

ASSOCIATIONS

EEC-CYPRUS

EEC-MALTA

EEC-TURKEY

COMPILATION OF TEXTS

I

1 January 1984 — 31 December 1984



Council of the European Communities

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Association EEC-CYPRUS

The Compilation of Texts pertaining to the "Association between the European Economic Community and the Republic of Cyprus" contains all the acts adopted by the various Institutions of the Association pursuant to the Agreement signed at Brussels on 19 December 1972 as well as the acts adopted by the EEC concerning Cyprus.

FREE MOVEMENT OF GOODS

Provisions within the EEC

COMMISSION REGULATION (EEC) No 298/84
of 3 February 1984

introducing a countervailing charge on clementines originating in Cyprus

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 2004/83⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0,6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this charge
is equal to the difference between the reference price
and the arithmetic mean of the last two entry prices
available for that exporting country;

Whereas Commission Regulation (EEC) No 2512/83
of 7 September 1983 fixing the reference prices for
clementines for the 1983/84 marketing year⁽³⁾ fixed
the reference price for products of class 1 for the
period 1 November 1983 to 29 February 1984 at 40,71
ECU per 100 kilograms net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded for
at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available less the
duties and the charges indicated in Article 24 (3) of
Regulation (EEC) No 1035/72; whereas the meaning of
representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 3110/83⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets;

Whereas, for Cyprian clementines, the entry price
calculated in this way has remained at least 0,6 ECU
below the reference price for two consecutive market
days; whereas a countervailing charge should therefore
be introduced for these clementines;

Whereas, if the system is to operate normally, the
entry price should be calculated on the following
basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate,
- 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 indent,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 13,12 ECU per 100 kilo-
grams net is applied to clementines (subheading
08.02 B I of the Common Customs Tariff) originating
in Cyprus.

Article 2

This Regulation shall enter into force on 7 February
1984.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 21. 7. 1983, p. 2.

⁽³⁾ OJ No L 248, 8. 9. 1983, p. 18.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

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

Done at Brussels, 3 February 1984.

For the Commission
Poul DALSGER
Member of the Commission

COMMISSION REGULATION (EEC) No 368/84
of 14 February 1984

abolishing the countervailing charge on clementines originating in Cyprus

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 2004/83⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 298/84 of
3 February 1984⁽³⁾, introduced a countervailing charge
on clementines originating in Cyprus;

Whereas for this product originating in Cyprus there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled
and the countervailing charge on imports of clemen-
tines originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 298/84 is hereby repealed.

Article 2

This Regulation shall enter into force on 15 February
1984.

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

Done at Brussels, 14 February 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 21. 7. 1983, p. 2.

⁽³⁾ OJ No L 33, 4. 2. 1984, p. 22.

COUNCIL REGULATION (EEC) No 601/84

of 5 March 1984

opening, allocating and providing for the administration of a Community tariff quota for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Article 1

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

1. From 1 April to 15 May 1984, the Common Customs Tariff duty for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus shall be suspended at 6,8 % within the limits of a Community tariff quota of 2 500 tonnes.

Having regard to the proposal from the Commission,

Within the limits of this tariff quota, Greece shall apply the customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983 (1) provides, for the period 1 April to 15 May 1984, for the opening of a Community tariff quota of 2 500 tonnes of carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 40 % of the customs duty in the Common Customs Tariff; whereas the Community tariff quota should therefore be opened for this period;

The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation (2), annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

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 period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members,

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said quota have free access to the quota so long as the residual balance of the quota volume allows this.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

(1) OJ No L 369, 30. 12. 1983, p. 1.

(2) OJ No L 339, 28. 12. 1977, p. 19.

4. The extent to which the quota has been exhausted shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

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

Article 5

This Regulation shall enter into force on 1 April 1984.

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

Done at Brussels, 5 March 1984.

