.02 88.44 |
| 24 | 61.01 | Men's and boys' outer garments | 422 | 30 | 10 for — Korea (South) — Yugoslavia | Germany Benelux France Italy Denmark Ireland United Kingdom | 113.94 42.20 80.18 59.08 29.54 4.22 92.84 |
| 25 | 61.02 | Women's, girls' and infants' outer garments | 330.50 | 30 | 10 for — Korea (South) — Yugoslavia | Germany Benelux France Italy Denmark Ireland United Kingdom | 89.23 33.06 62.80 46.27 23.13 3.30 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 Benelux France Italy Denmark Ireland United Kingdom | 100.57 37.24 70.77 52.14 26.07 3.76 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. | CCT 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) | |
| | | | | | | | | (a) | (b) |
| 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 | 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) |
| 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 (woollen 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 mentioned.

⁽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 '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 '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 | OCT 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 hose-piping 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 | |
| 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 '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

- 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 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 1227/78

of 6 June 1978

on the opening, allocation and administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1978/79)

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 under the ACP-EEC Convention of Lomé signed on 28 February 1975, and in particular under Protocol 7 thereto, products originating in the ACP States which fall within tariff subheading 22.09 C I (rum, arrack; tafia), shall, until the entry into force of a common organization of the market in spirits, be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available, the size of the tariff quota for the period 1 July 1978 to 30 June 1979 should be fixed at 161 807 hectolitres of pure alcohol;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the

quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

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 share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1978 until 30 June 1979 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 161 807 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 116 957 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 44 850 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

| | |
|-----------|-----------------------------|
| | <i>(hl of pure alcohol)</i> |
| Benelux : | 6 000 |
| Denmark : | 3 698 |
| Germany : | 24 706 |
| France : | 9 022 |
| Ireland : | 1 000 |
| Italy : | 424 |

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.
2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, declared at customs for clearance for home use.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-BEC Convention of Lomé⁽¹⁾ shall apply in respect of the products covered by this Regulation.

Article 7

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, 6 June 1978.

For the Council

The President

K. B. ANDERSEN

⁽¹⁾ OJ No L 18, 27. 1. 1976, p. 1.

**COMMISSION REGULATION (EEC) No 1510/78
of 29 June 1978**

**fixing the amounts by which import charges on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3328/75 of 18 December 1975 renewing the arrange-
ments for the reduction of import charges on beef and
veal products originating in the African, Caribbean
and Pacific States, as last amended by Regulation
(EEC) No 2570/77, and in particular Article 1
thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75
provides for a 90 % reduction in the import charges
on beef and veal; whereas the amount of this reduc-
tion must be calculated in conformity with Article 4
of Commission Regulation (EEC) No 3376/75 of 23
December 1975 on detailed rules for the application

of Council Regulation (EEC) No 3328/75 renewing
the arrangements for the reduction of import charges
on beef and veal products originating in the African,
Caribbean and Pacific States, as last amended by
Regulation (EEC) No 622/78,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and
veal are to be reduced pursuant to Article 1 (1) of
Regulation (EEC) No 3328/75 shall, in respect of
importations during the third quarter of 1978, be as
shown in the Annex hereto.

Article 2

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, 29 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| Numéro du tarif douanier commun CCT heading No Nr des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Deutschland DM/100 kg | Belgique Luxembourg FB/Flux/100 kg | Nederland Fl/100 kg | United Kingdom £ (E)/100 kg | Ireland £ (I)/100 kg | Italia Lit/100 kg | France FF/100 kg | Danmark dkr/100 kg |
|--|--------------------------|--|------------------------|--------------------------------|-------------------------|----------------------|---------------------|-----------------------|
| 01 02 A II | 191,95 | 2 674,88 | 184,44 | 27,286 | 41,393 | 57 003 | 309,87 | 459,77 |
| 02.01 A II a) 1 | 364,70 | 5 082,28 | 350,43 | 51,843 | 78,647 | 108 306 | 588,76 | 875,56 |
| 02.01 A II a) 2 | 291,76 | 4 065,87 | 280,35 | 41,476 | 62,917 | 86 646 | 471,02 | 698,85 |
| 02.01 A II a) 3 | 437,64 | 6 098,75 | 420,53 | 62,213 | 94,375 | 129 968 | 706,52 | 1 048,27 |
| 02.01 A II a) 4 aa) | 525,69 | 7 563,22 | 521,50 | 93,201 | 119,893 | 173 736 | 938,55 | 1 310,35 |
| 02.01 A II a) 4 bb) | 610,91 | 8 678,30 | 598,39 | 99,677 | 136,276 | 193 665 | 1 048,68 | 1 498,84 |
| 02.01 A II b) 1 | 398,85 | 5 668,03 | 390,83 | 65,243 | 89,031 | 126 599 | 685,47 | 979,03 |
| 02.01 A II b) 2 | 319,08 | 4 534,45 | 312,66 | 52,195 | 71,225 | 101 279 | 548,38 | 783,23 |
| 02.01 A II b) 3 | 480,56 | 7 085,05 | 488,53 | 81,554 | 111,289 | 158 248 | 856,84 | 1 223,78 |
| 02.01 A II b) 4 aa) | 579,28 | 8 448,52 | 582,54 | 111,595 | 135,257 | 199 928 | 1 077,48 | 1 468,55 |
| 02.01 A II b) 4 bb) 11 | 498,56 | 7 085,05 | 488,53 | 81,554 | 111,289 | 158 248 | 856,84 | 1 223,78 |
| .01 A II b) 4 bb) 22 (1) | 498,56 | 7 085,05 | 488,53 | 81,554 | 111,289 | 158 248 | 856,84 | 1 223,78 |
| .01 A II b) 4 bb) 33 | 668,16 | 9 698,64 | 668,74 | 125,123 | 154,741 | 227 175 | 1 225,31 | 1 683,93 |
| 02.06 C I a) 1 | 525,69 | 7 563,22 | 521,50 | 93,201 | 119,893 | 173 736 | 938,55 | 1 310,35 |
| 02.06 C I a) 2 | 601,25 | 8 651,02 | 596,51 | 106,664 | 137,147 | 198 769 | 1 073,75 | 1 498,84 |
| 16.02 B III b) 1 aa) | 601,25 | 8 651,02 | 596,51 | 106,664 | 137,147 | 198 769 | 1 073,75 | 1 498,84 |

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen

(1) Hentværel under denne underposition er betinget af at der fremlægges et licens der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber

COMMISSION DECISION

of 13 September 1978

amending Council Decision 78/642/EEC on health protection measures in respect of the Republic of Botswana

(78/771/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 77/98/EEC⁽²⁾, and in particular Article 15 thereof,

Whereas, since the Standing Veterinary Committee has not given its assent, the Commission is unable to adopt the provisions which it had proposed in this matter, in accordance with the procedure laid down in Article 29 of Directive 72/462/EEC, regarding imports into Member States of fresh meat from the Republic of Botswana; whereas, since no assent had been given, the Commission presented a proposal to the Council on the measures to be taken; whereas the Council adopted the measures in Decision 78/642/EEC of 25 July 1978;

Whereas the Council Decision referred to above, taking into account the health situation in the Republic of Botswana and the measures adopted by the authorities of that country to combat foot-and-mouth disease and to prevent the disease spreading into other uncontaminated areas, permitted Member States to import into their territory, under certain conditions and from specified districts, fresh meat from that country;

Whereas, according to the information received from the authorities of the Republic of Botswana, the north-eastern zone has been separated from the zone immediately adjacent since May 1978; whereas these two zones have remained free of foot-and-mouth disease; whereas, consequently, the possibility of exporting fresh meat to Member States should be extended to include meat from the north-east area of the Republic of Botswana which has been free of the disease for many years, while retaining a buffer-zone free of the disease between that area and the contaminated zones;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

HAS ADOPTED THIS DECISION:

Article 1

Decision 78/642/EEC is hereby amended as follows:

1. Article 1 shall read:

'The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the following districts of the Republic of Botswana: Kwaneng, Kgatlend, South-East, Southern, Kgalagadi or to that part of the country to the east of the railway line connecting Dibete and the Rhodesian border.'

2. In the first sentence of Article 2, after the words 'originating in the districts' the words 'or part of the country referred to in Article 1 and' shall be inserted.

3. In Point IV of the Animal Health Certificate set out in the Annex:

(a) in paragraph 1 (a):

— the first indent shall read:

'were born and reared in the Republic of Botswana and which:

— since October 1977 or since birth, have remained in one or more of the following districts: Kwaneng, Kgatlend, South-East, Southern, Kgalagadi

or

— since May 1978 or since birth, have remained in that part of the country to the east of the railway line connecting Dibete and the Rhodesian border,

those areas having been free of exotic foot-and-mouth disease for at least the past 12 months;

— in the fourth indent, the expression 'Council Decision 78/642/EEC' is replaced by 'the Decisions of the European Economic Community currently in force';

— at the end of the fourth indent, the following is added:

'and, in the case of animals from that part of the country to the east of the railway line connecting Dibete and the Rhodesian border, were transported from that area to the slaughterhouses by road or by rail and that these bovine animals, in the 24 hours prior to loading, were subjected by a veterinarian to a clinical examination during which no symptom of foot-and-mouth disease was found;'

- (b) in paragraph 1 (c) the expression 'in Council Decision 78/642/EEC' is replaced by 'in the Decisions of the European Economic Community currently in force'.
(c) point (e) shall read: 'originates from carcasses which were matured at a room

temperature of more than + 2 °C for at least 24 hours before de-boning'.

- (d) in paragraph 2 the expression 'in Council Decision 78/642/EEC' is replaced by 'in the Decisions of the European Economic Community currently in force'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 September 1978.

For the Commission

Finn GUNDELACH

Vice-President

30. 9. 78

Official Journal of the European Communities

No L 275/81

COMMISSION REGULATION (EEC) No 2289/78**of 29 September 1978****fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3376/75 of 23 December 1975 on detailed rules for the application of Council Regulation (EEC) No 3328/75 renewing

the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 622/78,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the fourth quarter of 1978, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1978.

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

Done at Brussels, 29 September 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

| Numéro du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif | Deutschland DM/100 kg | Belgique Luxembourg FB/Flux/100 kg | Nederland Fl/100 kg | United Kingdom £ (E)/100 kg | Ireland £ (I)/100 kg | Italia Lit/100 kg | France FF/100 kg | Danmark dkr/100 kg |
|---|--------------------------|--|------------------------|--------------------------------|-------------------------|----------------------|---------------------|-----------------------|
| 01.02 A II | 191,95 | 2 674,88 | 184,44 | 27,818 | 42,233 | 56 562 | 315,33 | 459,77 |
| 02.01 A II a) 1 | 364,70 | 5 082,28 | 350,43 | 52,855 | 80,244 | 107 469 | 599,14 | 873,56 |
| 02.01 A II a) 2 | 291,76 | 4 065,87 | 280,35 | 42,285 | 64,195 | 85 976 | 479,31 | 698,85 |
| 02.01 A II a) 3 | 437,64 | 6 098,75 | 420,53 | 63,427 | 96,293 | 128 965 | 718,97 | 1 048,27 |
| 02.01 A II a) 4 aa) | 525,69 | 7 563,22 | 521,50 | 93,502 | 120,366 | 173 488 | 941,62 | 1 310,35 |
| 02.01 A II a) 4 bb) | 610,91 | 8 678,30 | 598,39 | 100,567 | 137,682 | 192 929 | 1 057,81 | 1 498,84 |
| 02.01 A II b) 1 | 398,85 | 5 668,03 | 390,83 | 65,813 | 89,932 | 126 126 | 691,33 | 979,03 |
| 02.01 A II b) 2 | 319,08 | 4 534,45 | 312,66 | 52,651 | 71,946 | 100 902 | 553,06 | 783,23 |
| 02.01 A II b) 3 | 480,56 | 7 085,05 | 488,53 | 82,266 | 112,415 | 157 658 | 864,15 | 1 223,78 |
| 02.01 A II b) 4 aa) | 579,28 | 8 448,52 | 582,54 | 111,367 | 134,899 | 200 115 | 1 075,15 | 1 468,55 |
| 02.01 A II b) 4 bb) 11 | 498,56 | 7 085,05 | 488,53 | 82,266 | 112,415 | 157 658 | 864,15 | 1 223,78 |
| 2.01 A II b) 4 bb) 22 (*) | 498,56 | 7 085,05 | 488,53 | 82,266 | 112,415 | 157 658 | 864,15 | 1 223,78 |
| 2.01 A II b) 4 bb) 33 | 668,16 | 9 698,64 | 668,74 | 125,087 | 154,683 | 227 206 | 1 224,95 | 1 683,93 |
| 02.06 C I a) 1 | 525,69 | 7 563,22 | 521,50 | 93,502 | 120,366 | 173 488 | 941,62 | 1 310,35 |
| 02.06 C I a) 2 | 601,25 | 8 651,02 | 596,51 | 107,003 | 137,682 | 198 488 | 1 077,23 | 1 498,84 |
| 16.02 B III b) 1 aa) | 601,25 | 8 651,02 | 596,51 | 107,003 | 137,682 | 198 488 | 1 077,23 | 1 498,84 |

(*) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(*) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(*) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(*) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(*) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(*) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

20. 10. 78

Official Journal of the European Communities

No L 295/9

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;

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

Done at Brussels, 18 October 1978.

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*.

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

Etienne DAVIGNON

Member of the Commission

20. 10. 78

Official Journal of the European Communities

No L 295/11

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

COUNCIL REGULATION (EEC) No 2459/78

of 16 October 1978

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories (1978/79)

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 1 of Council Regulation (EEC) No 430/78, provides for the opening by the Community of a Community tariff quota of 1 000 tonnes of fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories; whereas the quota period runs from 15 November 1978 to 15 April 1979; whereas the customs duty applicable to the quota is set at 4.4 %, with a minimum charge of two units of account per 100 kilograms net weight; whereas the Community tariff quota in question should therefore be opened;

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 rate laid down for that quota to all imports of the products in question 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 tariff quota among the Member States; whereas, to reflect most accurately the actual development of the market in the products in question, 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 the countries in question over a representative reference period and to the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics for the products in question are

available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volume should be allocated in initial shares, which take into account demand for these products on the markets of the various Member States;

Whereas, 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 allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who 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 quotas should be fixed at a level which could, in the present circumstances, be 60 % of the quota volume;

Whereas the initial shares of the Member States may not be used up at the same rate; whereas, in order to take this into account and to avoid disruption, any Member State which has used up almost the whole 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 its 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 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. For the period 15 November 1978 to 15 April 1979 a Community tariff quota of 1 000 tonnes shall be opened in the Community for fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the over-seas countries and territories.

2. Within this tariff quota the Common Customs Tariff duty applicable to the products shall be suspended at 4.4% with a minimum charge of two units of account per 100 kilograms net weight.

Article 2

1. A first instalment of 600 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 15 April 1979, shall be as follows (in tonnes):

| | |
|------------------|-----|
| Benelux : | 50 |
| Denmark : | 30 |
| Germany : | 50 |
| France : | 380 |
| Ireland : | 30 |
| Italy : | 30 |
| United Kingdom : | 30 |

2. A second instalment of 400 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share as laid down in Article 2 (1), or 90 % of that share less the amount returned into the reserve, where Article 5 has been applied, has been exhausted, that Member State shall without delay, by notifying the Commission, draw a second share in the quota 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, in accordance with the conditions laid down in paragraph 1, draw a third share, equal to 7.5 % of its initial share.

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, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw smaller shares 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 their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 15 April 1979.

Article 5

The Member States shall, not later than 1 March 1979, return to the reserve the unused portion of their initial shares which, on 15 February 1979, 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 March 1979, notify the Commission of the total imports of the products concerned effected under the Community quota up to 15 February 1979 inclusive, and, where appropriate, the proportion of their initial shares that they are returning to the reserve.

Article 6

The Commission shall keep account of the shares opened by the 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 March 1979, notify the Member States of the state of 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 measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that changes may be made without interruption against their accumulative shares of the Community quota.
2. Member States shall ensure that importers of the said products 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

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 observed.

Article 10

The rules of origin applicable to the products imported under this Regulation shall be, respectively, those of Protocol 1 annexed to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and the methods of administrative cooperation, and those of Annex II to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾.

Article 11

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 Luxembourg, 16 October 1978.

For the Council

The President

K. von DOHNANYI

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

**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

COLLECTED ACTS - ACP - EEC CONVENTION

Export earnings

Subdivision:

- I. Stabilization of export earnings (removed)
- II. Sugar

Table

I

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31. 12. 74

Official Journal of the European Communities

No L 359/1

REGULATION (EEC) No 3330/74 OF THE COUNCIL

of 19 December 1974

on the common organization of the market in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42, 43 and 227 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 the basic provisions concerning the common organization of the market in sugar have been amended many times since their adoption; whereas these provisions must again be thoroughly amended to take account, in particular, of the forthcoming expiry of the transitional provisions; whereas, therefore, it is essential to redraft the basic provisions;

Whereas the operation and development of the common market in agricultural products must be accompanied by the establishment of a common agricultural policy to include, in particular, a common organization of the agricultural markets, which may take various forms, depending on the product concerned;

Whereas, to ensure that the necessary guarantees in respect of employment and standards of living are maintained for Community growers of sugar beet and sugar cane, provision should be made for measures to stabilize the market in sugar; whereas, to this end, a target price and an intervention price for white sugar should be fixed each year for the Community area having the largest surplus; whereas derived intervention prices should be fixed each year for other Community areas, taking account

of regional price variations arising under natural conditions of price formation on the market given a normal harvest, and also of the processing stage; whereas the above objective could be attained by making provision for buying in by intervention agencies at the intervention prices; whereas, moreover, a compensation system for storage costs for sugar produced from raw materials (including molasses) of Community origin could serve the same purpose;

Whereas it is necessary to ensure that the regulation of the sugar market influences sugar beet and sugar cane production; whereas, for this reason, it is advisable to fix minimum prices which must be observed when sugar manufacturers buy beet, to lay down, while complying, *inter alia*, with rules of competition, Community outline provisions governing contractual relations between buyers and sellers of beet, and to adopt provisions appropriate to this end in respect of sugar cane producers;

Whereas the creation of a single Community market for sugar always involves, apart from a single price system, the introduction of a common trading system at the external frontiers of the Community; whereas a trading system including import levies and export refunds, combined with intervention measures also serves to stabilize the Community market by preventing, in particular, price fluctuations on the world market from affecting prices ruling within the Community; whereas, therefore, provision should be made for the charging of a levy on imports from third countries and the payment of a refund on exports to such countries which would, in either case, cover the difference between prices ruling inside and outside the Community when world market prices are lower than the Community prices;

Whereas, in addition to the above system and to the extent necessary for its proper working, provision

should be made for regulating or, when the situation on the market so requires, prohibiting the use of inward processing arrangements;

Whereas, in the event of a shortage on the world market pushing up world market prices to a level higher than that of the Community prices, or in the event of difficulties in the normal supplies to the entire Community or to one of its regions, appropriate provisions should be laid down in order to avoid in good time a situation where regional surpluses are exported to third countries while an abnormal rise in Community prices makes it impossible to continue to guarantee supplies to consumers at reasonable prices; whereas, moreover, provisions should be laid down with a view to introducing a system whereby each manufacturer must hold a minimum stock, which is one of the most effective ways to achieve this objective;

Whereas, in order to help guarantee supplies to the entire Community or to one of its regions it would seem advisable to lay down provisions to adopt under certain conditions, appropriate intervention measures;

Whereas it must be made possible for the competent authorities to keep a constant watch on movements in trade with third countries in order to enable them to assess trends thereof and, where appropriate, apply such measures provided for in this Regulation as may prove necessary; whereas, to this end, provision should be made for a system of import and export licences the issue of which is conditional on the provision of security by way of guarantees that the operation for which the licence is being requested will be carried out;

Whereas the levy system makes it possible to dispense with all other protective measures at the external frontiers of the Community; whereas, however, the common price and levy machinery may in exceptional circumstances prove defective; whereas in such cases, so as not to leave the Community market without defence against disturbances which may arise therefrom after the import barriers which existed previously have been removed, the Community should be enabled swiftly to take all necessary measures;

