

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 1757 final
= Brussels, 31 October 1974

Proposal for a
REGULATION (EEC) OF THE COUNCIL

increasing the size of the Community tariff quota
for unwrought magnesium falling within subheading
No. 77.01 A of the Common Customs Tariff

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

1. In an exchange of letters with the Nordic delegation (Doc. NCG (67) 44 Rev. of 13 October 1967, Annexes NORD 2 and 5), the European Economic Community undertook to open an annual tariff quota for unwrought magnesium, the size of which is calculated so that the part of Community consumption not covered by Community production may be imported at zero duty from the date of entry into force of the Geneva Protocol (1967).
2. This being so, the Council, by virtue of (EEC) Regulations Nos 3591/73 of 28 December 1973 (1) and 2092/74 of 2 August 1974 (2) decided to open a Community tariff quota for 1974 whose total size was fixed, on the basis of cautious estimates, at 17,000 tonnes, not excluding a new later adjustment.
3. The proposed regulation annexed hereto is the outcome of the re-examination, carried out during October 1974, of the position within the Community of the market for unwrought magnesium. On the basis of the most recent data and economic forecasts gathered for the purpose, it appears that the importation requirements of the Community supplied by third countries might reach a level of 22,500 tonnes during 1974.

Having regard to the fact that a quota of 17,000 tonnes was already opened, the additional importation requirements to be met from third countries would therefore amount to 5,500 tonnes. The present balances held within the Community, which result firstly from stocks built up either at the end of 1973 or during 1974 and secondly from the increase in Community unwrought magnesium output, mainly centred on unalloyed unwrought magnesium, suggest that the Community's importation,

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¹ OJ No L 365 of 31 December 1973, page 39

² OJ No L 218 of 9 August 1974, page 14.

requirements of unwrought magnesium up to 31 December 1974 will be only 1,000 tonnes. On the other hand, as the portion of the total quota to extra pure unwrought magnesium according to (EEC) Regulation No 2092/74 mentioned above, covers all the Community requirements for 1974, it has not be planned to increase it at the moment.

It is for this reason that in the proposed regulation annexed hereto, the increase contemplated for the quota in question is fixed at :

- 1,000 tonnes for unalloyed magnesium ; and
- 4,500 tonnes for alloyed magnesium.

4. The division between the Member States of the said volume relating to unwrought non-alloyed magnesium has been made carefully prorata to the import needs of each of them coming from third countries less shares allocated to them under tariff quotas at present open.

On the other hand, and taking account of the lack of precise data on the needs of Member States, the volume of 4,500 tonnes relating to unwrought alloyed magnesium has been wholly placed in the Community reserve set up for this product by (EEC) Regulation No 3591/73 mentioned above.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ;

Whereas by its Regulations (EEC) Nos 3591/73⁽¹⁾ and 2092/74⁽²⁾ the Council
opened for 1974 and apportioned among the Member States a Community tariff
quota of a total size of 17,000 metric tons for unwrought magnesium falling
within sub-heading 77.01 A of the Common Customs Tariff ;

Whereas, having regard to the most recent economic data for 1974 on con-
sumption, production, exports to third countries, imports under the inward
processing arrangements or other tariff preference scheme and to the abnormal
stocks held by a number of Member States, there is reason to assume that
Community importation requirements to be met from third countries may reach
the level of 22,500 metric tons during 1974 ; whereas in consequence the
tariff quota in question should be increased by 5,500 metric tons ;

Whereas, as regards the apportionment of these 5,500 metric tons between
the different qualities of magnesium, there is reason having regard to
supplies available in the Community, including the stocks existing in one
Member State on 31 December 1973, for estimating that additional import

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(1) OJ No L 365 of 31.12.1973, p. 39.
(2) OJ No L 218 of 9. 8.1974, p. 14.

needs amount to only 1,000 metric tons in respect of unalloyed unwrought magnesium not in alloy and to 4,500 metric tons in respect of wrought magnesium in alloy ;

Whereas it is appropriate to apportion the quota in respect of unwrought magnesium not in alloy among those Member States which have exhausted the possibilities of importation provided for by the above-mentioned Regulations in proportion to their additional needs, whilst permitting the other Member States to draw on the reserve should additional needs on their part become apparent; whereas on the other hand as regards unwrought magnesium in alloy, it is appropriate to allocate the entire additional amount to the Community reserve provided for in Article 2 (2) of EEC Regulation 3591/73 as aforesaid ;

HAS ADOPTED THIS REGULATION :

Article 1

The Community tariff quota of 17,000 metric tons for unwrought magnesium falling within sub-heading No. 77.01 of the Common Customs Tariff, as opened under Regulations (EEC) Nos 3591/73 and 2092/74, is hereby increased by 5,500 metric tons to 22,500 metric tons.

The additional 5,500 metric tons shall be apportioned as follows :

- (a) 1,000 metric tons in respect of unwrought magnesium containing a percentage of pure magnesium by weight equal to or more than 99.8 but less than 99.95 unwrought magnesium not in alloy ; and
- (b) 4,500 metric tons in respect of unwrought magnesium containing less than 99.8% pure magnesium by weight (unwrought magnesium in alloy).

Article 2

1. The quantity specified in Article 1(a) in respect of unwrought magnesium not in alloy shall be divided into two tranches.
2. A first tranche of 800 metric tons shall be apportioned among the Member States as follows :

Benelux	146	metric	tons
Germany	445	"	"
France	86	"	"
Italy	5	"	"
United Kingdom	118	"	"

3. The second tranche of 200 metric tons shall constitute the reserve. The amount of this reserve as constituted by Article 2 (2) of (EEC) Regulation No 3591/73 and varied by (EEC) Regulation No 2092/74 is thus raised from 320 to 520 metric tons.

Article 3

If in Denmark or in Ireland additional requirements concerning unwrought magnesium not in alloy, those Member States shall, insofar as the amount of the reserve permits, draw an appropriate amount therefrom.

Article 4

The quantity specified in Article 1(b) in respect of unwrought magnesium not in alloy shall constitute the reserve. The amount of this reserve as constituted by Article 2(2) of (EEC) Regulation No 3591/73 and varied by (EEC) Regulation No 2092/74 is thus raised from 2 139 to 6 639 metric tons.

Article 5

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

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

Done at Brussels,

For the Council
The President

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