For the Council

The President

M. ROCARD

**COUNCIL REGULATION (EEC) No 1038/84
of 10 April 1984**

opening, allocating and providing for the administration of a Community tariff quota for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983⁽¹⁾, provides for the opening of a Community tariff quota of 60 000 tonnes of new potatoes, originating in Cyprus and falling within subheading 07.01 A II b) of the Common Customs Tariff, at a rate of customs duty equal to 45 % of the customs duty in the Common Customs Tariff, for the period 16 May to 30 June 1984, whereas it is necessary to open this Community tariff quota for the period in question;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the

Member States represent the following percentages of the imports into the Community from Cyprus of the products concerned:

Member States	1981	1982	1983
Benelux	4,0	4,0	6,2
Denmark	—	—	—
Germany	3,5	4,4	1,9
Greece	—	—	—
France	—	—	—
Ireland	0,1	—	0,2
Italy	—	—	—
United Kingdom	92,4	91,6	91,7

Whereas, in view of these factors of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	5,0
Denmark	0,1
Germany	4,2
Greece	0,1
France	0,1
Ireland	0,2
Italy	0,1
United Kingdom	90,2

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas,

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 94 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 May to 30 June 1984, the Common Customs Tariff duty for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus shall be suspended at 9,4 % within the limits of a Community tariff quota of 60 000 tonnes.

Within the limits of this tariff quota, Greece shall apply the customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

The protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation⁽¹⁾, annexed to the Additional Protocol to

⁽¹⁾ OJ No L 339, 28. 12. 1977, p. 19.

the Agreement between the European Economic Community and Cyprus, shall be applicable.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 56 300 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1984 shall be as follows:

	(tonnes)
Benelux	2 800
Denmark	50
Germany	2 390
Greece	50
France	50
Ireland	110
Italy	50
United Kingdom	50 800

3. The second instalment of 3 700 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2) or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1984.

Article 5

The Member States shall return to the reserve, not later than 15 June 1984, such unused portion of their initial share as, on 10 June 1984, in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 June 1984, of the total quantities of the products in question imported up to 10 June 1984 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 June 1984, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

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

Done at Luxembourg, 10 April 1984.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 16 May 1984.

For the Council

The President

C. CHEYSSON

COUNCIL REGULATION (EEC) No 1319/84

of 7 May 1984

opening, allocating and providing for the administration of a Community tariff quota for fresh table grapes, falling within subheading ex 08.04 A I of the Common Customs Tariff and originating in Cyprus (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 2 of the Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with the Republic of Cyprus beyond 31 December 1983 (¹), provides for the opening of a Community tariff quota of 7 500 tonnes of fresh table grapes, falling within subheadings ex 08.04 A I a) and b) of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 40 % of the customs duty in the Common Customs Tariff, for the period 8 June to 31 July 1984; whereas the Community tariff quota in question should therefore be opened for this period;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to

the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, to take into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 85 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas the method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to

(¹) OJ No L 369, 30. 12. 1983, p. 1.

monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of the initial share remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that

economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION :

Article 1

From 8 June to 31 July 1984 the Common Customs Tariff duties for the products listed below, originating in Cyprus, shall be partially suspended at the levels shown below, within the limits of a Community tariff quota of 7 500 tonnes :

CCT heading No	Description	Rate of duty
08.04	Grapes fresh or dried : A. Fresh : 1. Table grapes : a) From 1 November to 14 July : ex 2. Other : — From 8 June to 14 July	7,2 %
	ex b) From 15 July to 31 October : — From 15 July to 31 July	8,8 %

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and of the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community (1).

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 6 375 tonnes, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 July 1984, shall be as follows :

Benelux	50 tonnes
Denmark	10 tonnes
Germany	50 tonnes
Greece	2 tonnes
France	2 tonnes
Ireland	10 tonnes
Italy	2 tonnes
United Kingdom	6 249 tonnes

3. The second tranche amounting to 1 125 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

(1) OJ No L 174, 30. 6. 1981, p. 2.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 July 1984.

Article 5

The Member States shall return to the reserve, not later than 15 July 1984, such unused portion of their initial share as, on 10 July 1984, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 July 1984, of the total quantity of the products in question imported up to 10 July 1984 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 July 1984, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Done at Brussels, 7 May 1984.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 8 June 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 1833/84

of 28 June 1984

amending Regulation (EEC) No 3700/83 laying down the arrangements applicable to trade with the Republic of Cyprus beyond 31 December 1983

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3700/83⁽¹⁾ has extended the arrangements applicable to trade with the Republic of Cyprus until 30 June 1984;

Whereas the conditions justifying this extension still exist; whereas the period of validity of the said Regulation should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3700/83, '30 June 1984' is hereby replaced by '31 December 1984'.

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 July 1984.

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

Done at Luxembourg, 28 June 1984.