Whereas in recent years production in the Community as originally constituted has been maintained at an acceptable level in relation to consumption; whereas even in those regions which are least suitable for beet cultivation production has remained at levels little short of the basic quotas; whereas thanks to the existence of a measure of

competition, particularly in respect of sugar produced outside the basic quotas, there has been considerable regional specialization; whereas, because production outside the quotas has been able to develop freely, it has been able to benefit to some extent from world market prices; whereas, accordingly, the system of production quotas is likely to enable the Community to cope with surpluses as well as deficits; whereas, therefore, and in view of the new situation arising from the accession of new Member States to the Community, this system can be retained for a specified period provided that certain adjustments are made to it in the light of experience, particularly as regards the introduction of certain rules in respect of sugar produced outside the quotas;

Whereas it is desirable to maintain the other basic provisions concerning the Community guarantees in respect of prices and sales which are limited or withdrawn in the case of quantities manufactured over and above the basic quota depending on whether or not these quantities exceed a certain ceiling, and also the provisions concerning delivery contracts for sugar beet and sugar cane and the rules of the carry-forward system;

Whereas the establishment of a single market based on a common price system would be jeopardized by the granting of certain aids; whereas, therefore, the provisions of the Treaty which allow the assessment of aids granted by Member States and the prohibition of those which are incompatible with the common market should be made to apply to sugar;

Whereas, however, Italian beet and sugar production is adversely affected owing to climatic reasons and, more particularly as regards beet production, by difficulties arising from the application of modern production techniques; whereas, therefore, provision should be made for the temporary granting by Italy of adaptation aid to the producers concerned;

Whereas the transition to the system established by this Regulation must be effected as smoothly as possible; whereas, to this end, certain transitional measures may prove necessary and the same need may arise at each change-over from one marketing year to the next; whereas, therefore, provision should be made for the possibility of adopting appropriate measures;

Whereas intervention is essential if the sugar price is to be guaranteed; whereas, in view of the special importance of sugar production for the economy of the French overseas departments, provisions concerning the Guarantee Section of the European

Agricultural Guidance and Guarantee Fund must be made to apply to these departments;

Whereas the common organization of the market in sugar must, at the same time, take appropriate account of the objectives set out in Articles 39 and 110 of the Treaty;

Whereas, in order to facilitate implementation of the proposed measures, a procedure should be provided for establishing close cooperation between Member States and the Commission within a management committee;

Whereas Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74⁽²⁾, should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The common organization of the market in sugar shall comprise a price and trading system and cover the following products:

| CC T heading No | Description of goods |
|---------------------|---|
| (a) 17.01 | Beet sugar and cane sugar, solid |
| (b) 12.04 | Sugar beet, whole or sliced, fresh, dried or powdered; sugar cane |
| (c) 17.03 | Molasses, whether or not decolourized |
| (d) 17.02 C to F | Other sugars (but not including lactose and glucose); sugar syrups (but not including lactose syrup and glucose syrup); artificial honey (whether or not mixed with natural honey); caramel |
| 17.05 C | Flavoured or coloured sugars (but not including lactose and glucose) syrups (but not including lactose syrup and glucose syrup) and molasses, but not including fruit juices containing added sugar in any proportion |
| (e) 23.03 B 1 | Beet-pulp, bagasse and other waste of sugar manufacture |

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

2. For the purposes of this Regulation:

- 'white sugar' means sugar falling within heading No 17.01 of the Common Customs Tariff and containing, in the dry state, 99.5% or more by weight of sucrose determined by the polarimetric method,
- 'raw sugar' means sugar falling within heading No 17.01 of the Common Customs Tariff and containing, in the dry state, less than 99.5% by weight of sucrose determined by the polarimetric method.

TITLE I

Prices

Article 2

1. A target price for white sugar shall be fixed each year for the Community area having the largest surplus. This target price shall be valid for white sugar of a standard quality, unpacked, ex-factory, loaded on to the means of transport chosen by the purchaser.

2. Before 1 August of each year the target price valid for the sugar year beginning on 1 July of the following calendar year shall be fixed in accordance with the procedure laid down in Article 43 (2) of the Treaty.

The same procedure shall be followed to determine the following:

- the standard quality for white sugar and,
- at the same time as the target price, the Community area having the largest surplus.

Article 3

1. An intervention price for white sugar shall be fixed each year for the Community area having the largest surplus.

2. Derived intervention prices shall be fixed for other areas, taking account of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation.

3. The intervention prices referred to in paragraphs 1 and 2 shall be valid for white sugar of the standard quality to which the target price applies, unpacked, ex-factory, loaded on to the means of transport chosen by the purchaser.

4. The derived intervention price for the French overseas departments shall, however, be valid for sugar fob and stowed aboard a seagoing vessel at the port of embarkation.

For those departments, intervention prices shall also be fixed for raw sugar of a standard quality. These prices shall be derived from the intervention prices for white sugar fixed for those departments, allowance being made for a uniform processing margin and a standard yield.

5. The intervention price for the area having the largest surplus shall be fixed at the same time as the target price in accordance with the procedure laid down in Article 43 (2) of the Treaty.

6. The Council, acting by a qualified majority on a proposal from the Commission, shall determine the following:

- the standard quality for raw sugar and,
- before 1 August of each year for the following marketing year, the areas referred to in paragraph 2 and the derived intervention prices valid for those areas.

The derived prices fixed for any given marketing year for the French departments of Guadeloupe and Martinique shall apply to their sugar production during the calendar year in which that marketing year begins.

Article 4

1. Each year, for each beet-sugar producing area for which an intervention price is fixed:

- a minimum price for beet shall be fixed in accordance with paragraphs 2, 3 and 4,
- a minimum price for beet outside the basic quota shall be fixed in accordance with Article 28.

These prices shall apply to a specified delivery stage and a specified standard quality.

2. The minimum price for beet shall be established on the basis of the intervention price for white sugar in the area in question and of fixed values for the Community representing:

- the processing margin,
- the yield,
- undertakings' receipts from sales of molasses and,
- where appropriate, costs incurred in delivering beet to undertakings.

3. At the same time as the target price is fixed:

- the minimum price for beet referred to in the first indent of paragraph 1 for the Community area having the largest surplus shall be fixed, and
- the delivery stage and standard quality for beet shall be determined in accordance with the procedure laid down in Article 43 (2) of the Treaty.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall fix, at the same time as the derived intervention prices, the minimum price for beet referred to in the first indent of paragraph 1 for each of the other areas.

Article 5

1. Subject to Article 29 and the provisions adopted pursuant to Article 31 (3), sugar manufacturers buying beet:

- (a) suitable for processing into sugar, and
- (b) intended for processing into sugar,

shall be required to pay at least a minimum price for sugar beet, adjusted by price increases or reductions to allow for deviations from the standard quality.

2. The minimum price referred to in paragraph 1 shall correspond to:

- (a) the minimum price for beet, in the case of beet to be processed into the sugar covered by Article 30 (1) (a);
- (b) the minimum price for beet outside the basic quota, in the case of beet to be processed into the sugar covered by Article 30 (1) (b).

3. Detailed rules for the application of this Article shall be adopted and the price increases and reductions fixed in accordance with the procedure laid down in Article 36.

Article 6

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt outline provisions in respect of the general conditions governing purchase, delivery, acceptance and payment to which agreements within the trade at Community, regional or local level and contracts concluded between buyers and sellers of beet must conform.

Article 7

1. Conditions for purchasing sugar cane shall be governed by agreements within the trade between sugar-cane producers and sugar manufacturers.

2. Where no agreements within the trade exist, conditions of purchase, and in particular, the minimum proportion of the intervention price for cane sugar to be paid by sugar manufacturers to sellers of sugar cane, shall be determined in accordance with the procedure laid down in Article 36.

Article 8

1. Subject to Article 31 (2), storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community, shall be reimbursed at a flat rate by the Member States.

Member States shall charge a levy on each sugar manufacturer:

- per unit of weight of sugar produced, and
- per unit of weight of the syrups referred to in the preceding subparagraph and produced and marketed in the natural state.

The amount of the reimbursement shall be the same for the entire Community. The same rule shall apply to the levy.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of paragraph 1.

The amount of the reimbursement and of the levy shall be fixed each year in accordance with the procedure laid down in Article 36. Other rules for the application of this Article shall be adopted in accordance with the same procedure.

Article 9

1. Throughout the marketing year intervention agencies designated by sugar-producing Member States shall be required, under conditions to be laid down in accordance with paragraphs 5 and 6, to buy in any white sugar or raw sugar offered to them which has been manufactured from beet or cane harvested in the Community.

Intervention agencies shall buy in at the intervention price valid for the area in which the sugar is located at the time of purchase. If the quality of the sugar deviates from the standard quality for which the intervention price was fixed, that price shall be adjusted by means of price increases and reductions.

2. It may be decided to grant denaturing premiums for sugar rendered unfit for human consumption.

3. Appropriate measures shall be taken in the event of difficulties arising in marketing sugar produced in the French overseas departments.

4. It may be decided to grant production refunds on the products listed in Article 1 (1) (a), and the syrups listed in Article 1 (1) (d), used in the manufacture of certain products of the chemical industry.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall determine the following:

- general rules for the application of the above paragraphs,
- the intervention prices for raw beet sugar,
- the products of the chemical industry referred to in paragraph 4.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36 and shall deal in particular with the following:

- the minimum quality and quantity requirements on intervention,
- the scales of price increases and reductions applicable on intervention,
- procedures and conditions for taking-over by intervention agencies,
- conditions for granting denaturing premiums and the amount of such premiums,
- conditions for granting production refunds and the amount of such refunds.

Article 10

1. In order to help guarantee supplies to the entire Community or to one of its regions, the Council, acting by a qualified majority on a proposal from the Commission, shall decide upon the conditions under which special intervention measures may be taken where Article 17 is applied.

However, such measures may not result in Community sugar manufacturers being obliged to sell sugar to intervention agencies.

2. The nature and application of such intervention measures shall be decided upon in accordance with the procedure laid down in Article 36.

Article 11

1. Intervention agencies may only sell sugar at a price which is higher than the intervention price valid for the area in which sugar is stored.

It may, however, be decided that the intervention agencies should sell sugar at a price equal to or less than the intervention price in question if the sugar is intended:

- for animal feeding, or
- for export, either in the natural state or following processing into the products listed in Annex II to the Treaty or into the goods listed in Annex I to this Regulation.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the sale of products which have been subject to intervention measures.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36.

TITLE II

Trade with third countries

Article 12

1. Imports or exports into or out of the Community of the products listed in Article 1 (1) (a), (b), (c) and (d) shall be made conditional upon the submission of an import or export licence issued by Member States to any applicant irrespective of the place of his establishment in the Community.

Where the levy or refund is fixed in advance, the advance fixing shall be noted on the licence, which serves as a supporting document for such advance fixing.

The licence shall be valid throughout the Community.

The issue of a licence shall be conditional on the lodging of a deposit guaranteeing that importation or exportation will be effected during the period of validity of the licence; this deposit shall be forfeited in whole or in part if the transaction is not effected, or is only partially effected, within that period.

2. The system described in this Article may be extended to the products listed in Article 1 (1) (e) in accordance with the procedure laid down in Article 36. The period of validity of licences and other detailed rules for the application of this Article,

which may include a time limit for the issue of licences, shall be adopted in accordance with the same procedure.

Article 13

1. Each year a Community threshold price shall be fixed for white sugar, raw sugar and molasses.

2. The threshold price for white sugar shall be the same as the target price for the Community area having the largest surplus plus charges, calculated at a flat rate, for transport from that area to the most distant deficit area in the Community. It shall apply to the same standard quality as the target price.

3. The threshold price for raw sugar shall be derived from the threshold price for white sugar, taking account of a standard processing margin and a standard yield. It shall apply to the same standard quality as the intervention prices for raw sugar.

4. The threshold price for molasses shall be fixed, so that receipts from sales of molasses may reach the level of undertakings' receipts which are taken into account pursuant to Article 4 when minimum prices for beet are being fixed. It shall apply to a standard quality.

5. The Council, acting by a qualifying majority on a proposal from the Commission, shall fix the threshold prices at the same time as the derived intervention prices.

6. The standard quality for molasses shall be determined in accordance with the procedure laid down in Article 36.

Article 14

1. A cif price shall be calculated for a Community frontier crossing point for white sugar, raw sugar and molasses. This price shall be calculated on the basis of the most favourable purchasing opportunities for each product on the world market, based on quotations or prices on that market, corrected to allow for any deviations from the standard quality for which the threshold price is fixed.

2. Where free quotations on the world market are not a determining factor for the offer price and where that price is lower than world market prices, a special

cif price calculated on the basis of the offer price shall be substituted, solely in respect of the imports in question, for the cif price.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall determine the frontier crossing point concerned.

4. Detailed rules for calculating the cif prices shall be adopted in accordance with the procedure laid down in Article 36. The corrective amounts referred to in paragraph 1 shall be fixed in accordance with the same procedure.

Article 15

1. A levy shall be charged on imports of the products listed in Article 1 (1) (a), (b), (c) and (d).

2. The levy on white sugar, raw sugar and molasses shall be equal to the threshold price less the cif price.

3. The levy on raw sugar shall, where appropriate, be adjusted according to the yield. The levy on white sugar shall be charged on imports of raw sugar for purposes other than refining if that levy is higher than the levy applicable to raw sugar. If the levy on white sugar is higher than the levy on raw sugar, raw sugar for refining shall be subject to customs control or to an administrative inspection offering equivalent guarantees.

4. The levy of the products listed in Article 1 (1) (b) shall be calculated as a flat rate on the basis of the sucrose content of each of these products and the levy on white sugar.

For purposes other than the manufacture of sugar, partial exemption from the import levy may be allowed as a temporary measure in special instances in accordance with the procedures laid down in Article 36.

5. The levy on the products listed in Article 1 (1) (d) shall be calculated, where appropriate, as a flat rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and the levy on white sugar.

The levies applicable to maple sugar and maple syrup falling within heading No 17.02 of the Common Customs Tariff shall, however, be limited to the amount resulting from application of the duty bound within GATT.

6. Detailed rules for the application of this Article, including the margin within which variations in the factors used for calculating the levy do not require any adjustment of the levy, shall be adopted in accordance with the procedure laid down in Article 36.

7. The levies referred to in this Article shall be fixed by the Commission.

Article 16

1. The levy to be charged shall be that applicable on the day of importation.

2. The levy may, however, be fixed in advance for imports of the products listed in Article 1 (1) (a) and (c).

In that event, the levy applicable on the day on which the application for the licence is lodged, adjusted on the basis of the threshold price in force on the day of importation, shall be applied to imports to be effected during the validity of the licence, provided that the party concerned so requests when applying for the licence and, in any case, before 1 p.m. Any premium to be added to the levy may be fixed at the same time as the levy.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of this Article; it shall, in particular, decide upon the conditions under which advance fixing takes place and also upon the rules for fixing premiums.

4. Where the conditions referred to in paragraph 3 exist, a decision to apply the system provided for in paragraph 2 shall be taken in accordance with the procedure laid down in Article 36. Once these conditions no longer obtain, the measure shall be repealed in accordance with the same procedure.

It may be decided in accordance with the same procedure to apply the system provided for in paragraph 2 in whole or in part to each of the products listed in Article 1 (1) (d).

5. Detailed rules for advance fixing shall be adopted in accordance with the procedure laid down in Article 36.

6. Premiums shall be fixed by the Commission.

7. When examination of the market situation shows that there are difficulties due to the application of the provisions concerning the advance fixing of the levy or export refund, or that such difficulties may occur, a decision may be taken, in accordance with the procedure laid down in Article 36 to suspend the application of these provisions for the period strictly necessary.

In cases of extreme urgency, the Commission may, after examining the situation, decide on the basis of all the information available to it to suspend advance fixing for a maximum of three working days. Applications for certificates accompanied by applications for advance fixing lodged during the period of suspension shall be rejected.

Article 17

1. Where the entire Community or any region thereof can no longer be supplied with sugar at prices within the limit of the threshold price, provision may be made for charging a levy on exports of the product in question. This levy must be introduced when the cif price for white sugar or raw sugar is higher than the corresponding threshold price.

Save as otherwise provided by the Council in accordance with the procedure laid down in paragraph 3, the levy to be charged shall be that applicable on the day of exportation.

2. Where the cif price for white sugar or raw sugar is higher than the threshold price, it may be decided to grant a subsidy for imports of the product in question.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of paragraphs 1 and 2.

4. Provisions corresponding to those of paragraph 1 and to the rules for its application may be adopted for the products listed in Article 1 (1) (b), (c) and (d) in accordance with the procedure laid down in Article 36.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36.

6. The levies resulting from the application of this Article shall be fixed by the Commission.

Article 18

1. A system of minimum stocks shall be established in order to ensure normal supplies to the entire Community or to one of its regions.

This minimum stock shall, in principle, be equal to 10% of the basic quota of each undertaking or to 10% of an undertaking's production, where its production is smaller than its basic quota.

2. The costs incurred in maintaining the minimum stock shall be taken into account when fixing the sugar prices.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt implementing provisions for this Article before 1 October 1975.

Article 19

1. To the extent necessary to enable the products listed in Article 1 (1) (a), (c) and (d) to be exported in the natural state, or in the form of goods listed in Annex I to this Regulation, on the basis of quotations or prices for the products listed in Article 1 (1) (a) and (c) on the world market, the difference between those quotations or prices and prices within the Community may be covered by an export refund.

2. The refund shall be the same for the entire Community. It may be varied according to destination.

The refund shall be granted on the request of the party concerned.

The refund for raw sugar may not exceed the refund for white sugar.

When the refund is being fixed, particular account shall be taken of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to non-member countries and the use of the products of such countries brought in under inward processing arrangements.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for granting refunds, for fixing the amount of such refunds, and for fixing such refunds in advance.

Refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 36. Where necessary, the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules applicable to refunds where these are awarded by tender.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36.

5. When examination of the market situation shows that there are difficulties due to the application of the provisions concerning the advance fixing of the

refund, or that such difficulties may occur, a decision may be taken, in accordance with the procedure laid down in Article 36, to suspend the application of these provisions for the period strictly necessary.

In cases of extreme urgency, the Commission may, after examining the situation, decide on the basis of all the information available to it to suspend advance fixing for a maximum of three working days. Applications for certificates accompanied by applications for advance fixing lodged during the period of suspension shall be rejected.

Article 20

To the extent necessary for the proper functioning of the common organization of the market in sugar, the Council, acting by a qualified majority on a proposal from the Commission, may prohibit, in whole or in part, the use of inward processing arrangements in respect of:

- the products listed in Article 1 (1) which are intended for the manufacture of the products listed in Article 1 (1) (d);
- and, in special instances, the products listed in Article 1 (1) which are intended for the manufacture of the goods listed in Annex I.

Article 21

1. The general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from the application of this Regulation shall be incorporated in the Common Customs Tariff.

2. Save as otherwise provided in this Regulation or where derogation therefrom is decided upon by the Council acting by a qualified majority on a proposal from the Commission, the following shall be prohibited:

- the levying of any customs duty on the products listed in Article 1 (1) (a) to (d),
- the levying of any charge having an effect equivalent to a customs duty,
- the application of any quantitative restriction or measure having equivalent effect.

The restriction of import or export licences to a specified category of those entitled to receive them shall be one of the measures considered as having an effect equivalent to a quantitative restriction.

Article 22

1. If, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 (1) experiences or is threatened with serious disturbances which are likely to endanger the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased to exist.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt detailed rules for the application of this paragraph and define the cases in which and the limits within which Member States may take protective measures.

2. If the situation referred to in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; the measures shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within 24 hours following receipt of the request.

3. The measures decided upon by the Commission may be referred to the Council by any Member State within a period of three working days following the day on which they were communicated. The Council shall meet without delay. Acting by a qualified majority, it may either amend or repeal the measures in question.

TITLE III

Quota arrangements

Article 23

1. Articles 24 to 31 shall apply in the 1975/76 marketing year to the 1979/80 marketing year inclusive.

2. The arrangements applicable from 1 July 1980 shall be adopted by the Council before 1 January 1980 in accordance with the procedure laid down in Article 43 (2) of the Treaty.

Article 24

1. Member States shall allot a basic quota to each undertaking which during the 1974/75 marketing year used up its basic quota.

2. Without prejudice to the provisions adopted pursuant to paragraph 3 or 4, and taking into account, where appropriate, the second subparagraph, this basic quota shall be established by multiplying the average annual sugar output of the undertaking concerned, considered to be such pursuant to Regulation No 1009/67/EEC, during the 1968/69 to 1972/73 marketing years, hereinafter called the 'reference output', by a coefficient expressing the ratio between the basic quantity of the Member State or of one of its regions referred to in (c) of the fourth subparagraph below and the total reference output of the undertakings situated in that State or in one of the said regions.

Where the reference output of an undertaking is less than its basic quota for the 1974/75 marketing year, the quota shall be substituted for the reference output.

However, if the total reference output of all undertakings in a Member State is less than the basic quantity laid down by Regulation No 1009/67/EEC, the Member State concerned may allocate to each undertaking a basic quota different from that resulting from the application of the preceding subparagraphs where this is justified by the trend in the output figures of the undertaking concerned during the 1968/69 to 1974/75 marketing years. This basic quota may not be lower than the volume of output achieved by the undertaking in the 1974/75 marketing year.

The basic quantities shall be as follows:

- | | |
|-------------------------------|--------------------------------------|
| (a) Denmark | 328 000 metric tons of white sugar |
| (b) Germany | 1 990 000 metric tons of white sugar |
| (c) France | 2 996 000 metric tons of white sugar |
| — Metropolitan France | 2 530 000 metric tons of white sugar |
| — French overseas departments | 446 000 metric tons of white sugar |
| (d) Ireland | 182 000 metric tons of white sugar |
| (e) Italy | 1 230 000 metric tons of white sugar |
| (f) Netherlands | 690 000 metric tons of white sugar |
| (g) BLEU | 680 000 metric tons of white sugar |
| (h) United Kingdom | 1 040 000 metric tons of white sugar |

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the general rules for the application of this Article and any derogations therefrom.

4. Should detailed rules for the application of this Article prove necessary, they shall be adopted in accordance with the procedure laid down in Article 36.

Article 25

1. Each undertaking for which a basic quota has been fixed may be allotted a maximum quota equal to its basic quota multiplied by a coefficient.

For the 1976/77 marketing year the maximum quota allotted to an undertaking shall not be less than the volume of its output up to the limit of its quotas for the 1975/76 marketing year.

2. For the 1975/76 marketing year the coefficient referred to in the first subparagraph of paragraph 1 shall be 1.45.

The coefficient for the 1976/77 to 1979/80 marketing years shall be fixed at the same time as the target price in accordance with the procedure laid down in Article 43 (2) of the Treaty, taking account of the trend of production from the point of view of specialization and marketing opportunities.

Article 26

1. Subject to Article 31, and paragraphs 2 and 3 of this Article, the quantity of sugar produced outside the maximum quota fixed for an undertaking in any given marketing year may not be disposed of on the internal market and must be exported in the natural state before 1 January following the end of the marketing year in question.

2. Articles 8, 9, 17 and 19 shall not apply to the quantity referred to in paragraph 1 which is not carried forward to the following marketing year pursuant to Article 31.

Exceptionally, however, in so far as necessary to guarantee the Community's sugar supplies it may be decided that Article 17 shall be applicable. In this event, it shall be recorded at the same time that the entire quantity of sugar in question may finally be disposed of on the internal market without the amount laid down in paragraph 3 being levied.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36. These rules shall provide in particular for the levying of a charge on the quantity of sugar referred to in the first subparagraph of paragraph 1, if disposed of on the internal market or not exported in the natural state before the date given in paragraph 1.

Article 27

1. Subject to Article 31, Member States shall impose a production levy on manufacturers of sugar which is outside the basic quota but within the maximum quota.

2. The production levy shall be calculated per unit of weight by dividing total losses incurred in marketing the quantity produced in the Community outside the guaranteed quantity by the sum of the quantities produced outside the basic quota by Community undertakings. The guaranteed quantity shall be equal to human consumption in the Community, expressed as a quantity of white sugar, during a period to be determined, less the quantity, expressed as white sugar, imported on preferential terms during the same period from the developing countries referred to in Protocol No 22 to the Act of Accession, the countries and territories mentioned in Article 118 of that Act and India.

The quantity guaranteed may not, however, be less than the sum of the basic quotas.

When making the calculation referred to in the first subparagraph:

- the total losses mentioned in that subparagraph shall be reduced by the amount of the export levies,
- quantities outside the maximum quotas and quantities of sugar carried forward to the next marketing year pursuant to Article 31 shall be ignored.

3. The production levy may not, however, exceed that amount, which shall not be higher than 30% of the intervention price.

4. If the production levy is lower than the maximum amount referred to in paragraph 3, sugar manufacturers shall be required to pay beet sellers the difference between the maximum amount of the production levy and the final amount of this levy, up to a percentage to be determined.

The amount to be paid per metric ton of beet shall be fixed for the standard quality.

The price increases and reductions referred to in Article 5 shall apply to this amount.

5. Sugar manufacturers may require cane sellers to reimburse the production levy in respect of a quantity of cane corresponding to the quantity of sugar on which the production levy is charged, up to a percentage to be determined.

6. Member States shall satisfy themselves, on the basis of the information supplied by sugar manufacturers, that:

- (a) payment for beet, and
- (b) the sum of the reimbursements made by cane sellers to manufacturers

comply with the relevant Community provisions.

7. Detailed rules for the application of this Article shall be adopted, and the amount referred to in the second subparagraph of paragraph 4 shall be determined, in accordance with the procedure laid down in Article 36.

Article 28

The Council, acting by a qualified majority on a proposal from the Commission, shall fix, at the same time as the derived intervention prices:

- minimum prices for beet outside the basic quota for the areas referred to in Article 4 (1),
- the percentages referred to in Article 27 (4) and (5),
- the maximum amount of the production levy calculated in such a way that the minimum prices for beet outside the basic quota are observed.

Article 29

1. Sugar manufacturers may buy beet intended for the production of sugar outside the maximum quota fixed for the undertaking concerned at a price which is lower than the minimum prices for beet referred to in Article 4 (1).

2. However, in respect of the quantity of beet purchased corresponding to the quantity of sugar:

- disposed of on the internal market pursuant to the second subparagraph of Article 26 (2),

or

- carried forward to the following marketing year pursuant to Article 31,

the sugar manufacturers concerned shall, where appropriate, adjust the purchasing price so that it is at least equal to the minimum price referred to in the first indent of Article 4 (1).

Article 30

1. In contracts for the delivery of beet for the manufacture of sugar, beet shall be differentiated depending on whether the quantities of sugar to be manufactured from it are:

- (a) within the basic quota,
- (b) outside the basic quota but within the maximum quota,
- (c) outside the maximum quota.

For each undertaking, sugar manufacturers shall inform the Member State in which the undertaking concerned produces sugar, of:

- the quantities of beet referred to under (a) for which pre-sowing contracts were signed and the sugar content on which these contracts were based,
- the corresponding estimated yield.

Member States may require additional information.

2. Notwithstanding Article 5 (2) (b) and Article 29 (1), any sugar manufacturer who has not signed pre-sowing delivery contracts for a quantity of beet equal to the basic quota, at the minimum price for beet referred to in the first indent of Article 4 (1), shall be required to pay this minimum price for all beet processed into sugar in the undertaking concerned.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of paragraph 1.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36. As far as paragraph 2 is concerned, they shall take the carry-forward effected pursuant to Article 31 into account.

Article 31

1. Where Article 30 applies, each undertaking may carry forward that part of its production which is outside the basic quota, up to a maximum corresponding to 10% of the basic quota, to the following marketing year to be treated as part of that year's production.

No production may be carried forward to the 1980/81 marketing year.

2. Undertakings may carry forward part of their production to the following marketing year only if:

- they have notified the Member State concerned before 1 February of the quantity to be carried forward,
- they keep the quantity carried forward in store from 1 February to 31 January of the following year; storage costs for this period shall not be refunded under the provisions of Article 8.

As far as undertakings situated in the French departments of Guadeloupe and Martinique are concerned, however, 1 February in the first indent of the first subparagraph shall be replaced by 1 May and the period 1 February to 31 January of the following year in the second indent of the same subparagraph shall be replaced by 1 May to 30 April of the following year. If final production for the marketing year in question falls short of the estimates made when the decision to carry forward was taken, the quantity carried forward may be adjusted retroactively before 1 August of the following marketing year.

3. Provisions concerning:

- payment for beet used to manufacture the quantity of sugar carried forward,
- contributions by beet or cane sellers towards the cost of storing the quantities carried forward,
- agreement between beet or cane sellers and sugar manufacturers as a precondition for carrying forward shall be adopted by the Council acting by a qualified majority on a proposal from the Commission.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36.

Article 32

1. Any Member State which has applied Article 31 of Regulation No 1009/67/EEC shall be free to decide that as from the 1976/77 marketing year at the earliest Article 30 is not to apply in its territory.

2. Each Member State shall, however, be free to limit the scope of the Decision referred to in paragraph 1 to specific undertakings, subject to certain conditions and in accordance with rules to be adopted by the Council acting by a qualified majority on a proposal from the Commission.

3. A Member State may only decide that Article 30 is not to apply for a fixed period. If it so decides, a special maximum quota calculated by multiplying the basic quota by a coefficient valid for the period shall be fixed for each undertaking concerned.

In this event, and if the period referred to in the preceding subparagraph covers more than one marketing year, the Member States shall fix the maximum quota for the undertaking concerned for each marketing year of the period in question, and not later than 28 February for the current marketing year, without taking Article 25 into account. The sum of the maximum quotas for the period in question for each undertaking must be equal to the special maximum quota fixed for that undertaking.

The maximum quota of an undertaking may not be higher than the maximum quota determined in accordance with the method of calculation described in Article 25 (2).

4. For the period or periods subsequent to 30 June 1976 the Council, acting by a qualified majority on a proposal from the Commission, shall determine:

- the length of each period for which a decision not to apply the provisions of Article 30 may be taken;
- the coefficient to be applied to the basic quota allocated to the undertaking concerned, for a marketing year still to be determined, in order to calculate a special maximum quota for the period in question.

5. If necessary, general rules for the application of paragraph 3 shall be adopted in accordance with the procedure laid down in paragraph 4.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36.

TITLE IV

General provisions

Article 33

The requisite provisions to prevent the market in sugar being disturbed as a result of an alteration in price levels at the changeover from one marketing year to the next may be adopted in accordance with the procedure laid down in Article 36.

Article 34

Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation. Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 36.

Article 35

1. A management committee for sugar (hereinafter called 'the Committee') shall be established, consisting of representatives of Member States and presided over by a representative of the Commission.

2. Within the Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The Chairman shall not vote.

Article 36

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Committee either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be taken. The Committee shall deliver its Opinion on such measures within a time limit to be set by the Chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated to the Council by the Commission. In that event the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 37

The Committee may consider any other question referred to it by its Chairman either on his own initiative or at the request of the representative of a Member State.

Article 38

1. During the 1975/76 to 1979/80 marketing years, the Republic of Italy shall be authorized to grant adaptation aid which may not exceed a total of 5.9 units of account per metric ton of beet with a 16% sugar content processed into sugar.

Aid may be granted only in respect of the quantity of beet used to manufacture a quantity of white sugar equal to the basic quantity allocated to Italy.

2. In order to contribute towards improving the economic structure of the beet and sugar sectors, a proportion of the aid may be granted to the beet processing industry. In that event, the amount may not exceed 1.46 units of account per 100 kg of white sugar manufactured from beet grown in Italy. It may be granted only in respect of a quantity of white sugar which does not exceed the basic quantity allocated to Italy.

Article 39

1. The provisions concerning the financing of the common agricultural policy shall apply to the products listed in Article 1 (1).

2. Article 40 (4) of the Treaty and the provisions adopted for the application of that Article shall, as far as the Guarantee Section of the European Agricultural Guidance and Guarantee Fund is concerned, apply to the French overseas departments in respect of the markets in the products listed in Article 1 (1).

Article 40

Goods listed in Article 1 (1) which are manufactured or obtained from products to which Article 9 (2) and Article 10 (1) of the Treaty do not apply shall not be admitted to free circulation within the Community.

Article 41

Save as otherwise provided in this Regulation, Articles 92, 93 and 94 of the Treaty shall apply to the

production of and trade in the products listed in Article 1 (1).

Article 42

This Regulation shall be applied, so that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

Article 43

Should transitional measures be necessary to facilitate transition to the system established by this Regulation, in particular if the introduction of the new system on the date provided for would give rise to substantial difficulties, such measures shall be adopted in accordance with the procedure laid down in Article 36. They shall be applicable until 30 June 1976 at the latest.

Article 44

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

2. It shall apply with effect from 1 July 1975, with the exception of:

- Articles 6, 7, 10, 24, 25, 30 and 43, which shall apply immediately upon the entry into force of this Regulation for the 1974/75 marketing year,
- and the second subparagraph of Article 3 (6), which shall apply with effect from 1 January 1975.

3. Regulation No 1009/67/EEC shall be repealed with effect from 30 June 1975.

4. Citations and references to Regulation No 1009/67/EEC contained in the Acts adopted in implementation of the latter must be understood as references to this Regulation.

Citations and references to Articles of the said Regulation are to be read in conjunction with the table of equivalence given in Annex II.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

ANNEX I

| CCI heading No | Description of goods |
|----------------|---|
| 17.04 | Sugar confectionery, not containing cocoa: B. Chewing gum C. White chocolate D. Other |
| 18.06 | Chocolate and other food preparations containing cocoa |
| 19.02 | Preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietic or culinary purposes, containing less than 50% by weight of cocoa |
| 19.08 | Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion |
| 21.06 | Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: II. Bakers' yeasts |
| 21.07 | Food preparations not elsewhere specified or included |
| 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 |
| 22.06 | Vermouths, and other wines of fresh grapes flavoured with aromatic extracts |
| 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 |
| 29.04 | Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol |
| 29.10 | Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives: ex B. Other: — Methyl glucosides |

| CCT heading No | Description of goods |
|----------------|---|
| 29.14 | <p>Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>ex A. Saturated acyclic monocarboxylic acids: — Mannitol esters and sorbitol esters</p> <p>ex B. Unsaturated acyclic monocarboxylic acids: — Mannitol esters and sorbitol esters</p> |
| 29.15 | <p>Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>A. Acyclic polycarboxylic acids: ex V. Other — Itaconic acid and its salts and esters</p> |
| 29.16 | <p>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:</p> <p>A. Carboxylic acids with alcohol function: I. Lactic acid and its salts and esters IV. Citric acid and its salts and esters ex VIII. Other: — Glyceric acid, glycollic acid, saccharonic acid, isosaccharonic acid, heptasaccharic acid and their salts and esters</p> |
| 29.35 | <p>Heterocyclic compounds; nucleic acids:</p> <p>ex Q. Other: — Anhydric compounds of mannitol or sorbitol, excluding maltol and isomaltol</p> |
| 29.43 | <p>Sugars, chemically pure, other than sucrose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42:</p> <p>ex B. Other: — Sorbose and its salts and esters</p> |
| 29.44 | <p>Antibiotics: A. Penicillins</p> |
| 38.19 | <p>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:</p> <p>Q. Foundry core binders based on synthetic resins ex T. Other: — Sorbitol cracking products</p> |

ANNEX II

TABLE OF EQUIVALENCE

| Regulation No 1009/67/EEC | This Regulation |
|---------------------------------------|--|
| Article 9, § 5 | Article 9, § 3 |
| Article 9, § 6 | Article 9, § 4 |
| Article 9, § 7 | Article 9, § 5 |
| Article 9, § 8 | Article 9, § 6 |
| Article 10 | Article 11 |
| Article 11 | Article 12 |
| Article 12 | Article 13 |
| Article 13 | Article 14 |
| Article 14, § 1, 1st sentence | Article 15, § 1 |
| Article 14, § 2 | Article 15, § 2 |
| Article 14, § 3 | Article 15, § 3 |
| Article 14, § 4 | Article 15, § 4 |
| Article 14, § 5 | Article 15, § 5 |
| Article 14, § 6 | Article 15, § 6 |
| Article 14, § 7 | Article 15, § 7 |
| Article 15 | Article 16 |
| Article 16, § 1, subparagraph 1 | Article 17, § 1, subparagraph 1, 2nd sentence |
| Article 16, § 1, subparagraph 2 | Article 17, § 1, subparagraph 1, 1st sentence |
| Article 16, § 1, subparagraph 3 | Article 17, § 1, subparagraph 2 |
| Article 16, § 2 | Article 17, § 2 |
| Article 16, § 3 | Article 17, § 3 |
| Article 16, § 4 | Article 17, § 4 |
| Article 16, § 5, subparagraph 1 | Article 17, § 5 |
| Article 16, § 5, subparagraph 2 | Article 17, § 6 |
| Article 17 | Article 19 |
| Article 19, § 1 | Article 20 |
| Article 20 | Article 21 |
| Article 21 | Article 22 |
| Article 25, § 1, subparagraph 1 | Article 26, § 1 |
| Article 25, § 2 | Article 26, § 2 |
| Article 25, § 3 | Article 26, § 3 |
| Article 27, § 3 | Article 27, § 3, 1st sentence |
| Article 31, § 1 and 2 | Article 32, § 1 and 2 |
| Article 31, § 3, subparagraphs 1 to 3 | Article 32, § 3 |
| Article 31, § 4 to 6 | Article 32, § 4 to 6 |
| Article 32 | Article 31 |
| Article 35, § 2 | Article 40 |
| Article 36 | Article 41 |
| Article 37, § 2 | Article 33 |
| Article 38 | Article 34 |
| Article 39 | Article 35 |
| Article 40 | Article 36 |
| Article 41 | Article 37 |
| Article 43, § 1 and 2 | Article 39 |
| Article 44 | Article 42 |
| Article 45, § 1, 1st sentence | Article 43 |

17. 10. 75

Official Journal of the European Communities

No L 268/1

REGULATION (EEC) No 2623/75 OF THE COUNCIL
of 13 October 1975
completing Regulation (EEC) No 3330/74 on the common organization of the
market in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42, 43 and 227 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 it is necessary to ensure that the raw cane sugar of the French overseas departments will be effectively marketed in the Community in accordance with the principle of Community preference and without discrimination between the undertakings concerned;

Whereas in the French overseas departments sugar cane production and the cane processing industry are sectors which are at a disadvantage because of the particular conditions prevailing there; whereas these sectors represent an essential element of the economy of these departments; whereas it is therefore appropriate to provide for the possibility of France granting temporary aid as a contribution to, in particular, the improvement of the productivity of these sectors;

Whereas Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé signed on 28 February 1975 provides for a system of preferential imports of cane sugar into the Community; whereas the Agreements, on cane sugar, in the form of exchanges of letters between the Community and certain ACP States were signed at Lomé on 28 February 1975, for the provisional implementation of the said Protocol; whereas Council Decision of 25 February 1975, as supplemented by the Council Decision of 26 March 1975, extended the said system to imports of cane sugar originating in the overseas countries and territories; whereas the Agree-

ment between the European Economic Community and the Republic of India on cane sugar established a similar system for certain quantities of cane sugar originating in that country;

Whereas pursuant to Article 1 of the said Protocol, to Article 1 of the aforementioned Decision, and to Article 1 of the Agreement with India, the implementation of these systems of preferential imports must be carried out within the framework of the common organization of the market in sugar;

Whereas the preferential nature of these systems requires that the import levies provided for in the framework of the common organization of the market in sugar should not apply to imports made under these systems;

Whereas it is necessary to create means aimed at ensuring that raw cane sugar imported under the said preferential systems can be refined under the most equitable conditions of competition;

Whereas, for these reasons, it is necessary to complete Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. The following second and third subparagraphs shall be added to Article 9 (3) of Regulation (EEC) No 3330/74:

'Beginning with the sugar marketing year 1976/77, if a differential charge has been fixed in accordance with Article 46 a differential amount equal to that charge shall be granted for the raw sugar which is produced in the French overseas departments within the maximum quota and refined in a refinery situated in the Community.

(1) OJ No L 268, 17.10.1975
 (2) OJ No L 268, 17.10.1975

(3) OJ No L 190, 23. 7. 1975, p. 36.
 (4) OJ No L 359, 31. 12. 1974, p. 1.