For the Council

The President

H. BOUCHARDEAU

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

COUNCIL REGULATION (EEC) No 2584/84
of 10 September 1984

opening, allocating and providing for the administration of a Community tariff quota for aubergines falling within subheading ex 07.01 T II of the Common Customs Tariff and originating in Cyprus (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

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

HAS ADOPTED THIS REGULATION :

Having regard to the proposal from the Commission,

Article 1

Whereas Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983⁽¹⁾, as amended by Regulation (EEC) No 1833/84⁽²⁾, provides for the opening, in respect of the period 1 October to 30 November 1984, of a Community tariff quota of 300 tonnes of aubergines, falling within subheading 07.01 T II of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 40 % of the customs duty in the Common Customs Tariff; whereas, therefore, the Community tariff quota in question should be opened for this period;

1. From 1 October until 30 November 1984, the Common Customs Tariff duty for aubergines, falling within subheading ex 07.01 T II of the Common Customs Tariff and originating in Cyprus, shall be suspended at 6,4 % within the limits of a Community tariff quota of 300 tonnes.

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the 1979 Act of Accession and the Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community.

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 period of application of the quota is very short it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure specified in Article 1 (2); 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;

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said goods have access to the quota so long as the residual balance of the quota volume allows this.

3. Member State shall charge imports of the said goods against their drawings as and when the goods are entered for free circulation.

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 172, 30. 6. 1984, p. 5.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

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

Article 5

This Regulation shall enter into force on 1 October 1984.

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

Done at Brussels, 10 September 1984.

For the Council

The President

P. O'TOOLE

COUNCIL REGULATION (EEC) No 3208/84

of 6 November 1984

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1985)

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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Cyprus (1) came to an end on 31 December 1980, whereas to avoid interruption of its trade relations with that country, the Community has made applicable for 1984 the provisions of the abovementioned Protocol in Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus (2);

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1985 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Supplementary Protocol;

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual Community tariff quota of 10 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 25 % of the customs duty in the Common Customs Tariff; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1985;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 (3), as last amended by Regulation (EEC) No 1208/84 (4), must be complied with;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for each of the types of wine in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota should be allocated in initial shares on the basis of the likely demand for these wines on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the present circumstances be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by each Member State as and

(1) OJ No L 172, 28. 6. 1978, p. 2.

(2) OJ No L 369, 30. 12. 1983, p. 1.

(3) OJ No L 54, 5. 3. 1979, p. 1.

(4) OJ No L 115, 1. 5. 1984, p. 77.

whereas each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown below within the limits of a Community tariff quota of 10 000 hectolitres:

Whereas, if at a given date in the quota period a substantial quantity of an initial share remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers, holding: ex a) Two litres or less: — Wine of fresh grapes	3,6 ECU per hl
	II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol in containers holding: ex a) Two litres or less: — Wine of fresh grapes other than liqueur wines of an actual alcoholic strength by volume of 15 % vol	4,2 ECU per hl

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

2. The wines in question shall be subject to compliance with the free-at-frontier reference price. In order that such wines may benefit from this tariff quota Article 18 of Regulation (EEC) No 337/79 must be complied with.

which, subject to Article 5, shall be valid until 31 December 1985 shall be as follows:

	(hectolitres)
Benelux	30
Denmark	200
Germany	600
Greece	30
France	40
Ireland	540
Italy	60
United Kingdom	6 500

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment, amounting to 8 000 hectolitres, shall be allocated among the Member States; the shares

3. The second instalment, amounting to 2 000 hectolitres, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus

the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1985.

Article 5

Member States shall return to the reserve, not later than 1 October 1985, such unused portion of their initial share as, on 15 September 1985, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1985, of the total quantities of the products in question imported up to 15 September 1985 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by Member States in accordance with Articles 2 and 3 and, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1985, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of the balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of imports of the products in question entered with the customs authorities for free circulation.

Article 8

At the Commission's request, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 6 November 1984.

For the Council

The President

J. O'KEEFE

COUNCIL REGULATION (EEC) No 3209/84

of 6 November 1984

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1985)

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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Cyprus ⁽¹⁾ came to an end on 31 December 1980; whereas to avoid interruption of its trade relations with that country, the Community has made applicable for 1984 the provisions of the abovementioned Protocol in Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus ⁽²⁾;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1985 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Supplementary Protocol;

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 30 % of the Common Customs Tariff; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1985;

Whereas entry under the above Community tariff quota must be conditional on the wines being described as 'liqueur wines' in the V.L.1 document provided for in Regulation (EEC) No 2115/76 ⁽³⁾;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in

order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 1208/84 ⁽⁵⁾, must be complied with;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota should be allocated in initial shares on the basis of the likely demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the

⁽¹⁾ OJ No L 172, 28. 6. 1978, p. 1.