For the period from 1 March 1975 to 30 June 1976 an amount may be granted for the raw sugar produced in the French overseas departments within the maximum quota and refined either in a refinery or in some other production unit situated in the Community.'

2. The following fourth indent shall be added to Article 9 (5) of Regulation (EEC) No 3330/74 :

'— the amount referred to in the third subparagraph of paragraph 3 and the conditions on which it shall be granted.'

3. The following paragraph shall be added to Article 9 of Regulation (EEC) No 3330/74 :

'7. For the purposes of this Article and of Article 46 "refinery" means a production unit whose sole activity consists of refining either raw sugar or syrups produced prior to the crystallizing stage.'

Article 2

The following paragraph shall be added to Article 38 of Regulation (EEC) No 3330/74 :

'3. During the 1975/76 to 1979/80 sugar marketing years, the French Republic shall be authorized to grant adaptation aid to sugar cane producers and to the cane processing industry in the French overseas departments. Such aid, for both sectors taken together, shall not exceed 5 units of account per 100 kilogrammes of sugar expressed as white sugar. Aid may be granted only in respect of a quantity of sugar which does not exceed the basic quantity allocated to the French overseas departments.'

Article 3

The following Title shall be inserted after Article 42 of Regulation (EEC) No 3330/74 :

TITLE V

System of preferential imports

Article 43

Articles 44 to 47 shall apply to cane sugar, raw or white, hereinafter referred to as "preferential sugar", which falls within subheadings 17.01 B I and 17.01 B II of the Common Customs Tariff, which originates in the states, countries and territories listed in Annex III, and which is imported into the Community under the provisions of the following :

- (a) Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, signed 28 February 1975, and, the Agreements⁽¹⁾, on cane sugar, in the form of exchanges of letters between the Community and certain ACP States signed at Lomé on 28 February 1975 for the provisional implementation of the said Protocol ;
- (b) the Council Decision of 25 February 1975⁽²⁾ on imports of cane sugar originating in the overseas countries and territories (OCT), as supplemented by the Council Decision of 26 March 1975⁽³⁾ ;
- (c) the Agreement⁽⁴⁾ between the European Economic Community and the Republic of India on cane sugar.

Article 44

Where the quality of preferential sugar purchased by intervention agencies or by other agents appointed by the Community deviates from the standard quality the guaranteed prices shall be adjusted by means of price increases and reductions.

Article 45

1. The levy referred to in Article 15 shall not apply to imports of preferential sugar.
2. The prohibitions referred to in Article 21 (2) shall not be derogated from in any circumstances in respect of preferential sugar.

Article 46

1. Where there is a difference between, on the one hand, the raw sugar refining margin taken into account in the determination of the intervention and threshold prices for raw sugar and, on the other hand, the margin necessary for the refining of raw preferential sugar, a differential charge fixed for the sugar-marketing year in question shall be made on the latter sugar when it is put into free circulation.

2. By way of derogation from paragraph 1 :

- (a) the charge shall not be made on :
 - raw preferential sugar which is not intended for refining and which falls within subheading 17.01 B II (b) of the Common Customs Tariff, or
 - raw preferential sugar, other than that referred to in the first indent, which is intended for refining in a refinery and which is subject to the lodging of a deposit equal to the differential charge ;

⁽¹⁾ OJ No L 268, 17. 10. 1975, p. 39.

⁽²⁾ OJ No L 268, 17. 10. 1975, p. 43.

⁽³⁾ OJ No L 268, 17. 10. 1975, p. 45.

⁽⁴⁾ OJ No L 190, 23. 7. 1975, p. 36.

- (b) provision may be made for the non-application of the whole of the charge, or part of the charge, to any raw preferential sugar which is imported into regions of the Community to be determined and which is refined in a production unit other than one of the type referred to in Article 9 (7).

Article 47

1. The Council, acting by a qualified majority on a proposal from the Commission, shall :
- (a) adopt general rules for the application of this Title and, in particular, those concerning the implementation of the texts referred to in Article 43,
- (b) fix the differential charge referred to in Article 46 (1) and the conditions for the application of Article 46 (2) (b).
2. Detailed rules for the application of this Title shall be adopted in accordance with the procedure laid down in Article 36.'

Article 4

Articles 43 and 44 of Regulation (EEC) No 3330/74 shall become Articles 48 and 49 respectively and shall form the following title : 'Title VI — Final provisions'

All citations and references concerning former Articles 43 and 44 of Regulation (EEC) No 3330/74 shall

be read as referring to new Articles 48 and 49 respectively.

Article 5

The following Annex shall be added to Regulation (EEC) No 3330/74 :

'ANNEX III

States, countries and territories referred to in Article 43

Barbados
Belize
Fiji
Guyana
India
Jamaica
Kenya
Madagascar
Malawi
Mauritius
People's Republic of the Congo
St. Kitts-Nevis-Anguilla
Surinam
Swaziland
Tanzania
Trinidad and Tobago
Uganda'

Article 6

This Regulation shall enter into force on 1 November 1975.

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

Done at Luxembourg, 13 October 1975.

For the Council

The President

G. MARCORA

COUNCIL DECISION

of 25 February 1975

on the conclusion of Agreements on cane sugar, in the form of exchanges of letters, between the Community and Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of Uganda

(75/613/EEC)

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 recommendation from the Commission,

Whereas the convention between the European Economic Community and the ACP States is to be signed on 28 February 1975 at Lome, whereas a Protocol on cane sugar originating in the ACP States that produce and export cane sugar, that is to say Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda is an integral part of the aforementioned Convention,

Whereas it is desirable, pending the entry into force of the convention, for the Community and the above-mentioned states to agree, by means of Agreements in the form of exchanges of letters, to apply the arrangements laid down in this Protocol,

HAS DECIDED AS FOLLOWS.

Article 1

Agreements on cane sugar in the form of exchanges of letters between the Community and Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad, Tobago and the Republic of Uganda are concluded on behalf of the Community. The texts of these Agreements are annexed to this Decision.

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreements referred to in Article 1 and to confer on him the powers required in order to bind the Community.

Done at Brussels, 25 February 1975.

For the Council

The President

G. FITZGERALD

17. 10. 75

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No L 268/39

AGREEMENTS ON CANE SUGAR

in the form of exchanges of letters, between the Community and Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, signed at Lomé on 28 February 1975

Lomé, 28 February 1975

Sir,

On the occasion of the signing of the Convention of Lomé between the European Economic Community and the ACP States on 28 February 1975, the Community and Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda have agreed as follows: from 28 February 1975 until the date of the entry into force of the Convention of Lomé and at the latest until 30 June 1976, the provisions of the Protocol on sugar from the ACP States annexed to the said Convention shall be applied.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter, together with your reply, constitutes an Agreement between your Government and the Community.

Kindly accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

Lomé, 28 February 1975

Your Excellency,

I have the honour to acknowledge receipt of your letter of this day which reads as follows :

'On the occasion of the signing of the Convention of Lomé between the European Economic Community and the ACP States on 28 February 1975, the Community and Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda have agreed as follows: from 28 February 1975 until the date of the entry into force of the Convention of Lomé and at the latest until 30 June 1976, the provisions of the Protocol on sugar from the ACP States annexed to the said Convention shall be applied.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter, together with your reply, constitutes an Agreement between your Government and the Community.'

I have the honour to confirm the agreement of my Government with the foregoing. Please accept, Your Excellency, the assurance of my highest consideration.

*For the Government
of Barbados (1)*

(1) A similar exchange of letters took place *mutatis mutandis* between the Community and the following ACP States: The People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda.

PROTOCOL No 3
on ACP sugar

(annexed to the ACP-EEC Convention of Lomé signed on 28 February 1975)

Article 1

1. The Community undertakes for an indefinite period to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originate in the ACP states and which these states undertake to deliver to it.

2. The safeguard clause in Article 10 of the convention shall not apply. The implementation of this Protocol is carried out within the framework of the management of the common organization of the sugar market which, however, shall in no way prejudice the commitment of the Community under paragraph 1.

Article 2

1. Without prejudice to Article 7, no change in this Protocol may enter into force until a period of five years has elapsed from the date on which the convention enters into force. Thereafter, such changes as may be agreed upon will come into force at a time to be agreed.

2. The conditions for implementing the guarantee referred to in Article 1 shall be re-examined before the end of the seventh year of their application.

Article 3

1. Quantities of cane sugar referred to in Article 1, expressed in metric tons of white sugar, hereinafter referred to as 'agreed quantities', for delivery in each 12-month period referred to in Article 4 (1), shall be as follows:

| | |
|--------------------------------|---------|
| Barbados | 49 300 |
| Fiji | 163 600 |
| Guyana | 157 700 |
| Jamaica | 118 300 |
| Kenya | 5 000 |
| Madagascar | 10 000 |
| Malawi | 20 000 |
| Mauritius | 487 200 |
| People's Republic of the Congo | 10 000 |
| Swaziland | 116 400 |
| Tanzania | 10 000 |
| Trinidad and Tobago | 69 000 |
| Uganda | 5 000 |

2. Subject to Article 7, these quantities cannot be reduced without the consent of the individual states concerned.

3. Nevertheless, in respect of the period up to 30 June 1975, the agreed quantities, expressed in metric tons of white sugar, shall be as follows:

| | |
|---------------------|--------|
| Barbados | 29 600 |
| Fiji | 25 600 |
| Guyana | 29 600 |
| Jamaica | 83 800 |
| Madagascar | 2 000 |
| Mauritius | 65 300 |
| Swaziland | 19 700 |
| Trinidad and Tobago | 54 200 |

Article 4

1. In each 12-month period from 1 July to 30 June inclusive, hereinafter referred to as the 'delivery period', the sugar-exporting ACP states undertake to deliver the quantities referred to in Article 3 (1), subject to any adjustments resulting from the application of Article 7. A similar undertaking shall apply equally to the quantities referred to in Article 3 (3) in respect of the period up to 30 June 1975, which shall also be regarded as a delivery period.

2. The quantities to be delivered up to 30 June 1975, referred to in Article 3 (3), shall include supply en route from port of shipment or, in the case of land-locked states across frontier.

3. Deliveries of ACP cane sugar in the period up to 30 June 1975 shall benefit from the guaranteed prices applicable in the delivery period beginning 1 July 1975. Identical arrangements may be made for subsequent delivery periods.

Article 5

1. White or raw cane sugar shall be marketed on the Community market at prices freely negotiated between buyers and sellers.

2. The Community shall not intervene if and when a Member State allows selling prices within its borders to exceed the Community's threshold price.

3. The Community undertakes to purchase, at the guaranteed price, quantities of white or raw sugar, within agreed quantities, which cannot be marketed in the Community at a price equivalent to or in excess of the guaranteed price.

4. The guaranteed price, expressed in units of account, shall refer to unpacked sugar, cif European ports of the Community, and shall be fixed in respect of standard quality sugar. It shall be negotiated annually within the price range obtaining in the Community, taking into account all relevant economic factors, and shall be decided at the latest by 1 May immediately preceding the delivery period to which it will apply.

Article 6

Purchase at the guaranteed price, referred to in Article 5 (3), shall be assured through the medium of the intervention agencies or of other agents appointed by the Community.

Article 7

1. If, during any delivery period, a sugar-exporting ACP state fails to deliver its agreed quantity in full for reasons of *force majeure* the Commission shall, at the request of the state concerned, allow the necessary additional period for delivery.

2. If a sugar-exporting ACP state informs the Commission during the course of a delivery period that it will be unable to deliver its agreed quantity in full and that it does not wish to have the additional period referred to in paragraph 1, the shortfall shall be re-allocated by the Commission for delivery during the delivery period in question. Such re-allocation shall be made by the Commission after consultation with the states concerned.

3. If, during any delivery period, a sugar-exporting ACP state fails to deliver its agreed quantity in full for reasons other than *force majeure*, that quantity shall be reduced in respect of each subsequent delivery period by the undelivered quantity.

4. It may be decided by the Commission that in respect of subsequent delivery periods, the undeliv-

ered quantity shall be re-allocated between the other states which are referred to in Article 3. Such re-allocation shall be made in consultation with the states concerned.

Article 8

1. At the request of one or more of the states supplying sugar under the terms of this Protocol, or of the Community, consultations relating to all measures necessary for the application of this Protocol shall take place within an appropriate institutional framework to be adopted by the Contracting Parties. For this purpose the Institutions established by the convention may be used during the period of application of the convention.

2. In the event of the convention ceasing to be operative, the sugar-supplying states referred to in paragraph 1 and the Community shall adopt the appropriate institutional provisions to ensure the continued application of the provisions of this Protocol.

3. The periodic reviews provided for under this Protocol shall take place within the agreed institutional framework.

Article 9

Special types of sugar traditionally delivered to Member States by certain sugar-exporting ACP states shall be included in, and treated on the same basis as, the quantities referred to in Article 3.

Article 10

The provisions of this Protocol shall remain in force after the date specified in Article 91 of the convention. After that date the Protocol may be denounced by the Community with respect to each ACP state and by each ACP state with respect to the Community, subject to two years' notice.

ANNEX

For the period from 1 February 1975 to 30 June 1976, and in respect of the quantities specified in Protocol No 3, the guaranteed prices referred to in Article 5 (4) of the Protocol shall be as follows:

- (a) for raw sugar, 25.53 units of account per 100 kilogrammes,
- (b) for white sugar, 31.72 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked cif European ports of the Community.

REGULATION (EEC) No 2850/75 OF THE COMMISSION

of 31 October 1975

laying down detailed implementing rules in respect of the importation of preferential sugar and amending Regulations (EEC) No 955/70 and (EEC) No 2048/75

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 (1) of 19 December 1974 on the common organization of the market in sugar, as amended by Regulation (EEC) No 2623/75 (2) and in particular Articles 12 (2), 34, 47 (2) and 48 thereof,

Whereas Commission Regulation (EEC) No 824/75 (3) of 24 March 1975 laying down transitional measures applicable to sugar imported by the Community under preferential arrangements, as last amended by Regulation (EEC) No 1920/75 (4) expires on 31 October 1975;

Whereas Title V of Regulation (EEC) No 3330/74 relating to the system of preferential imports of sugar enters into force on 1 November 1975; whereas detailed implementing rules should be established with effect from that date;

Whereas Council Regulation (EEC) No 1598/75 (5) of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé convention relating to trade in goods, defined in its Annex II the concept of 'originating products' and the methods of administrative cooperation applicable to the products originating in the ACP States;

Whereas Council Regulation (EEC) No 1957/75 (6) of 30 July 1975 on the interim trade arrangements with overseas countries and territories associated with the European Economic Community, defined that concept and those methods as they concern the products originating in the overseas countries and territories associated with the European Economic Community;

Whereas it must be made clear that the advantages stemming from this Regulation are reserved for 'originating products' within the meaning of Regulations (EEC) No 1598/75 and (EEC) No 1957/75 and later within the meaning of the ACP-EEC Lomé conven-

(1) OJ No L 359, 31. 12. 1974, p. 1.

(2) OJ No L 79, 28. 3. 1975, p. 8.

(3) OJ No L 195, 26. 7. 1975, p. 23.

(4) cf. TRADE I 3
(5) cf. TRADE I 97

tion and of the Regulation relating to the association of the overseas countries and territories with the European Economic Community;

Whereas, until the Community rules of origin have been adapted for India, those laid down in Council Regulation (EEC) No 802/68 (7) of 27 June 1968 on the common definition of the concept of the origin of goods, as amended by Regulation (EEC) No 1318/71 (8), shall apply to cane sugar imported into the Community under the Agreement on cane sugar concluded with India; whereas, until such time, in order to permit statistical and other checks to be kept on such imports, supplementary certificates are required;

Whereas it is necessary to lay down certain special rules and for this purpose to amend and to derogate from certain provisions of Commission Regulation (EEC) No 2048/75 (9) of 25 July 1975 on special detailed rules for the application of the system of import and export licences for sugar;

Whereas, moreover, provision should be made for the communication to the Commission of the quantities of preferential sugar in respect of which import certificates have been issued to amend Commission Regulation (EEC) No 955/70 (10) of 26 May 1970 on communications from Member States concerning intervention and trade in the sugar sector, as amended by Regulation (EEC) No 824/75;

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

HAS ADOPTED THIS REGULATION:

Article 1

Where a differential charge has been made on raw preferential sugar which is subsequently refined in a refinery, an amount equal to that of the charge shall be paid to the refiner concerned by the Member State in which the raw sugar is refined, in the currency of that Member State, on production of proof:

(7) OJ No L 148, 28. 6. 1968, p. 1.

(8) OJ No L 139, 25. 6. 1971, p. 6.

(9) OJ No L 213, 11. 8. 1975, p. 31.

(10) OJ No L 114, 27. 5. 1970, p. 16.

- (a) that the sugar in question has been refined in a refinery, and
- (b) that the differential charge was made at the time of the importation of the sugar.

Article 2

Preferential raw sugar which is not intended for refining and which falls within subheading 17.01 B II b) of the Common Customs Tariff and in respect of which an exemption from the differential charge is claimed shall be subject to customs control or to an administrative inspection offering equivalent safeguards.

Article 3

1. The security referred to in the second indent of Article 46 (2) (a) of Regulation (EEC) No 3330/74 may, at the option of the person concerned, be lodged in the form either of a cash deposit or of a guarantee provided by an institution approved by the Member State in which the customs formalities of importation are completed.
2. Except in case of *force majeure* the security shall be forfeit and treated as differential charge on any quantity of preferential raw sugar in respect of which the person concerned has not within six months from the date of importation furnished proof that the sugar in question was refined in a refinery.
3. Release of the security shall be effected without delay.

Article 4

1. The rules of origin applicable to preferential sugar imported from the States other than India, referred to in Annex III to Regulation (EEC) No 3330/74 shall be those set out in Annex II to Regulation (EEC) No 1598/75.
 2. The rules of origin applicable to preferential sugar imported from the overseas countries and territories referred to in Annex III to Regulation (EEC) No 3330/74 shall be those set out in Annex II to Regulation (EEC) No 1957/75.
 3. The provisions of paragraphs 1 and 2 shall apply until the entry into force respectively of the ACP-EEC Lomé convention, and of the Regulation relating to the association of the overseas countries and territories with the European Economic Community.
- After the entry into force of the said convention and of the said Regulation the rules of origin therein set out shall apply to preferential sugar.
4. Evidence of the originating status of preferential sugar within the meaning of Regulations (EEC) No 1598/75 and (EEC) No 1957/75 shall be given by a

movement certificate EUR.1, a specimen of which is given in Annex 5 to Annex II to each of the said Regulations. This certificate shall indicate :

— in section 7, one of the following endorsements :

- 'Regulation (EEC) No 2850/75 refers',
- 'Application du règlement (CEE) n° 2850/75',
- 'Anwendung von Verordnung (EWG) Nr. 2850/75',
- 'Applicazione del regolamento (CEE) n. 2850/75',
- 'Toepassing van Verordening (EEG) nr. 2850/75',
- 'Anvendelse af forordning (EØF) nr. 2850/75',

The certificate shall also indicate in section 7 the date of shipment of the goods and the relevant delivery period as defined for the purposes the undertakings given in respect of preferential sugar. The stated delivery period shall not, however, affect the applicability of the certificate at the time of importation ;

— in section 8, the subheading of the Common Customs Tariff for the goods in question.

5. Member States shall forward to the Commission by the twenty-first day of each month copies of the EUR.1 certificates supplied by the persons concerned, relating to the imports made during the preceding calendar month.

Each copy shall contain in section 8 endorsements in respect of the importation concerned and particulars of the quantities actually imported.

Article 5

1. For the purposes of this Regulation preferential sugar originating in India is sugar for which evidence of such origin has been given by production of a certificate of origin fulfilling the conditions laid down in Article 9 of Regulation (EEC) No 802/68.
2. The importer of preferential sugar originating in India shall in addition submit to the customs authorities of the Community a certificate duly endorsed by the competent authority of India.

This certificate shall :

— bear one of the following endorsements :

- 'Regulation (EEC) No 2850/75 refers',
- 'Application du règlement (CEE) n° 2850/75',
- 'Anwendung von Verordnung (EWG) Nr. 2850/75',
- 'Applicazione del regolamento (CEE) n. 2850/75',
- 'Toepassing van Verordening (EEG) nr. 2850/75',
- 'Anvendelse af forordning (EØF) nr. 2850/75' ;

— indicate the date of shipment of the goods and the relevant delivery period as defined for the purposes of the undertakings given in respect of

preferential sugar. The stated delivery period shall not, however, affect the applicability, at the time of importation, of the certificate of origin referred to in paragraph 1;

— indicate the subheading of the Common Customs Tariff of the goods in question.

3. Member States shall forward to the Commission by the twenty-first day of each month copies of the certificate referred to in paragraph 2 supplied by the persons concerned, relating to the imports made during the preceding calendar month.

Each such copy shall contain the particulars endorsed thereon in respect of the importation concerned, and particulars of the quantities actually imported.

Article 6

1. By way of derogation from Article 10 (1) of Regulation (EEC) No 2048/75, an import licence issued in respect of preferential sugar shall be valid for three months from its date of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 (1).

2. By way of derogation from Article 13 of Regulation (EEC) No 2048/75, the amount of the security in respect of import licences for preferential sugar shall be 0.5 unit of account per 100 kilogrammes net.

Article 7

There shall be added to paragraph 1 of Article 5 of Regulation (EEC) No 955/70 the following subparagraph:

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

Done at Brussels, 31 October 1975.

'with effect from 1 November 1975, separate particulars for each State, country or territory of origin shall be given not later than the end of each month for the preceding calendar month, in respect of the quantities of preferential sugar for which import licences have been issued with a view to importation under Regulation (EEC) No 2850/75'.

Article 8

Movement certificates and attestations presented to the competent authorities during the period 1 November to 31 December 1975 which make reference to Regulation (EEC) No 824/75 but which otherwise comply with the relevant provisions of the present Regulation shall not for that reason alone be regarded as null and void.

Article 9

In Article 11 of Regulation (EEC) No 2048/75 all references to Regulation (EEC) No 824/75 shall be replaced by references to Regulation (EEC) No 2850/75.

Article 10

This Regulation shall enter into force on 1 November 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 25, 31. 1. 1975, p. 10.

COUNCIL REGULATION (EEC) No 1487/76

of 22 June 1976

amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar

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 Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé (1), as also Council Decision 75/614/EEC of 25 February 1975 concerning the importation of cane sugar originating in the overseas countries and territories (OCT) (2), supplemented by Decision 75/615/EEC (3), and the Agreement between the European Economic Community and the Republic of India on cane sugar (4), affirm two basic principles whereby on the one hand the Community undertakes to purchase and import the sugar at negotiated prices and to provide intervention guarantees, and on the other these undertakings are to be implemented within the framework of the common organization of the market in sugar, whereas the incorporation of Title V concerning the system of preferential imports into Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (5), as last amended by Regulation (EEC) No 832/76 (6), establishes the latter principle on a permanent footing; whereas, therefore, save as otherwise provided, the relevant provisions of the other titles of the said Regulation are applicable to preferential sugar referred to in Article 43 of the said Regulation;

Whereas, however, since Article 8 of Regulation (EEC) No 3330/74 provides that storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community, shall be reimbursed at a flat rate by the Member States, preferential sugar is not entitled to such reimbursement;

Whereas the system of reimbursement for storage costs is to be regarded as a means of ensuring that supplies are spread as evenly as possible over the entire marketing year, whereas preferential sugar

should be used in attaining this objective, in particular by enabling Community refineries to maintain a steady rhythm of work irrespective of the pattern of supplies which is dependent to a large extent on geographical factors,

Whereas since 1 January 1976 Member States have been able to authorize within the framework of inward processing traffic *inter alia* operations which consist in exporting white sugar then in compensating for such exportation within a certain period, by a later importation of raw sugar; whereas such operations can have a determining influence on supplies to the Community market, in particular during the period of transition from one harvest to the next, whereas, therefore, the possibility of excluding the use of the inward processing traffic system in the case of the refining of raw sugar should be extended;

Whereas the abovementioned undertakings have the effect of conferring the same rights on preferential sugar as those of Community sugar produced under the quota system; whereas, therefore, preferential sugar should contribute to ensuring normal supplies to the Community which is the main purpose of Article 18 of Regulation (EEC) No 3330/74, whereas, therefore, preferential sugar should be subject to the minimum stock system;

Whereas with regard in particular to the foreseeable beet and sugar production situation in Italy in the 1976/77 sugar marketing year, provision should be made, exceptionally, for Italy to grant adaptation aid during the said marketing year in excess of that currently authorized,

HAS ADOPTED THIS REGULATION

Article 1

Article 8 (1) of Regulation (EEC) No 3330/74 shall be replaced by the following:

1. Subject to Article 31 (2), storage costs for white sugar, raw sugar and certain syrups produced prior to the crystallizing stage, manufactured from beet or cane harvested in the Community shall be reimbursed at a flat rate by the Member States.

(1) Cf. GEN O 112.

(2) OJ No L 268, 17. 10. 1975, p. 43.

(3) OJ No L 268, 17. 10. 1975, p. 45.

(4) OJ No L 190, 23. 7. 1975, p. 36.

(5) OJ No L 359, 31. 12. 1974, p. 1.

(6) OJ No L 100, 14. 4. 1976, p. 1.

The storage costs for preferential sugar referred to in Article 43 shall also be reimbursed at a flat rate by the Member States.

Member States shall charge a levy :

- (a) on each sugar manufacturer :
- per unit of weight of sugar produced, or
 - per unit of weight of the syrups referred to in the preceding subparagraph and produced and marketed in the natural state ;
- (b) on each importer of preferential sugar per unit of weight of sugar imported and marketed in the natural state ;
- (c) on each sugar refiner of preferential sugar per unit of weight of refined sugar.

The amount of the reimbursement shall be the same for the entire Community. The same rule shall apply to the levy.

However, as regards the 1976/77 sugar marketing year, this Article shall not apply to preferential sugar.

Article 2

The second subparagraph of Article 18 (1) of Regulation (EEC) No 3330/74 shall be replaced by the following :

'This minimum stock shall, in principle, be equal to 10 % of the basic quota of each undertaking or to 10 % of an undertaking's production, where its production is smaller than its basic quota. As regards the preferential sugar referred to in Article 43 this minimum stock shall in principle be equal to 10 % of the quantity of preferential sugar which an undertaking refines during a period to be determined.'

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

Done at Luxembourg, 22 June 1976.

Article 3

The first indent of Article 20 of Regulation (EEC) No 3330/74 shall be replaced by the following :

- '— the products listed in Article 1 (1) which are intended for the manufacture of the products listed in the same paragraph under (a) and (d).'

Article 4

The following paragraph shall be inserted into Article 38 of Regulation (EEC) No 3330/74 :

- '2a. Notwithstanding paragraphs 1 and 2, during the 1976/77 sugar marketing year, the amount referred to in the first subparagraph of paragraph 1 shall be 9.9 units of account, a portion of which may be granted to the processing industry. This amount shall apply to the quantity of white sugar referred to in the second subparagraph of paragraph 1 increased by 100 000 metric tons of white sugar.'

Moreover, during the 1976/77 sugar marketing year, the Italian Republic may grant additional aid of an amount equal to the production levy laid down for the said marketing year. This aid shall apply to the quantity of white sugar produced during the said marketing year in excess of the basic quota, without however exceeding the maximum quota, up to a limit of 100 000 metric tons.'

Article 5

This Regulation shall enter into force on 1 July 1976.

For the Council

The President

J. HAMILIUS

COUNCIL REGULATION (EEC) No 1488/76

of 22 June 1976

laying down provisions for the introduction of a system of minimum stocks in the sugar sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1487/76, and in particular Article 18 (3) thereof,

Having regard to the proposal from the Commission,

Whereas in view of the aims of the common agricultural policy, in particular the stabilization of markets, the maintenance of reasonable prices for the supplies to consumers and the safeguarding of normal supplies for the entire Community and each of its regions, Article 18 of Regulation (EEC) No 3330/74 provides for the establishment of a system of minimum stocks; whereas the said Article lays down that the minimum stock shall in principle be equal to 10% of the basic quota for each undertaking or to 10% of an undertaking's production where its production is smaller than its basic quota; whereas as regards preferential sugar, the said Article provides that the minimum stock must in principle be equal to 10% of the quantity of preferential sugar refined by an undertaking during a period to be determined; whereas, therefore, the stock must be held under certain conditions by the manufacturer and the refiner of the sugar in question; whereas it is necessary to apply this system in such a way as to take account of the existing structures in the sugar sector; whereas the criteria for proper utilization of the minimum stock need to be laid down;

Whereas in order to ensure effective administration of this system, provision should be made for the adoption of implementing provisions in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the other provisions of this Regulation and in so far as the goods concerned are those

to which Article 8 of Regulation (EEC) No 3330/74 applies:

- (a) each sugar manufacturer shall, each month of the calendar year, hold in stock a quantity of sugar which may not be less than 10% of his actual production, within the limits of the basic quota of his undertaking, during the 12 months immediately preceding the month in question;
- (b) each refiner of preferential sugar shall, each month of the calendar year, hold in stock a quantity of sugar which may not be less than 10% of the preferential sugar refined in his undertaking during the 12 months immediately preceding the month in question.

Article 2

Without prejudice to Article 3 the minimum stock may only be the property of the manufacturer or refiner in question and must be unencumbered by any commitments that might impede the aims of Article 18 of Regulation (EEC) No 3330/74.

Article 3

Raw sugar or syrups produced prior to the crystallizing stage by an undertaking which has a basic quota as part of its minimum stock and which are intended for processing into white sugar by another undertaking:

- (a) may be sold to the processor, on condition that the latter undertakes, with respect to the quantity of the product in question, to meet the obligations specified in Articles 1 (a) and 2;
- or
- (b) at the request of the manufacturer who produced them they shall not be subject to the obligation referred to in Article 1 (a), in return for the reimbursement by the manufacturer on a flat-rate basis of the profit resulting from taking account of storage costs for the minimum stock in fixing sugar prices.

Article 4

Where the supplies of sugar required by the Community can no longer be ensured under normal condi-

tions, provision may be made for the owner of the minimum stock to be released in whole or in part from the obligation to stock the sugar in question.

Article 5

Where the market position so requires or where action to release sugar taken in accordance with Article 4 is ineffective, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt appropriate measures to ensure that the necessary quantities are taken out of stock to supply the Community or one or more Community regions under normal conditions.

Article 6

When sugar from the minimum stock is marketed under conditions other than those provided for by the rules of the minimum stock system, a charge shall be levied in respect of the quantity of sugar marketed.

This amount shall be calculated on the basis of:

- (a) a sum representing the profit resulting from taking account of the costs involved in maintaining the minimum stock in fixing sugar prices;

and

- (b) the difference between the threshold price and the intervention price fixed for white sugar for the sugar marketing year in question, plus a fixed amount of two units of account per 100 kilogrammes.

Article 7

Detailed rules for the application of this Regulation, in particular the amount laid down in Article 6, and any derogations from Article 2 shall be adopted in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 3330/74.

Article 8

1. This Regulation shall enter into force on 1 July 1976.
2. This Regulation shall apply from the 1976/77 sugar marketing year:
 - to the French departments of Guadeloupe and Martinique, as from 1 June 1977,
 - to the other regions of the Community, as from 1 February 1977.

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

Done at Luxembourg, 22 June 1976.

For the Council

The President

J. HAMILIUS

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Official Journal of the European Communities

No L 167/13

COUNCIL REGULATION (EEC) No 1489/76

of 22 June 1976

amending Regulation (EEC) No 766/68 as regards the granting of export refunds on sugars imported into the Community under preferential systems

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76, and in particular Article 19 (2) and (3) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3330/74 lays down special arrangements to ensure the application of the preferential systems referred to in Title V thereof;

Whereas the provisions of Article 19 of Regulation (EEC) No 3330/74 on the system of refunds are therefore applicable to the said preferential sugar;

Whereas Article 15 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽²⁾, as last amended by Regulation (EEC) No 1102/75⁽³⁾, lays down firstly that no export refund shall be granted for the products listed in Article 1 (1) (a) and (c) of Regulation (EEC) No 3330/74, unless they have been produced from sugar beet or sugar cane harvested within the Community, and secondly that no export refund shall be granted for the products listed in the said Article 1 (1) (d) which are not of Community origin;Whereas under paragraph 4 of Protocol 17 to the Act of Accession⁽⁴⁾ and notwithstanding Article 15 (1) of Regulation (EEC) No 766/68, the export refund applicable in the United Kingdom may be granted for white sugar produced from raw sugar imported under the terms of the Protocol;

Whereas preferential import systems applying to sugar combined with an undertaking to purchase and

import were subsequently introduced by Protocol 3 on sugar annexed to the ACP-EEC Convention of Lomé⁽⁵⁾, by Council Decision 75/614/EEC of 25 February 1975 concerning the importation of cane sugar originating in the overseas countries and territories (OCT)⁽⁶⁾, and by the Agreement between the EEC and the Republic of India on cane sugar⁽⁷⁾; whereas the implementation of these preferential systems and in particular of the undertakings referred to calls for an extension of the system of export refunds to sugars imported under preferential systems,

HAS ADOPTED THIS REGULATION:

Article 1

Article 15 of Regulation (EEC) No 766/68 shall be replaced by the following:

Article 15

1. No export refund shall be granted on the products listed in Article 1 (1) (a) of Regulation (EEC) No 3330/74 unless they have been:

- (a) produced from sugar beet or sugar cane harvested within the Community;
- (b) imported into the Community by virtue:
 - of Protocol 3 on sugar annexed to the ACP-EEC Convention of Lomé,
 - of Decision 75/614/EEC,
 - of the Agreement between the EEC and the Republic of India on cane sugar;
- (c) produced from one of the products imported by virtue of the provisions referred to under (b).

2. No export refund shall be granted for the products listed in Article 1 (1) (c) and (d) of Regula-

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.⁽²⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽³⁾ OJ No L 110, 30. 4. 1975, p. 1.⁽⁴⁾ OJ No L 73, 27. 3. 1972, p. 14.⁽⁵⁾ cf. GEN O 112.⁽⁶⁾ OJ No L 268, 17. 10. 1975, p. 43.⁽⁷⁾ OJ No L 190, 23. 7. 1975, p. 36.

tion (EEC) No 3330/74 which are not of Community origin or have not been produced from sugars imported into the Community by virtue of the provisions referred to in paragraph 1 (b) or from products specified in paragraph 1 (c).

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, 22 June 1976.

For the Council

The President

J HAMILIUS

1. 7. 76

Official Journal of the European Communities

No L 176/3

COUNCIL REGULATION (EEC) No 1654/76

of 29 June 1976

on the conclusion of the Agreements in the form of exchanges of letters on the guaranteed prices for cane sugar for 1976/77 between the European Economic Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of India

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 recommendation from the Commission,

Whereas the implementation of Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé and of the Agreement between the European Economic Community and the Republic of India on cane sugar (1), is carried out within the framework of the management of the common organization of the sugar market;

Whereas in respect of the guaranteed prices to apply to cane sugar in 1976/77 it is appropriate to conclude Agreements, in the form of exchanges of letters, between the Community and the States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, and the Republic of India,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreements on the guaranteed prices to apply to cane sugar in 1976/77 are concluded on behalf

of the Community in the form of exchanges of letters between the Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of India .

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreement referred to in Article 1 and to confer on him the powers required in order to bind the Community.

Article 3

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

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

Done at Luxembourg, 29 June 1976.

For the Council
The President
G. THORN

(1) OJ No L 190, 23. 7. 1975, p. 35.

AGREEMENTS

on cane sugar in the form of exchanges of letters between the European Economic Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of India

Letter No 1

Brussels,

Sir,

Following the conclusion of the negotiations referred to in Article 5 (4) of Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, the Commission, on behalf of the European Economic Community, and the ACP States referred to in the aforesaid Protocol have agreed as follows:

For the period 1 April 1976 to 30 June 1977 the guaranteed prices referred to in Article 5 (4) of the Protocol shall be:

- (a) for raw sugar, 26.70 units of account per 100 kilogrammes;
- (b) for white sugar, 34.14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked and cif European ports of the Community.

The guaranteed price for raw sugar for 1976/77 contains a premium of 0.48 unit of account per 100 kilogrammes of white sugar which will be recoverable from the exporting State concerned to the extent that the price realized on sale from intervention is less than the guaranteed price for raw sugar.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows:

'Following the conclusion of the negotiations referred to in Article 5 (4) of Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, the Commission, on behalf of the European Economic Community, and the ACP States referred to in the aforesaid Protocol have agreed as follows:

For the period 1 April 1976 to 30 June 1977 the guaranteed prices referred to in Article 5 (4) of the Protocol shall be:

- (a) for raw sugar, 26.70 units of account per 100 kilogrammes;
- (b) for white sugar, 34.14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked and cif European ports of the Community.

The guaranteed price for raw sugar for 1976/77 contains a premium of 0.48 unit of account per 100 kilogrammes of white sugar which will be recoverable from the exporting State concerned to the extent that the price realized on sale from intervention is less than guaranteed price for raw sugar.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.'

I have the honour to confirm the agreement of my Government with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Barbados (1)

(1) A similar exchange of letters shall take place *mutatis mutandis* between the Community and the following ACP States: The People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda.

Letter No 1

Brussels,

Sir,

Following the conclusion of the negotiations referred to in Article 5 (4) of the Agreement between the European Economic Community and the Republic of India on cane sugar, the Commission, on behalf of the European Economic Community, and the Republic of India have agreed as follows:

For the period 1 April 1976 to 30 June 1977 the guaranteed prices referred to in Article 5 (4) of the Agreement shall be:

- (a) for raw sugar, 26.70 units of account per 100 kilogrammes;
- (b) for white sugar, 34.14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked and *cif* European ports of the Community.

The guaranteed price for raw sugar for 1976/77 contains a premium of 0.48 unit of account per 100 kilogrammes of white sugar which will be recoverable from the exporting State concerned to the extent that the price realized on sale from intervention is less than the guaranteed price for raw sugar.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.

Please accept, Sir, the assurance of my highest consideration.

*For the Council of
the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows:

'Following the conclusion of the negotiations referred to in Article 5 (4) of the Agreement between the European Economic Community and the Republic of India on cane sugar, the Commission, on behalf of the European Economic Community, and the Republic of India have agreed as follows:

For the period 1 April 1976 to 30 June 1977 the guaranteed prices referred to in Article 5 (4) of the Agreement shall be:

- (a) for raw sugar, 26.70 units of account per 100 kilogrammes;
- (b) for white sugar, 34.14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked and cif European ports of the Community.

The guaranteed price for raw sugar for 1976/77 contains a premium of 0.48 unit of account per 100 kilogrammes of white sugar which will be recoverable from the exporting State concerned to the extent that the price realized on sale from intervention is less than the guaranteed price for raw sugar.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.'

I have the honour to confirm the agreement of my Government with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Republic of India*

Industrial Cooperation
(removed)

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I

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24. 4. 75

Official Journal of the European Communities

No L 104/35

COUNCIL DECISION

of 21 April 1975

on the definition and conversion of the European unit of account used for expressing the amounts of aid mentioned in Article 42 of the ACP-EEC convention of Lomé

(75/250/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the recommendation of the Commission ;

Having regard to the report of the Monetary Committee ;

Whereas at the signing of the ACP-EEC convention of Lomé on 28 February 1975, the Community declared that the Council would have to define the European unit of account to be used for expressing the amounts of aid mentioned in Article 42 of the said convention ;

Whereas the unit of account has been established on the basis of an initial value equivalent to the value fixed by the International Monetary Fund on 28 June 1974 for the special drawing right ;

Whereas the unit of account should represent the average of any changes in the value of the currencies of the Member States of the Community,

HEREBY DECIDES :

Article 1

The amounts of aid mentioned in Article 42 of the ACP-EEC convention of Lomé shall be expressed in a unit of account, defined as the sum of the following amounts in the currencies of the Member States of the Community :

| | |
|------------------|---------|
| German mark | 0.828 |
| Pound sterling | 0.0885 |
| French franc | 1.15 |
| Italian lira | 109 |
| Dutch guilder | 0.286 |
| Belgian franc | 3.66 |
| Luxembourg franc | 0.14 |
| Danish krone | 0.217 |
| Irish pound | 0.00759 |

Article 2

The value of the unit of account in any given currency shall be equal to the sum of the equivalent in that currency of the amounts of currency referred to in Article 1. It shall be calculated by the Commission using daily market exchange rates.