⁽²⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽³⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 115, 1. 5. 1984, p. 77.

Community quota should, under present circumstances, be fixed at 85 % of quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity remains unused in any Member State, it is essential that that Member State should

return a significant proportion to the reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown below within the limits of a Community tariff quota of 250 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding:</p> <p>ex a) Two litres or less: — Liqueur wines of an actual alcoholic strength by volume of 15 % vol</p> <p>ex b) More than two litres: — Liqueur wines of an actual alcoholic strength by volume of 15 % vol</p> <p>III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding:</p> <p>a) Two litres or less: ex 2. Other: — Liqueur wines</p> <p>b) More than two litres: ex 3. Other: — Liqueur wines</p> <p>IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding:</p> <p>a) Two litres or less: ex 2. Other: — Liqueur wines</p> <p>b) More than two litres: ex 3. Other: — Liqueur wines</p>	<p>5,0 ECU per hl</p> <p>3,9 ECU per hl</p> <p>6,1 ECU per hl</p> <p>5,0 ECU per hl</p> <p>6,9 ECU per hl</p> <p>6,9 ECU per hl</p>

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

2. The admission of these wines under the tariff quota shall be conditional on their being described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines'.

3. The wines in question shall be subject to compliance with the free-at-frontier reference price. In order that such wines shall benefit from this tariff quota Article 18 of Regulation (EEC) No 337/79 must be complied with.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment, amounting to 212 060 hectolitres, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1985 shall be as follows:

	<i>(hectolitres)</i>
Benelux	2 000
Denmark	2 000
Germany	4 000
Greece	20
France	20
Ireland	2 000
Italy	20
United Kingdom	202 000

3. The second instalment, amounting to 37 940 hectolitres, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, then to the extent permitted by the amount of the reserve that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has

been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1985.

Article 5

Member States shall return to the reserve, not later than 1 October 1985, the unused portion of their initial share which, on 15 September 1985, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

Each Member State shall, not later than 1 October 1985, notify the Commission of the total quantities of the products in question imported up to 15 September 1985 and charged against the Community quota and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by Member States in accordance with Articles 2 and 3 and shall, as soon as it is notified, inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1985, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which exhausts the reserve does not exceed the balance available and, to this end, shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of imports of the products in question entered with the customs authorities for free circulation.

Article 8

At the request of the Commission, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 6 November 1984.

For the Council

The President

J. O'KEEFE

COUNCIL REGULATION (EEC) No 3210/84
of 6 November 1984

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus (1985)

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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Cyprus (1) came to an end on 31 December 1980;

Whereas to avoid interruption of its trade relations with that country, the Community has made applicable for 1984 the provisions of the abovementioned Protocol in Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus (2);

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1985 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Supplementary Protocol;

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1985;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all

imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the import into the Community from Cyprus of the products in question:

Member State	1981	1982	1983
Benelux	7	10	28
Denmark	—	1	—
Germany	—	15	—
Greece	—	—	—
France	21	11	7
Ireland	—	—	—
Italy	—	—	—
United Kingdom	72	63	64

Whereas, in view of these factors of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	13,0
Denmark	1,3
Germany	2,5
Greece	0,5
France	3,7
Ireland	1,3
Italy	0,7
United Kingdom	77,0

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member

(1) OJ No L 172, 28. 6. 1978, p. 2.

(2) OJ No L 369, 30. 12. 1983, p. 1.

States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1985, the Common Customs Tariff duty for dried grapes, in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus shall be totally suspended within the limits of a Community tariff quota of 500 tonnes.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 400 tonnes shall be allocated among the Member States; the respective shares which, subject to Article 5, shall be valid until 31 December 1985 shall be as follows:

	<i>(tonnes)</i>
Benelux	53
Denmark	5
Germany	10
Greece	2
France	15
Ireland	5
Italy	3
United Kingdom	307

3. The second instalment of 100 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2) or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing

that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1985.

Article 5

The Member States shall return to the reserve, not later than 1 October 1985, such unused portion of their initial share as, on 15 September 1985, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1985, of the total quantities of the products in question imported up to 15 September 1985 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1985, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Done at Brussels, 6 November 1984.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1985.

For the Council

The President

J. O'KEEFE

COUNCIL REGULATION (EEC) No 3211/84

of 6 November 1984

opening, allocating and providing for the administration of a Community tariff quota for salad beetroots falling within subheading ex 07.01 G IV of the Common Customs Tariff and originating in Cyprus (1985)

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, in Regulation (EEC) No 3700/83⁽¹⁾, the Community laid down the arrangements applicable to trade with Cyprus for 1984; whereas Article 2 of that Regulation provides for the opening of a Community tariff quota of 1 500 tonnes of salad beetroots, falling within subheading ex 07.01 G IV of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50 % of the customs duty in the Common Customs Tariff;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1985 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Regulation; whereas, therefore, the Community tariff quota in question should be opened for the period from 1 January to 31 December 1985;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the 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, in the present case, it seems advisable not to allocate this quota among the Member States without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure specified in Article 1 (2); 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 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 of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, the Common Customs Tariff duty for salad beetroots, falling within subheading ex 07.01 G IV of the Common Customs Tariff and originating in Cyprus, shall be suspended at 8,5 % within the limits of a Community tariff quota of 1 500 tonnes.

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the 1979 Act of Accession and the Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community.

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said goods have access to the quota so long as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 6 November 1984.

For the Council

The President

J. O'KEEFFE

COUNCIL REGULATION (EEC) No 3212/84

of 6 November 1984

opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 5 of the Common Customs Tariff and originating in Cyprus (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

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

Whereas, 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, to take into account demand for these products on the markets of the various Member States;

Having regard to the proposal from the Commission,

Whereas, in Regulation (EEC) No 3700/83 ⁽¹⁾, the Community has established the arrangements applicable to trade with Cyprus for 1984; whereas Article 2 of this Regulation provides for the opening of an annual Community tariff quota of 300 tonnes of sweet peppers, falling within subheading 07.01 5 of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50 % of the customs duty in the Common Customs Tariff;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give imports in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75 % of the quota volume;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1985 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Regulation; whereas the abovementioned Community tariff quota should be opened for the period 1 January to 31 December 1985;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question,

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1985, the Common Customs Tariff duty for sweet peppers falling within subheading 07.01 5 of the Common Customs Tariff and originating in Cyprus shall be partially suspended at 4,5 % within the limits of the Community tariff quota of 300 tonnes.

Within the limits of the tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 225 tonnes shall be allocated among the Member States; the respective shares which, subject to Article 5, shall be valid until 31 December 1985 shall be as follows:

	<i>(tonnes)</i>
Benelux	7
Denmark	7
Germany	15
Greece	1
France	1
Ireland	7
Italy	1
United Kingdom	186

3. The second instalment, amounting to 75 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to

the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1985

Article 5

The Member States shall return to the reserve, not later than 1 October 1985, such unused portion of their initial share as, on 15 September 1985, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1985, of the total quantities of the products in question imported up to 15 September 1985 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1985, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the

products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 6 November 1984.

For the Council
The President
J. O'KEEFE

COUNCIL REGULATION (EEC) No 3218/84

of 6 November 1984

establishing ceilings and Community surveillance of imports of certain textile products originating in Cyprus (1985)

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 of Annex 1 to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, the arrangements applicable to trade with Cyprus, as last amended by Regulation (EEC) No 3700/83 ⁽²⁾, provide for 1984 the exemption of customs duties for:

- man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, and for
- men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff,

within the limits of annual ceilings respectively of 100 tonnes and 525 tonnes above which the customs duties actually applied to third countries may be reintroduced until the end of the calendar year;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1985 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned provisions; whereas, therefore, the ceilings for 1985 must be established; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Cyprus; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered

with customs authorities for free circulation; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep Member States informed; whereas this cooperation has to be all the more close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, imports into the Community of the products listed in the Annex and originating in Cyprus shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Additional Protocol to the Agreement establishing an association between the European Economic Community and Cyprus ⁽²⁾.

Goods may be charged against the ceiling only if the movement certificate is submitted before the date on which customs duties are reimposed.

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 2.

⁽²⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽¹⁾ OJ No L 339, 28. 12. 1977, p. 19.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

Member States shall inform the Commission at the intervals and within the time limits specified in paragraph 4 of imports effected in accordance with the above procedures.

3. As soon as the ceilings are reached, the Commission may adopt a Regulation reimposing until the end of the calendar year the customs duties applicable to third countries.

In the case of such a reimposition Greece shall reintroduce the levying of the customs duties which it applies to third countries at the date in question.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the quantities charged during the preceding month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States for the purposes of applying this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 6 November 1984.