The daily values of the unit of account in the various national currencies shall be made available every day and shall be published periodically in the *Official Journal of the European Communities*.

Done at Luxembourg, 21 April 1975.

For the Council

The President

R. RYAN

INTERNAL AGREEMENT

on the financing and administration of Community aid

(76/165/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Economic Community (hereinafter called the 'Treaty'),

Whereas the ACP-EEC Convention of Lomé (hereinafter called the 'Convention') set the aggregate amount of Community aid to the ACP States at 3 390 million units of account;

Whereas the representatives of the Governments of the Member States, meeting within the Council, agreed on 16 January 1975 to set at 150 million units of account the amount of aid to be borne by the European Development Fund for the benefit of the overseas countries and territories having special relations with France, the Netherlands and the United Kingdom (hereinafter called 'countries and territories') and the French overseas departments; whereas, provision is also made for loans to the amount of 10 million units of account granted by the European Investment Bank (hereinafter called the 'Bank') from its own resources in the countries and territories and in the French overseas departments;

Whereas in a Decision of 21 April 1975, the Council actually defined the unit of account applicable under the Convention;

Whereas, in order to implement the Convention and the Decision concerning the countries and territories (hereinafter called the 'Decision'), a fourth European Development Fund should be established and a procedure should be laid down for the provision of funds and for contributions from Member States to these funds;

Whereas the rules for the management of financial co-operation should be determined, the procedure for programming, examining and approving aid should be decided and the detailed rules for supervising the use of the aid should be defined;

Whereas a Committee of Representatives of the Governments of the Member States should be set up under the auspices of the Commission and a similar committee should be set up under the auspices of the Bank;

Whereas the work done by the Commission and the Bank to apply the Convention and the corresponding provisions of the Decision should be harmonized; whereas it is therefore desirable that, as far as possible, the composition of the Committees set up under the auspices of the Commission and of the Bank should be identical;

Whereas the Council adopted on 16 July 1974 a Resolution on the harmonization and coordination of Member States' cooperation policies;

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

CHAPTER I

Article 1

1. The Member States hereby set up a European Development Fund (1975) (hereinafter called the 'Fund').

2. The Fund shall consist of 3 150 million units of account to be financed by the Member States as follows:

| | |
|----------------|----------------------------------|
| Belgium | 196·875 million units of account |
| Denmark | 75·600 million units of account |
| Germany | 817·425 million units of account |
| France | 817·425 million units of account |
| Ireland | 18·900 million units of account |
| Italy | 378·000 million units of account |
| Luxembourg | 6·300 million units of account |
| Netherlands | 250·425 million units of account |
| United Kingdom | 589·050 million units of account |

3. The amount stated in paragraph 2 shall be allocated as follows:

(a) 3 000 million units of account for the ACP States, comprising:

2 100 million units of account in the form of grants

430 million units of account in the form of special loans

95 million units of account in the form of risk capital

375 million units of account in the form of transfers pursuant to Title II of the Convention;

(b) 130 million units of account for the countries and territories and the French overseas departments, comprising:

65 million units of account in the form of grants

40 million units of account in the form of special loans

5 million units of account in the form of risk capital

20 million units of account as a reserve.

(c) 20 million units of account in the form of transfers for the countries and territories, pursuant to those provisions of the Decision which concern the system for stabilizing export earnings.

4. Where a country or territory which has become independent accedes to the Convention, the amounts indicated in paragraph 3 (b) above shall be reduced and those indicated in paragraph 3 (a) above correspondingly increased by a decision taken by the Council acting unanimously on a proposal from the Commission.

5. In this case, the country concerned will continue to be eligible for the funds provided for in paragraph 3 (c), subject to the management rules laid down in Title II of the Convention.

Article 2

To the amount laid down in Article 1 (2) shall be added up to 400 million units of account in the form of loans granted by the Bank from its own resources under the conditions laid down by it in accordance with its statute.

These loans shall be allocated as follows:

(a) up to the amount of 390 million units of account, for financing operations to be carried out in the ACP States;

(b) up to the amount of 10 million units of account, for financing operations to be carried out in the countries and territories and the French overseas departments.

Article 3

The unit of account used for applying this Agreement shall be that defined in the Council Decision of 21 April 1975 on the definition and conversion of the European unit of account used for expressing the amounts of aid mentioned in Article 42 of the ACP-EEC Convention of Lomé.

Article 4

During the first two years of application of the Convention, an amount of up to 40 million units of account may be committed in the form of risk capital.

The Commission and the Bank shall submit a joint report to the Council on the experience of the first two years. In the light of this report, the Council may review the amount made available to the Bank, within the limit of the ceiling of 100 million units of account laid down in Article 1 (3) (a) and (b), and any sums made available shall be added to the funds earmarked for special loans.

Article 5

An amount of up to 100 million units of account shall be set aside from the grant aid specified in Article 1 (3) (a) and (b) for financing the interest rate subsidies referred to in Article 5 of Protocol No 2 to the Convention and in the corresponding provisions of the Decision. Any part of this amount not committed by the end of the period during which loans are granted by the Bank shall become available as grant aid again.

The Council may decide, on a proposal from the Commission drawn up in agreement with the Bank, to raise this ceiling.

Article 6

With the exception of loans granted by the Bank from its own resources, all financial operations undertaken for the benefit of the ACP States, the countries and territories and the French overseas departments shall be carried out in accordance with the conditions laid down in this Agreement and shall be charged to the Fund.

Article 7

1. Within one month of the entry into force of the Convention, and subsequently before 1 September each year, the Commission shall draw up estimates of the commitments to be entered into during the budget year, taking into account the Bank's forecasts in respect of the operations which it manages, and shall communicate these estimates to the Council.

2. In the same manner, the Commission shall establish and communicate to the Council the total amount of the payments to be made in the budget year in question. On the basis of this amount and taking into account cash requirements, including those arising from expenditure incurred in implementing the system referred to in Title II of the Convention and in the corresponding provisions of the Decision, the Commission shall draw up a schedule of calls for contributions determining the dates on which payment is due; the detailed rules for payment of such contributions by the Member States shall be determined by the Financial Regulation referred to in Article 30. This schedule shall be submitted by the Commission to the Council, which shall decide thereon by the qualified majority laid down in Article 18 (4).

If the contributions are insufficient to meet the actual requirements of the Fund in the budget year in question, the Commission shall submit proposals for supplementary payments to the Council which shall decide thereon as soon as possible by the qualified majority laid down in Article 18 (4).

3. Until used by the Commission for financing projects, programmes or transfers adopted under the conditions laid down in Articles 11 to 21 and 26 to 30, the funds obtained from the calls for contributions referred to in paragraph 2 shall remain deposited in special accounts opened by each Member State with its Treasury or with such bodies as it may designate, in accordance with the detailed rules laid down by the Financial Regulation referred to in Article 30.

4. From the date on which payment is due and throughout the period of their deposit in the special accounts referred to in paragraph 3, the funds shall retain the value in units of account corresponding to the exchange rate applying in relation to the unit of account on the date when payment fell due. The arrangements for implementing this paragraph will be defined in the Financial Regulation referred to in Article 30.

Article 8

1. Any remaining balance of the Fund shall be used up in accordance with the same rules as those laid down in the Convention, the Decision and this Agreement.

2. Upon expiry of this Agreement, Member States shall still be obliged to pay, as provided in Article 7, that portion of their contributions not yet called for.

Article 9

1. The Member States undertake to act as guarantor for the Bank, waiving any right to object and in proportion to their contributions to its capital, in respect of all financial commitments arising for its borrowers out of the loan contracts concluded by the Bank in respect of its own resources in implementation of the Convention and the Decision.

2. This guarantee shall cover all risks and shall be restricted to 30% of the total amount of the credits opened by the Bank under the loan contracts.

3. The undertakings arising from paragraphs 1 and 2 shall be the subject of contracts of guarantee between each Member State and the Bank.

4. Should the Community conclude new agreements providing for financing operations by the Bank from its own resources for countries outside the Community, this Article could, under conditions agreed with the Bank, be supplemented in such a way as to make the Member States' guarantee apply globally, according to the percentage set out in paragraph 2, to the loans thus granted to the countries in question.

Article 10

1. Payments made to the Bank in respect of special loans granted to the ACP States, the countries and territories and the French overseas departments since 1 June 1964, as well as the proceeds and income from risk capital operations undertaken since 1 February 1971 for the benefit of those States, countries, territories and departments, shall be credited to the Member States in proportion to their contributions to the Fund from which the sums are derived, unless the Council decides unanimously, on a proposal from the Commission, to place them in reserve or allocate them to other operations.

Any commission due to the Bank for managing the loans and operations referred to in the first subparagraph shall be deducted in advance from these sums.

2. The amount of the grants from the Fund, as fixed in Article 1 (3) (a), shall be supplemented by any other revenue accruing to the Fund.

CHAPTER II

Article 11

1. Subject to Articles 18 to 21 and without prejudice to the Bank's responsibilities for the administration of certain forms of aid, the Fund shall be administered by the Commission in accordance with the rules laid down by the Financial Regulation referred to in Article 30.

2. Subject to Articles 22 to 24, risk capital and interest rate subsidies financed from the Fund's resources shall be administered by the Bank on behalf of the Community in accordance with its statute and the rules laid down by the Financial Regulation referred to in Article 30.

Article 12

The Commission shall be responsible for implementing the aid policy defined by the Council and the general guidelines for financial and technical co-operation defined by the Council of ACP-EEC Ministers pursuant to Article 41 of the Convention.

Article 13

1. The Commission and the Bank shall periodically provide each other with appropriate information on the requests made to them for finance and on preliminary contacts made with them by the relevant bodies of the ACP States, or of the countries and territories or the French overseas departments, or other recipients of aid as provided for in Article 49 of the Convention and in the corresponding provisions of the Decision, before their requests were submitted.

This information shall be provided not later than three months after the request has been made or preliminary contacts have been established.

2. The Commission and the Bank shall keep each other informed of the progress made in appraising requests for finance.

3. The Commission shall channel the information referred to in paragraphs 1 and 2 through its liaison office. In addition, the liaison office shall collect and provide any general information which would promote the harmonization of administrative procedures and the assessment of requests.

Article 14

1. The Commission shall appraise projects which, pursuant to Article 43 of the Convention and the

corresponding provisions of the Decision, could be financed by grants or special loans from the Fund's resources.

2. The Bank shall appraise projects which, pursuant to its statute, Article 43 of the Convention and the corresponding provisions of the Decision, could be financed by loans from its own resources, with or without interest rate subsidies, or by risk capital.

3. Projects which come under the industrial, mining or tourism sectors shall be submitted to the Bank, which shall examine whether they are eligible for one of the forms of aid which it administers.

4. Where, in the course of appraisal of a project or programme by the Commission or by the Bank, it is found that such project or programme could not be financed by one of the forms of aid administered by the institution in question, the latter will, with the agreement of the potential recipient, transmit the request to the other institution.

Article 15

1. Without prejudice to special instructions which the Bank receives from the Community in respect of the recovery of capital and interest relating to special loans, the Commission shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the form of grants, special loans or transfers; it shall make payments in accordance with the Financial Regulation referred to in Article 30.

2. The Bank shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the form of risk capital. In such cases, the Bank shall act on behalf of and at the risk of the Community. Any resulting rights, and particularly rights as creditor or owner, shall be vested in the Community.

3. The Bank shall undertake the financial execution of operations carried out in the form of loans from its own resources combined with interest rate subsidies from the Fund's resources.

Article 16

The Commission shall provide the Member States with information obtained from the ACP States as regards the content and prospects of their development plans, the objectives they have set themselves and projects already identified which are

likely to attain these objectives. This provision shall also apply in respect of the countries and territories and the French overseas departments.

The Commission shall compile this information in collaboration with the Bank as regards matters which concern the latter.

Member States shall at the same time inform the Commission of any bilateral aid they have granted or intend to grant.

Furthermore, the Commission shall forward to the EDF Committee referred to in Article 18 all available information on any other bilateral or multilateral aid granted or envisaged for the ACP States concerned.

To this end, and in order to keep Member States abreast of developments, the Commission shall obtain all relevant information on aid to the ACP States, to the countries and territories and to the French overseas departments which Member States, international institutions and other aid donors have already granted or intend to grant.

Each Member State shall periodically forward to the Commission such information as is available.

Article 17

1. In order to implement Article 51 of the Convention, programming missions shall be carried out under the general responsibility of the Commission with the participation of the Bank.

2. Before programming missions are sent out, and on the basis of information provided by the Commission in accordance with Article 16, the general framework of the programming missions shall be determined, possibly according to groups of countries, during exchanges of views between the representatives of the Member States, the Commission and the Bank.

3. Following the programming missions undertaken in the ACP States by the Commission and the Bank, a draft Community indicative aid programme for each ACP State shall be forwarded to the Member States.

These draft programmes shall be the subject of an exchange of views with the representatives of the Member States in order to obtain an opinion.

4. Following the exchanges of views with representatives of the ACP States provided for in Article 51 (3) of the Convention, the representatives of the Member States, the Commission and the Bank may

hold further discussions in order to evolve the necessary guidelines.

5. During the implementation of the indicative aid programmes referred to in Article 51 (2) and (3) of the Convention, exchanges of views shall be held from time to time between the representatives of the Member States, the Commission and the Bank. Taking account of the projects for which the financing has already been decided on and those which still have to be appraised, the Member States shall assess the changes in the Community indicative aid programmes proposed by the recipient countries concerned.

Article 18

1. A Committee (hereinafter called the 'EDF Committee'), consisting of representatives of the Governments of the Member States, shall be set up under the auspices of the Commission.

The EDF Committee shall be chaired by a Commission representative, and its secretariat shall be provided by the Commission.

A representative of the Bank shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the EDF Committee.

3. Within the EDF Committee, the votes of the Member States shall be weighted as follows:

| | |
|----------------|----|
| Belgium | 6 |
| Denmark | 3 |
| Germany | 25 |
| France | 25 |
| Ireland | 2 |
| Italy | 12 |
| Luxembourg | 1 |
| Netherlands | 8 |
| United Kingdom | 18 |

4. The EDF Committee shall act by a qualified majority of 69 votes.

Article 19

1. The EDF Committee shall give its opinion on financing proposals for projects or programmes financed by grants or special loans, submitted to it by the Commission.

2. The financing proposals for these projects shall explain the relevance of the projects to the development prospects of the country or countries concerned; where appropriate, they shall mention the use to which such countries have put previous Community aid.

They shall include in particular measures promoting, in accordance with Chapter 8 of Protocol No 2 to the Convention and the corresponding provisions of the Decision, participation by national firms of the ACP States, of the countries and territories and of the French overseas departments in carrying out the projects.

3. If the EDF Committee requests substantial changes in the financing proposal or in the absence of a favourable opinion on the latter, the Commission shall consult the representatives of the ACP State or ACP States concerned. In the absence of a favourable opinion, the latter may be consulted by the representatives of the Community, in accordance with Article 54 (3) of the Convention.

4. In the cases mentioned in paragraph 3, the financing proposal, possibly after review or extension, shall be submitted afresh to the EDF Committee at one of its subsequent meetings.

If the Committee still refuses to deliver a favourable opinion, the Commission shall consult afresh the representatives of the ACP State or ACP States concerned, in accordance with Article 54 (3) of the Convention.

Article 20

The financing proposals, together with the opinion of the EDF Committee, shall be submitted to the Commission for its decision.

If the Commission decides to differ from the opinion expressed by the Committee, or if the Committee has not delivered a favourable opinion, it shall either withdraw the financing proposal or, at the earliest opportunity, refer the proposal to the Council which shall decide on it according to the same voting procedure as the EDF Committee.

Article 21

1. The Commission shall regularly inform the EDF Committee of all requests for financing officially submitted to it by one or more ACP States irrespective of whether these are selected by its departments.

2. The EDF Committee shall be kept informed of the results of work periodically done by the Commission on the evaluation of projects being carried out or completed, particularly in relation to the development objectives set.

Article 22

1. A Committee (hereinafter called the 'Article 22 Committee'), consisting of representatives of the Governments of the Member States, shall be set up under the auspices of the Bank.

The Article 22 Committee shall be chaired by the representative of the Member State currently assuming the Presidency of the Board of Governors of the Bank; its secretariat shall be provided by the Bank.

A representative of the Commission shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the Article 22 Committee.

3. Within the Article 22 Committee, the votes of the Member States shall be weighted as provided in Article 18 (3).

4. The Article 22 Committee shall act by a qualified majority of 69 votes.

Article 23

1. The Article 22 Committee shall deliver an opinion on requests for loans with interest rate subsidies and on proposals for financing by risk capital which are submitted to it by the Bank.

The Commission representative may, at meetings, submit the Commission's assessment of these proposals. This assessment shall cover conformity of the projects with Community development aid policy, with the objectives of financial and technical co-operation laid down by the Convention and with the general guidelines adopted by the Council of ACP-EEC Ministers.

In addition, the Bank shall inform this Committee of any loans without interest rate subsidies that it intends to grant.

2. The document submitted to the Article 22 Committee by the Bank shall, in particular, explain the relevance of the project to the development prospects of the country or countries concerned and,

where appropriate, indicate the situation as regards loans granted by the Community and holdings acquired by it.

3. Where the Article 22 Committee does not deliver a favourable opinion on a proposal concerning an ACP State or group of ACP States, the Bank shall consult the representatives of the said State or States and the procedure laid down in Article 54 (3) of the Convention shall apply.

4. Where the Article 22 Committee delivers a favourable opinion in respect of a request for a loan with an interest rate subsidy, the request, together with the reasoned opinion of the Committee and the assessment of the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the request or decide to uphold it. In the latter event, this request, together with the reasoned opinion of the Committee and the assessment given by the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's statute.

5. Where, in respect of a proposal for financing by risk capital, the Article 22 Committee delivers a favourable opinion, the proposal shall be submitted for a decision to the Board of Directors of the Bank which shall act in accordance with the provisions of the Bank's statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the proposal or request that the Member State taking the Chair of the Article 22 Committee bring the matter before the Council as soon as possible.

In the latter case, the proposal shall be submitted to the Council together with the reasoned opinion of the Article 22 Committee and the assessment by the Commission representative.

The Council shall act in accordance with the same voting procedure as the Article 22 Committee.

If the Council decides to confirm the Article 22 Committee's position, the Bank shall withdraw its proposal.

If, however, the Council is in agreement with the Bank's proposal, the Bank shall implement the procedures under its statute.

Article 24

1. Subject to such adjustments as are necessary to take account of the nature of the operations financed and of the procedures laid down in the statute of the Bank, the latter shall regularly inform the

Article 22 Committee of all requests for financing officially submitted to it, irrespective of whether these are selected by its departments.

2. The Article 22 Committee shall be kept informed of the results of work periodically done by the Bank on the assessment of projects being carried out or completed, particularly in relation to the development objectives set.

Article 25

1. The Commission and the Bank shall ascertain how the Community aid administered by each of them is used by the ACP States, by the countries and territories and by the French overseas departments or by any other recipients.

2. They shall also ascertain, each for their respective parts and in close collaboration with the relevant authorities of the countries or countries concerned, how projects financed with Community aid are used by the recipients.

3. When ascertaining how Community aid and projects are used, as provided for in paragraphs 1 and 2, the Commission and the Bank shall examine the extent to which the objectives referred to in Article 40 (2) of the Convention, in Article 1 of Protocol No 2 to the Convention and in the corresponding provisions of the Decisions have been attained.

4. The Commission shall inform the Council at least once a year of its findings pursuant to paragraphs 1, 2 and 3.

The Council, acting by a qualified majority as laid down in Article 18 (4), shall take the necessary measures.

CHAPTER III

Article 26

The system for stabilizing export earnings referred to in Title II of the Convention and in the corresponding provisions of the Decision shall apply only to export earnings for the following calendar years: 1975, 1976, 1977, 1978 and 1979.

Article 27

The amounts of the transfers referred to in Article 19 (3) and (6) respectively of Title II of the Convention and in the corresponding provisions of the Decision,

and the contributions to the reconstitution of resources mentioned in Article 21 (2) of the Convention and in the corresponding provisions of the Decision, shall be expressed in units of account.

Payments shall be made in the currency of one or more Member States chosen by the Commission after consultation of the ACP State or the relevant authorities of the countries and territories.

Article 28

To permit cross-checking of the statistics of the Community and of the ACP States as provided in Article 17 of the Convention and the corresponding provisions of the Decision, Member States shall communicate to the Commission, in accordance with procedures to be defined in an implementing regulation to be adopted, all the statistics in their possession which are necessary for the proper functioning of the stabilization system.

Article 29

The Commission shall forward to the Member States the ACP States' annual reports on the use of the funds. It shall prepare an annual comprehensive report on the operation of the system, indicating in particular its effect on the economic development of the recipient countries and on the development of external trade.

This Article shall also apply in respect of the countries and territories.

CHAPTER IV

Article 30

The provisions for implementing this Agreement shall be the subject of a Financial Regulation adopted, upon the entry into force of the Convention, by the Council acting by the qualified majority laid down in Article 18 (4) on the basis of a Commission draft, after the Bank has delivered its opinion on the provisions concerning it.

Article 31

1. At the close of each financial year, the Commission shall adopt the revenue and expenditure account and the balance sheet of the Fund.

2. Without prejudice to paragraph 4, the Audit Board provided for in Article 206 of the Treaty shall exercise its powers also in respect of the operations of the Fund. The conditions under which this Board exercises its powers shall be laid down in the Financial Regulation referred to in Article 30.

3. The discharge for the financial management of the Fund shall be given to the Commission according to the procedure provided for in Article 206 of the Treaty. However, where the procedure under Article 206 entails a decision by the Council, the Council shall act by the qualified majority laid down in Article 18 (4).

4. The operations financed from the resources of the Fund and managed by the Bank shall be subject to the control and discharge procedures laid down by the statute of the Bank for all its operations. Each year, the Bank shall send the Commission and the Council a report on the execution of operations financed from the resources of the Fund and managed by the Bank.

Article 32

1. The remaining balance of the Development Fund for the overseas countries and territories established by the Implementing Convention annexed to the Treaty shall continue to be administered as provided in that Implementing Convention and in accordance with the rules and regulations in force on 31 December 1962.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed at Yaoundé on 20 July 1963 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 31 May 1969.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed at Yaoundé on 29 July 1969 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 31 January 1975.

2. In the event of the successful completion of projects financed from the Funds referred to in paragraph 1 being jeopardized by a lack of resources due to the remaining balance having been used up, proposals for additional financing may be submitted by the Commission under the conditions laid down in Article 16.

Article 33

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the Secretariat of the Council of the European Communities when the procedures required for its entry into force have been completed.

This Agreement is concluded for the same duration as the Convention. However, it shall remain in force

for as long as is necessary for all the operations financed under the Convention to be fully executed.

Article 34

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Governments of the Signatory States.

Udfærdiget i Bruxelles, den ellefte juli nitten hundrede og femoghalvfjerds.

Geschehen zu Brüssel am elften Juli neunzehnhundertfünfundsiebzig.

Done at Brussels on the eleventh day of July in the year one thousand nine hundred and seventy-five.

Fait à Bruxelles, le onze juillet mil neuf cent soixante-quinze.

Fatto a Bruxelles, addì undici luglio millenovecentosettantacinque.

Gedaan te Brussel, elf juli negentienhonderdvijfenzeventig.

Pour le gouvernement du royaume de Belgique

Voor de Regering van het Koninkrijk België

J. Van der Meulen

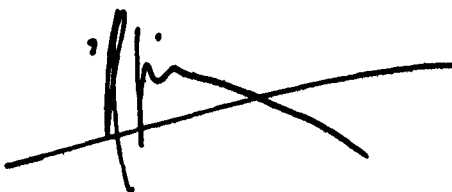
På kongeriget Danmarks vegne

W. E. Lübke

Für die Regierung der Bundesrepublik Deutschland

W. E. Lübke

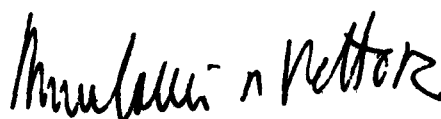
Pour le gouvernement de la République française



For the Government of Ireland



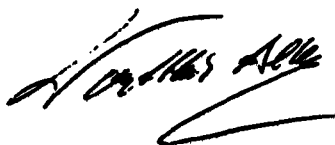
Per il governo della Repubblica italiana



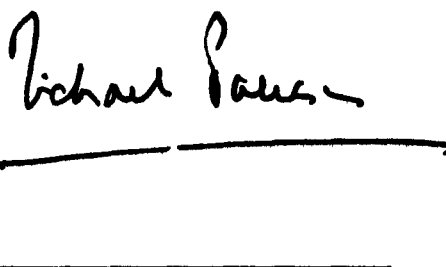
Pour le gouvernement du grand-duché de Luxembourg



Voor de Regering van het Koninkrijk der Nederlanden



For the Government of the United Kingdom of Great Britain and Northern Ireland



20. 8. 76

Official Journal of the European Communities

No L 229/9

FINANCIAL REGULATION

of 27 July 1976

applicable to the fourth European Development Fund

(76/647/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975, hereinafter referred to as 'the Convention',

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to Council Decision 75/250/EEC of 21 April 1975 on the definition and conversion of the European unit of account used for expressing the amounts of aid mentioned in Article 42 of the ACP-EEC Convention of Lomé,

Having regard to the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, hereinafter referred to as

'the Internal Agreement', and in particular Article 30 thereof,

Having regard to the draft Financial Regulation presented by the Commission,

Having regard to the opinion of the European Investment Bank, hereinafter referred to as 'the Bank',

Whereas pursuant to Article 1 (1) of the Internal Agreement the Member States have set up a fourth European Development Fund, hereinafter referred to as 'the EDF';

Whereas according to Article 30 of the Internal Agreement the provisions for implementing that Agreement shall be the subject of a Financial Regulation adopted, upon the entry into force of the Convention, by the Council acting by the qualified majority laid down in Article 18 (4) of the said Agreement,

HAS ADOPTED THIS FINANCIAL REGULATION:

TITLE I

FINANCIAL ARRANGEMENTS

Article 1

1. The financial contributions of the Member States shall be expressed in the European unit of account, hereinafter referred to as 'EUA', referred to in Article 3 of the Internal Agreement and defined by Decision 75/250/EEC. Each Member State shall pay the amount of its contribution in its national currency on the basis of the conversion rate calculated by the Commission pursuant to Article 2 of the said Decision.

2. The financial contributions shall be credited by each Member State to a special account entitled 'Commission of the European Communities — European Development Fund' opened with the Treasury of that Member State or the body designated by it.

3. Upon expiry of the Convention and Decision 76/568/EEC, that part of the contributions which the

Member States remain obliged to make shall be called up by the Commission, as required, on the conditions laid down in this Financial Regulation.

Article 2

1. The Council Decision provided for in the first subparagraph of Article 7 (2) of the Internal Agreement and which relates to the schedule of calls for contributions, shall be notified to the Commission by 31 October each year.

2. The annual contributions shall normally be payable:

- (a) before 20 January for the requirements of the EDF as forecast for the first seven months of the year in question;
- (b) on 1 July for the balance of the annual contribution.

3. Each Member State shall make the payments referred to in paragraph 2 in proportion to its contributions as fixed in Article 1 (2) of the Internal Agreement.

⁽¹⁾ cf. GEN O 2

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

4. Supplementary payments decided upon pursuant to the second subparagraph of Article 7 (2) of the Internal Agreement shall, unless otherwise decided by the Council, be due and be made within as brief a period as possible, which may not in any case be more than three months.

Article 3

1. In each Member State the Commission shall hold, with the bank of issue or the financial institution designated by that Member State, accounts under the same name as that opened pursuant to Article 1 (2).

2. For operations which are not currently undertaken by banks of issue or by post office giro centres, or in order to facilitate the payments which it has to make, the Commission shall open accounts at one or more banks.

3. The signatures of the Commission officials empowered to carry out operations on the EDF's accounts shall be lodged when the accounts are opened or, in the case of officials who are authorized subsequently, when they are designated.

Article 4

1. The Commission shall use the funds credited to the accounts referred to in Article 3 to make the necessary payments and transfers.

2. The Commission shall, as far as possible, make any withdrawals from the special accounts referred

to in Article 1 (2) in such a way as to maintain a distribution of its assets amongst the various currencies corresponding to the proportion in which the currencies of the Member States enter into the composition of the EUA.

Article 5

By reference to the cash requirements for executing projects and programmes, the authorizing officer shall make the transfers needed to replenish the accounts opened on behalf of the Commission in accordance with Article 32 of Protocol 2 annexed to the Convention, hereinafter referred to as 'Protocol 2', and with Article 3 of this Financial Regulation.

Article 6

1. Any transfers of assets from the currency of one Member State into that of another Member State which have been requested by the Commission for the management of the EDF shall be made at the current rate of exchange by the banks of issue or the financial institutions approved by the Member States.

2. Any exchange differences and costs shall be charged against EDF resources.

Article 7

The Commission shall communicate to the Council each year a statement of contribution payments and a progress report on EDF operations.

TITLE II

MANAGEMENT OF THE EDF

SECTION I

GENERAL PROVISIONS

Article 8

1. The EDF shall be administered financially in accordance with the principle that the authorizing officers and accounting officers are separate individuals. The appropriations shall be administered by the authorizing officers, who alone shall have the power to enter into commitments regarding expenditure, establish sums due to be collected and issue proof of revenue and payments.

2. Collection and payment operations shall be carried out by the accounting officers.

3. An authorizing officer may not exercise the functions of financial controller or accounting officer.

Article 9

Within the limit of the appropriations provided for in Article 1 of the Internal Agreement the Commission shall, without prejudice to Article 11 (2) thereof, manage the EDF on its own responsibility under the conditions laid down in the Convention, in Decision 76/568/EEC, in the Internal Agreement and in this Financial Regulation. In accordance with Article 29 (1) of Protocol 2 the Commission shall appoint the chief authorizing officer of the EDF. The latter may have recourse to deputy authorizing

officers, whom he shall appoint subject to approval by the Commission. Each decision to delegate powers shall state the duration and extent of the mandate.

Those to whom powers are delegated may act only within the limits of the powers expressly conferred upon them.

Article 10

1. The Commission shall appoint the financial controller, who shall be responsible for monitoring the commitment, for authorizing expenditure and for monitoring revenue.

2. The special rules applicable to the financial controller shall be formulated in such a way as to ensure his independence in carrying out his duties. Measures taken in respect of his appointment and promotion, disciplinary action or transfers, and the various methods of interruption or termination of his appointment shall be the subject of reasoned decisions which shall be forwarded to the Council for information.

3. The person concerned or the Commission may institute proceedings before the Court of Justice.

Article 11

The collection of revenue and the payment of expenditure shall be carried out by an accounting officer appointed by the Commission. Subject to Article 33 (2) this accounting officer alone shall be empowered to manage funds and assets. He shall be responsible for their care.

Article 12

The Commission may delegate part of the duties of the accounting officer and part of the responsibility for monitoring to authorized agents appointed by it. The rules governing responsibilities adopted under this Title shall apply to such authorized agents within the limits of the powers delegated to them.

The principles of the provisions of this Financial Regulation relating to the monitoring and payment of expenditure shall be applicable to expenditure effected by delegation. Such expenditure may not be finally entered into the EDF accounts until the Commission has verified that the expenditure has been correctly cleared and that the authorization and payment are in order, in accordance with the requirements of this Regulation.

SECTION II

REVENUE

Article 13

1. The recovery of any sum due to the EDF shall give rise to the issue, by the authorizing officer, of a revenue order.

2. Revenue orders shall be transmitted by the authorizing officer to the financial controller and shall be subject to the latter's approval. The purpose of approval by the financial controller shall be to establish that:

- (a) the revenue is correctly credited;
- (b) the revenue order is in order and in conformity with the provisions applicable to the management of the EDF, with all acts taken in implementation of those provisions;
- (c) the principles of sound financial management have been affected.

3. The financial controller may refuse his approval. The authorizing officer may, by means of a decision stating the full reasons therefor and on his sole responsibility, disregard this. The decision of the authorizing officer shall be implemented; it shall be communicated to the financial controller for information. The Commission shall inform the Audit Board provided for in Article 206 of the Treaty of each of these decisions.

4. When the authorizing officer waives the right to draw up a document establishing a debt or to recover sums due, he must inform the financial controller and the Audit Board.

When the financial controller finds that a document establishing a debt has not been drawn up or that a sum due has not been recovered, he shall inform the Commission thereof.

Article 14

1. The accounting officer shall assume responsibility for revenue orders forwarded to him by the authorizing officer.

2. The accounting officer shall do all in his power to ensure that EDF resources are recovered at the due dates and to ensure that the Community's rights are safeguarded.

3. The accounting officer shall inform the authorizing officer and the financial controller of any revenue not recovered within the time limits laid down.

Article 15

A receipt shall be issued in respect of all cash payments made to the accounting officer.

SECTION III

COMMITMENT, CLEARANCE, AUTHORIZATION
AND PAYMENT OF EXPENDITURE

1. Commitment of expenditure

Article 16

1. All measures which may give rise to expenditure payable by the EDF must be preceded by a proposal for commitment of expenditure from the authorizing officer.

2. A provisional commitment may be entered into in respect of current expenditure.

3. An account shall be kept of commitments and authorizations.

Article 17

Proposals for commitments shall be referred to the financial controller. They shall in particular show the purpose of the expenditure, the estimated amount involved, the item to which it is to be charged and the name and description of the creditor. They shall be registered after approval by the financial controller.

Article 18

1. The purpose of approval by the financial controller shall be to establish that:

- (a) the expenditure has been charged to the correct item;
- (b) appropriations are available;
- (c) the expenditure is in order and in conformity with the provisions applicable to the management of the EDF and with all acts taken in implementation of those provisions, in particular the general and special clauses of the financing agreement relating to the operation;
- (d) the principles of sound financial management have been applied.

2. The financial controller shall take into account any observations made in the discharge decisions.

Article 19

1. Where the financial controller withholds his approval he shall furnish a written statement of his reasons therefor. The authorizing officer shall be notified accordingly.

Where approval is withheld and the authorizing officer maintains his proposal, the refusal shall be referred for a decision to the Commission.

2. Except where the availability of appropriations is in doubt, the Commission may, by means of a decision stating the full reasons therefor and on its sole responsibility, overrule such a refusal. This decision shall be implemented; it shall be communicated for information to the financial controller. The Commission shall inform the Audit Board of each of these decisions.

2. Clearance of expenditure

Article 20

The purpose of clearance of expenditure by the authorizing officer shall be:

- (a) to verify the existence of the rights of the creditor;
- (b) to determine or verify the existence and the amount of the debt; and
- (c) to verify the conditions under which payment falls due.

Article 21

1. Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered.

2. However, for certain categories of expenditure, advances may be granted under the conditions laid down by the Commission.

3. The Commission shall lay down the nature and contents of the supporting documents to be enclosed with the payment orders.

4. The authorizing officer empowered to clear expenditure shall personally check the supporting documents or shall, on his own responsibility, ascertain that this has been done.

3. Authorization of expenditure

Article 22

Authorization shall be the act whereby the authorizing officer, by the issue of a payment order, authorizes the accounting officer to pay an item of expenditure which he has cleared.

Article 23

The payment order shall state:

- (a) the item against which payment shall be charged;
- (b) the amount to be paid;
- (c) the name and address of the payee;
- (d) the method of payment;
- (e) the purpose of the expenditure.

The payment order shall be dated and signed by the authorizing officer.

Article 24

1. The payment order shall be accompanied by the original supporting documents, which shall bear or be accompanied by the approval of the authorizing officer confirming that the amounts to be paid are correct, the receipt of the supplies or the performance of the service. The payment order shall show the numbers and dates of the relevant approvals of commitment.

2. Copies of the supporting documents, certified as true copies by the authorizing officer, may, in some cases, be accepted in place of the originals.

Article 25

1. For payments by instalment, the first payment order shall be accompanied by documents establishing the creditor's right to payment of the instalment in question.

2. Subsequent payment orders shall refer to the supporting documents already furnished and repeat the reference number of the first payment order.

Article 26

Payment orders shall be sent to the financial controller for prior approval. This prior approval shall confirm that:

- (a) the payment order was properly issued;

- (b) the payment order agrees with the commitment of expenditure and that the amount thereof is correct;

- (c) the expenditure is charged to the correct item;

- (d) the appropriations are available;

- (e) the supporting documents are in order;

- (f) the payee is correctly described.

Article 27

Should approval be withheld, Article 19 shall apply.

Article 28

After approval, the original of the payment order, together with all supporting documents, shall be forwarded to the accounting officer.

4. Payment of expenditure

Article 29

1. Payment shall be the final act whereby the EDF is discharged of its obligations resulting from carrying out the operations financed.

2. Payment shall be made by the accounting officer within the limits of the funds available.

Article 30

In the event of a substantive error or of the validity of the discharge being contested or of failure to observe the formalities prescribed by this Financial Regulation, the accounting officer shall suspend payment.

Article 31

1. If payment is suspended, the accounting officer shall give the reasons therefor in a written statement which he shall send forthwith to the authorizing officer and, for information, to the financial controller.

2. Except where the validity of the discharge is contested the authorizing officer may, where payment is suspended, refer the matter to the Commission. The latter may require, in writing and on its own responsibility, that the withholding of payment be disregarded.

Article 32

1. Payments shall, as a general rule, be effected through a bank account or a post office giro account. The procedure for opening, administering and using such accounts shall be determined by the Commission.
2. The procedures referred to in paragraph 1 shall in particular require two signatures on cheques and on post office or bank transfer orders, one signature necessarily being that of the accounting officer or of a duly authorized administrator of advance funds; they shall, moreover, determine the expenditure whose payment must necessarily be effected either by cheque or by post office or bank transfer.

Article 33

1. For the payment of certain categories of expenditure funds for advances may be set up under the conditions laid down by the Commission.
2. The rules governing the management of the advance funds offices shall in particular concern:
 - (a) the appointment of administrators of advance funds;
 - (b) the nature and maximum amount of each expenditure to be incurred;
 - (c) the maximum amount of the funds which may be advanced;
 - (d) the procedures for the production of supporting documents and the time within which they must be produced;
 - (e) the responsibility of the administrator of advance funds.

Article 34

The conversion rates to be used for the calculation in EUA of payments to be made for the purpose of the projects or programmes referred to in Title IV of the Convention and in the corresponding provisions of Decision 76/568/EEC shall be those in force on the effective date of such payments. This date shall correspond to that in which the Commission accounts referred to in Article 32 of Protocol 2 and in Article 3 were debited.

SECTION IV

**RESPONSIBILITIES OF AUTHORIZING OFFICERS,
FINANCIAL CONTROLLERS,
ACCOUNTING OFFICERS AND
ADMINISTRATORS OF ADVANCE FUNDS**

Article 35

Without prejudice to Article 30 (5) of Protocol 2, authorizing officers who, when establishing entitlements to be recovered, when issuing collection

orders, entering into commitments of expenditure or signing payment orders, do so without complying with this Financial Regulation, shall be liable to disciplinary action and, where appropriate, to pay compensation. The same shall apply if they omit to draw up a document establishing a claim or if they neglect to issue revenue orders or are, without justification, late in issuing them.

Article 36

Financial controllers render themselves liable to disciplinary action and, where appropriate, to payment of compensation if they allow appropriations to be exceeded or are guilty of serious negligence in carrying out their duties.

Article 37

1. Accounting officers shall be liable to disciplinary action and, where appropriate, to payment of compensation as regards payments they make in disregard of Article 31.

They shall render themselves liable to disciplinary action and to payment of compensation as regards any loss or deterioration of the monies, assets and documents in their charge where such loss or deterioration results from an intentional mistake or serious negligence on their part.

Under the same conditions, they shall be responsible for the correct execution of orders received by them in respect of the use and administration of bank and post office giro accounts, and in particular:

- (a) if the payments or recoveries made by them do not agree with the amounts on the payment orders or collection orders;
- (b) if they effect payment to a party other than the entitled payee.

2. Administrators of advance funds shall be liable to disciplinary action and, where appropriate, to payment of compensation:

- (a) if they cannot show due warrant with proper documents for payments made by them;
- (b) if they effect payments to a party other than the entitled payee.

They shall be liable to disciplinary action and to payment of compensation in respect of any loss or deterioration of the monies, assets and documents in their charge as a result of an intentional mistake or serious negligence on their part.

3. Accounting officers and administrators of advance funds shall insure themselves against any financial risks they may incur *vis-à-vis* the Commission under this Article.

The Commission shall cover the relevant insurance costs. It shall specify the categories of officials

qualifying as accounting officers or administrators of advance funds and the terms on which it shall cover the insurance costs borne by the accounting officers or administrators of advance funds in order to protect themselves against the risks involved in their duties.

4. A special indemnity shall be granted to accounting officers and administrators of advance funds.

The sums corresponding to this indemnity shall be credited each month to an account opened by the Commission on behalf of each of these officials in order to establish a guarantee fund to cover any cash or bank shortage for which the person concerned might render himself liable, in so far as such a shortage has not been covered by refunds from insurance companies.

The credit balance in these guarantee accounts shall be paid over to the persons concerned after they terminate their appointment as accounting officer or administrator of advance funds and after they have been given final discharge for their financial administration.

Article 38

The liability of authorizing officers, financial controllers, accounting officers and administrators of advance funds to payment of compensation and disciplinary action may be determined in accordance with Articles 22 and 86 to 89 of the Staff Regulations of officials of the European Communities.

Article 39

The Commission shall be allowed a period of two years from the date on which the account for revenue and expenditure is submitted to take a decision on the final discharge to be given to accounting officers for the transactions relating thereto.

TITLE III

IMPLEMENTING MEASURES

SECTION I

EXECUTION OF EDF OPERATIONS

Article 43

The Commission shall, in respect of those resources of the EDF which it administers, inform the Council

SECTION V

ACCOUNTS

Article 40

1. The accounts shall be kept, expressed in EUA, by the double entry method and on the basis of the calendar year. They shall show all revenue and expenditure between 1 January and 31 December of each year and shall include the supporting documents.

2. The revenue and expenditure account and the balance sheet shall be drawn up in EUA.

Article 41

1. Entries shall be made on the basis of an accounting system comprising a nomenclature of budgetary items which makes a clear distinction between the accounts which permit the balance sheet to be drawn up and those which permit the revenue and expenditure account to be drawn up. These entries shall be recorded in books or on cards, which must make it possible to draw up a general monthly balance.

2. The accounting system shall be set out in a Commission Decision.

SECTION VI

GENERAL PROVISIONS

Article 42

The Audit Board shall be notified of the appointment of the authorizing officer, the financial controller, the accounting officer and of the administrator of advance funds, of any delegation of powers pursuant to Articles 9 and 12 and of the accounting system referred to in Article 41.

each year of the results of invitations to tender for the preceding year. Where appropriate it shall notify the Council of any measures it has taken or proposes to take to improve the terms of competition for participation in invitations to tender issued by the EDF.

In its report, the Commission shall provide the Council with information enabling it to assess

whether the measures taken by the Commission have actually afforded all firms of the various Member States, of the ACP States and of the associated countries and territories equal opportunity of access to works and supply contracts financed by the EDF.

Article 44

Under Article 19 of Protocol 2 and the corresponding provisions of Decision 76/568/EEC, a favourable opinion from the EDF Committee shall be required for the award of contracts by direct agreement or after restricted invitations to tender and for the performance thereof through public works departments.

However, where they are justified by urgency and by unforeseen circumstances, the above exceptions to the rules governing competition may be authorized by the Commission without a prior opinion from the EDF Committee. In that event, the Commission shall immediately inform the EDF Committee thereof.

Article 45

1. Tenders for supply contracts financed by the EDF shall be drawn up and payments made, at the option of the tenderer, in EUA, in the currency of the recipient State, country or territory, in the currency of the country of his registered place of business or in that of the country producing the supplies.

2. Tenders for works contracts and for technical assistance contracts and contracts for the supervision of works financed by the EDF shall be drawn up and payments made in the currency of the recipient State, country or territory. However, the tenderer may request in his tender that a justified part of the nominal amount of his tender be paid in the currency of the country of his registered place of business on the basis of the conversion rate in force on the first day of the month preceding the month in which the date set for the opening of tenders falls. He may also draw up that part in EUA on the basis of the conversion rate stipulated above.

3. Tenders for study contracts financed by the EDF shall be drawn up and payments made at the option of the contractor either in EUA or in the currency of the country in which the contractor has his registered place of business.

However, that part of the services provided which corresponds to expenditure in the currency of the recipient State, country or territory shall be paid in that currency. Where the sums to be paid in the

various currencies are defined by reference to another currency the conversion shall be effected on the basis of the rate specified in the contract.

4. Where tenders are drawn up in EUA, payments connected with the debt shall, as appropriate, be made in the currency of a Member State or in the currency of a recipient State, country or territory specified in the contract on the basis of the equivalent value of the EUA on the day preceding payment.

5. Where payment is made in a currency other than the currency of the recipient State, country or territory or other than the currency of the country where the contractor has his registered place of business, it must be through the intermediary of an approved bank or agency, established in the country where the contractor has his registered place of business.

SECTION II

FINANCIAL COMMITMENTS

Article 46

Where the EDF's resources managed by the Commission are involved a financing agreement shall be drawn up and concluded in EUA between the Commission, acting for the Community, and the Government of the recipient State or the competent authority of the recipient country or territory for any project or programme on which a financing decision is taken.

The financing agreement shall specify the details of the EDF's financial commitment, the arrangements for and terms of the financing, and the persons or institutions responsible for supervision, payments and recoveries.

Article 47

No expenditure in excess of the amount laid down in the financing agreement may be charged to the EDF unless a decision has been taken to commit additional funds thereto under the conditions laid down in Articles 16 to 19 and in Article 56.

The request for the commitment of additional funds shall be addressed to the Commission and examined under the conditions laid down in Article 33 of Protocol 2.

Article 48

The transfer agreement referred to in Article 22 of the Convention and in the corresponding provisions of Decision 76/568/EEC shall state the data on which calculation of the annual transfer in EUA is based, the currencies in which the transfer of this amount is to be made and, where appropriate, the conditions for the reconstitution of the resources made available to the stabilization system referred to in Title II of the Convention.

SECTION III

SPECIAL LOANS

Article 49

1. A decision to grant special loans shall set the limit to the Community's commitment. Contracts relating to such loans, drawn up jointly with the Bank for the parts which concern the latter, shall be concluded by the Commission on behalf of the Community.

2. The amounts of the appropriations corresponding to each loan granted shall be expressed in EUA. If an appropriation is cancelled before all or part of the payments relating thereto have been made the unpaid part shall be regarded as not having been granted.

3. Loans shall be paid in the currency or currencies of the Member States as fixed by the Commission after consultation with the borrower. By way of derogation from Article 34, the sums paid shall be charged against the appropriations on the basis of the conversion rates in force, on the day preceding that of payment, between the EUA and the currency or currencies used for the payment.

4. Reimbursements and interest payments shall be credited to the Community's account with the Bank. The Bank shall recover such reimbursements and interest payments by virtue of special terms of reference conferred upon by the Commission, acting for the Community, after consulting the EDF Committee.

5. The amounts to be reimbursed and interest due in respect of special loans shall be expressed in EUA.

Reimbursements and interest payments shall be made in one or more of the currencies of the Member States, chosen by the borrower.

6. The rates for converting EUA into the currencies of the Member States for the purpose of paying sums due in the form of reimbursements, interest payments and any commission due shall be those in force on the 10th day preceding payment.

SECTION IV

RISK CAPITAL

Article 50

1. Any decision to grant risk capital shall set a limit in EUA to the Community's commitment and financial responsibilities and to the extent of the rights in the company attaching to such operations.

The instruments giving effect to risk capital operations shall be concluded by the Bank acting as the Community's authorized agent.

2. The Bank, acting for and on behalf of the Community, shall manage the operations referred to in paragraph 1 which have been the subject of a financing decision by the Board of Directors of the Bank.

3. Following the signing of each contract, the Bank shall communicate to the Commission the estimated dates and amounts of the calls for funds. Whenever called upon by the Bank to do so, the Commission shall pay to it the amount it needs for carrying out risk capital operations in the currency or currencies fixed by the Bank.

4. Payments relating to receipts, income and repayments in respect of risk capital operations shall be made to the Bank for the Community.

Article 51

The quasi-capital aid referred to in Article 4 of Protocol 2 and in the corresponding provisions of Decision 76/568/EEC shall serve to finance:

- primarily, fixed investments in public, private or semi-public firms,
- secondarily, specific studies for the preparation of projects and assistance for firms during the starting-up period.

Where such aid is granted to a consultancy firm it shall normally, on execution of the project, be incorporated in the capital or quasi-capital assistance to which the promoting firm may also be entitled for the execution of the project.

SECTION V

SUBSIDIZED LOANS FROM THE BANK

Article 52

1. Pursuant to Article 5 of Protocol 2 and the corresponding provisions of Decision 76/568/EEC, the aggregate amount of interest rate subsidies on loans from the Bank shall be calculated in EUA in terms of its current value on the effective date of signing of the loan contract, on the basis of a compound interest rate fixed by the Council and the Bank in agreement with the Commission.

For periods of less than one month the calculation shall be made on the basis of simple interest.

2. The Bank shall make the calculation of current value referred to in paragraph 1 by reference to the following two schedules:

- (a) an estimated schedule for paying out and repaying the loan;
- (b) an estimated schedule for the amounts required to cover the interest rate subsidies when they fall due.

The Bank shall communicate to the Commission as soon as possible the schedules and the total amount of the interest rate subsidies at their current value on the date fixed for the signing of the loan contract.

Where the actual schedule for paying out the loan proves to differ appreciably from the estimated schedule, the amount of the subsidy on the interest paid to the Bank shall be recalculated.

Should the date fixed for the signing be changed the Bank shall revise the calculation of the current value and shall forthwith communicate to the Commission the total amount of the interest rate subsidies at their current value on the new date fixed for the signing together with the appropriate grounds therefor.

3. The up-dated total amount of the interest rate subsidy shall be paid to the Bank by the Commission on the date on which the loan contract is signed.

4. If all or part of an appropriation which has been opened is cancelled or all or part of a loan which has been made is repaid in advance the Bank shall pay back into the special account opened with the Bank in the name of the Community under Article 68 an amount corresponding to that part of the appropriation which has been cancelled or that part of the loan which has been repaid, plus the compound interest, up-dated at the same rate as that stipulated in paragraph 1, for the period between the date of payment of the up-dated total amount of the interest rate subsidies and the date of repayment. The latter date may not be more than 30 days after the complete or partial cancellation or advance repayment of the subsidized loan.

5. All payments provided for in this Article shall be expressed in EUA and movements of funds relating thereto shall be made in the currencies of the Member States on the basis of the composition of the EUA.

SECTION VI

MANAGEMENT OF THE EXPORT EARNINGS STABILIZATION SYSTEM

Article 53

1. For the calculation in EUA of the reference level and of the actual earnings referred to in Article 19 (1) and (2) respectively of the Convention and in the corresponding provisions of Decision 76/568/EEC, the exchange rates applicable shall be the average rates in force in the periods to which the amounts concerned refer.

2. For the purposes of payments relating to the transfers referred to in Article 19 (3) and (6) of the Convention and in the corresponding provisions of Decision 76/568/EEC, the conversion rates to be used between the EUA and the currency or currencies used for payment shall be those in force on the day preceding payment.

3. For the purposes of payments relating to the contributions towards the reconstitution of resources referred to in Article 21 (2) of the Convention and in the corresponding provisions of Decision 76/568/EEC, the conversion rates to be used between the EUA and the currency or currencies used for payment shall be those in force on the 10th day preceding payment.

Article 54

In the event of advance use of the following year's instalment, the advances referred to in Article 19 (6) of the Convention and in the corresponding provisions of Decision 76/568/EEC shall be reduced proportionately.

SECTION VII

EXECUTIVE AGENTS

Chapter I

The chief authorizing officer

Article 55

1. The chief authorizing officer of the EDF, referred to in Article 29 of Protocol 2, shall take all measures necessary for the implementation of the provisions of Chapter 8 of Protocol 2 and of the corresponding provisions of Decision 76/568/EEC.

2. The chief authorizing officer shall ensure, before the publication of an invitation to tender, that the documents relating to tenders do not contain any direct or indirect discriminatory provisions. He shall ensure that tenders are compared under equal conditions and in particular that the import duties or taxation of the recipient State, country or territory do not constitute an obstacle to participation in invitations to tender.

3. The chief authorizing officer may suspend the publication of a notice of invitation to tender where it is found that corrections must be made to the specifications or other replacement documents. To this end, he shall inform the relevant authorities of the recipient State, country or territory of his observations.

4. The chief authorizing officer shall ensure that when a contractor is designated and a contract is awarded Articles 18 and 20 of Protocol 2 are respected.

Where he deems it appropriate, the chief authorizing officer shall consult experts chosen for their technical competence and their independence *vis-à-vis* the firms concerned by the award of the contract.

Article 56

Under Article 33 (3) of Protocol 2 and the corresponding provisions of Decision 76/568/EEC

decisions to commit the additional funds required to cover any excess expenditure incurred under a project shall be taken:

- in accordance with the procedures laid down in Articles 19 and 20 of the Internal Agreement where the excess expenditure is higher than a ceiling of 15 % of the original commitment set out in the financing decision,
- by the chief authorizing officer of the EDF where the excess expenditure is equal to or lower than the 15 % ceiling.

Chapter II

The national authorizing officer

Article 57

In the performance of his duties, the national authorizing officer shall comply with the provisions of this Financial Regulation regarding commitment, clearance and authorization of expenditure.

Article 58

Where the chief authorizing officer of the EDF is aware of delays in the procedures relating to projects financed by the EDF he shall, in conjunction with the national authorizing officer, make all contacts necessary to remedy the situation.

If, for any reason whatsoever, services have been rendered but further delay in the clearance, authorization or payment entails difficulties likely to call into question the full performance of the contract, the chief authorizing officer may take all appropriate measures to resolve these difficulties, to remedy, where necessary, the financial consequences of the resultant situation and, more generally, to enable the project or projects to be completed under the best economic conditions. He shall inform the national authorizing officer of such measures as soon as possible. If payments are thus made directly by the Commission to the beneficiary of the contract the Community shall automatically acquire that beneficiary's rights as creditor *vis-à-vis* the national authorities.

Chapter III

The Commission delegate

Article 59

During the performance of operations, the delegate shall verify on the spot and on the basis of records, that work carried out or services rendered tally with their descriptions as given in the financing agreements, contracts or estimates.

Article 60

The delegate shall comply with this Financial Regulation in the performance of his duties.

Article 61

In the event of failure to comply with this Financial Regulation, of misconduct or gross negligence in the performance of his duties, the delegate shall be answerable to the Commission.

Chapter IV

The paying agent

Article 62

In the performance of his duties, the paying agent referred to in Article 32 of Protocol 2 shall comply with this Financial Regulation.

Article 63

In the event of failure to observe the provisions in force of misconduct or of gross negligence which entail financial loss for the Community, the paying agent shall be held financially responsible under the conditions and in accordance with the terms laid down in the contract binding him to the Commission.

SECTION VIII

PRESENTING AND AUDITING ACCOUNTS

Article 64

1. The balance sheet and revenue and expenditure account, expressed in EUA, shall be adopted by the

Commission at the close of each financial year. Without prejudice to Article 31 (4) of the Internal Agreement, they shall be submitted no later than 31 March of the following financial year together with documentary evidence, for examination by the Audit Board.

2. The powers conferred upon the Audit Board shall be exercised by its members, who shall take collective action and assume collective responsibility.

The Audit Board may instruct one or more of its members to carry out certain tasks or certain audits. Any member or members so instructed may on his or their initiative seek assistance from officers of the board.

The tasks delegated to such officers must be specifically laid down and limited to the time necessary for their completion. The board itself or one of its members shall notify these tasks to the authorities with whom the relevant officers are to carry out their work.

Article 65

1. The audit carried out by the Audit Board shall be based on records and, if necessary, performed on the spot. It shall be concerned with operations and projects financed from EDF resources managed by the Commission and its purpose shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner with regard to the provisions applicable, and that the financial management has been sound.

2. In the performance of its task the Audit Board may, under the conditions laid down in paragraph 4, consult all documents and information relating to the financial management of the departments subject to its inspection; it has the power to hear any official responsible for revenue and expenditure operations and to use any of the auditing procedures appropriate to those departments.

3. The Audit Board shall ensure that all securities and cash on deposit or in hand are checked against vouchers signed by the depositaries or against official memoranda of cash and securities held. The board may itself carry out such checks.

4. The Commission shall provide the Audit Board with all the facilities and information which the latter deems necessary for the performance of its task.

In particular, it shall place at the disposal of the Audit Board all documents concerning the conclusion of contracts and all accounts in cash or materials, all accounting records or supporting documents and the administrative documents pertaining thereto, as well as all documents relating to revenue and expenditure.

To this end, officials subject to audit by the Audit Board shall in particular:

- (a) make available for inspection their cash in hand, any other cash, securities and all types of assets, the supporting documents in respect of their management of the funds of which they are the depositaries and any books, registers and other documents relating thereto;
- (b) present the correspondence or any other document required for the full implementation of the audits.

The information referred to under (b) may be requested only by the Audit Board or by one of its members, and such request shall be in writing.

The Audit Board shall be empowered to audit the documents in respect of EDF revenue and expenditure which are held by the Commission's departments and, in particular, by the department responsible for decisions on such revenue and expenditure.

Article 66

1. Any comments which the Audit Board considers should appear in the annual report provided for in Article 206 of the Treaty shall be communicated to the Commission.

The Commission shall forward its replies to the Audit Board. The Audit Board shall attach to its report an assessment of the soundness of the financial management.

2. The Audit Board shall conclude its report on the accounts for the preceding financial year not later than 15 July.

The revenue and expenditure account, the balance sheet and the report of the Audit Board, together with the replies to the comments, shall be submitted by the Commission to the European Parliament and the Council not later than 31 October.

3. The European Parliament and the Council may request the Audit Board to forward, in addition to the annual report, reports or analyses in respect of specific problems relating to operations which have been closed.

The Audit Board may, on its own initiative, place similar reports or analyses before the European Parliament or the Council.

Article 67

1. Before 30 April of the following year the Commission shall be given a discharge in respect of the financial management of the EDF for the past year, in accordance with Article 31 (3) of the Internal Agreement.

2. The Commission shall take all appropriate steps to act on the comments appearing in the decision giving discharge. At the request of the European Parliament or the Council it shall report on the measures taken in the light of these comments and in particular on the instructions given to those of its departments which are responsible for the management of the EDF. This report shall also be forwarded to the Audit Board.

Subject to the second sentence of the preceding paragraph the Commission must, in an Annex to the revenue and expenditure account for the next financial year, give an account of the measures taken further to the comments appearing in the decision giving discharge.

3. The revenue and expenditure account and balance sheet for each financial year and the decision giving the discharge shall be published in the *Official Journal of the European Communities*.

SECTION IX

GENERAL AND FINAL PROVISIONS

Article 68

The sums collected by the Bank either in the form of repayments, interest or charges in respect of special loans or in the form of products, revenue or repayments from risk capital operations shall be centralized in a special account opened with the Bank on behalf of the Community.

Repayments in respect of interest rate subsidies received shall also be centralized in this account.

Article 69

This Regulation shall be applicable for the same period as the Internal Agreement.

Done at Brussels, 27 July 1976.

For the Council

The President

M. van der STOEL

Establishment, services, payments
and capital movements (removed)

Institutions

Subdivision:

- I. Council of Ministers and Committee of Ambassadors (removed)
- II. Consultative Assembly (removed)
- III. Institutional questions peculiar to the Community
and the Member States (removed)
- IV. Questions peculiar to the ACP States (removed)

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