For the Council

The President

J. O'KEEFFE

ANNEX

List of products subject to import ceilings in 1985

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
1	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	100
2	61.01	Men's and boys' outer garments	61.01-all Nos	525

COUNCIL REGULATION (EEC) No 3628/84
of 19 December 1984
extending beyond 31 December 1984 the arrangements applicable to trade with
the Republic of Cyprus

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3700/83⁽¹⁾, as last
amended by Regulation (EEC) No 1833/84⁽²⁾, has
extended the arrangements applicable to trade with
the Republic of Cyprus until 31 December 1984;

Whereas the conditions justifying this extension still
exist; whereas the period of validity of the said Regu-
lations should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3700/83, '31
December 1984' is hereby replaced by '30 June 1985'.

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 January 1985.

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

Done at Brussels, 19 December 1984.

For the Council

The President

J. BRUTON

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 172, 30. 6. 1984, p. 5.

FINANCIAL AND TECHNICAL CO-OPERATION

**COUNCIL REGULATION (EEC) No 787/84
of 26 March 1984**

**on the conclusion of a Protocol on financial and technical cooperation between
the European Economic Community and the Republic of Cyprus**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Article 1

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

The Protocol on financial and technical cooperation between the European Economic Community and the Republic of Cyprus is hereby approved on behalf of the Community.

Having regard to the recommendation from the Commission,

The text of the Protocol is attached to this Regulation.

Article 2

Having regard to the opinion of the European Parliament⁽¹⁾,

The President of the Council shall give the notification provided for in Article 21 (1) of the Protocol.

Article 3

Whereas the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Cyprus, signed on 20 December 1983, should be approved,

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, 26 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No C 77, 19. 3. 1984, p. 124.

PROTOCOL
on financial and technical cooperation between the European Economic Community and the Republic of Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS,

of the other part,

CONSCIOUS of the need to promote the development of the Cypriot economy, of the one part, and with a view to facilitating the pursuit of the objectives of the Agreement establishing an association between the European Economic Community and the Republic of Cyprus, of the other part,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

Nikos DIMADIS,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Hellenic Republic,
Chairman of the Permanent Representatives Committee ;

Pierre DUCHÂTEAU,
Director in the Directorate-General for External Relations of the Commission of the European Communities ;

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS :

Nicos AGATHOCLEOUS,
Ambassador Extraordinary and Plenipotentiary,
Permanent Delegate to the European Economic Community,
Head of the Mission of the Republic of Cyprus ;

Article 1

Within the framework of the financial and technical cooperation provided for in the Association Agreement concluded between the European Economic Community and the Republic of Cyprus, the Community shall participate, on the terms set out in this Protocol, in the financing of measures intended to contribute to the economic and social development of Cyprus.

Article 2

1. For the purposes specified in Article 1 and for a period expiring on 31 December 1988, an aggregate amount of 44 million ECU may be committed as follows :

- (a) 28 000 000 ECU in the form of loans from the European Investment Bank, hereinafter referred to as 'the Bank', made from its own resources ;
- (b) 16 000 000 ECU from the Community's budgetary resources, composed of :
 - 6 000 000 ECU in the form of loans on special terms,
 - 10 000 000 ECU in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amount shown in the first indent of point (b) ; these may take the form *inter alia* of subordinated loans, conditional loans or acquisitions of holdings.

2. The loans referred to in paragraph 1 (a) — with the exception of those intended for financing the oil sector — shall be combined with interest rate subsidies of 2 % financed by means of the funds shown in the second indent of paragraph 1 (b).

Article 3

1. The total amount fixed in Article 2 shall be used for the financing or part-financing of :

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying the economic structure of Cyprus and especially at promoting its industrialization and modernizing its agriculture,
- technical cooperation schemes that are a preliminary or a complement to capital projects drawn up by the Cypriot Government,
- technical cooperation in the field of training.

2. The Community's financial contributions shall be used to cover internal and external costs necessarily incurred in carrying out approved projects or schemes (including costs in respect of studies, consulting engineers and technical assistance). They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

1. Capital projects shall be eligible for financing either by loans from the Bank, combined with interest rate subsidies on the terms set out in Article 2, or by loans on special terms, or by grants, or by a combination of these three means.

2. Technical and economic cooperation shall normally be financed by grants.

Article 5

1. The amounts to be committed each year shall be distributed as evenly as possible throughout the period of application of this Protocol.

2. Any funds not committed at the end of the period referred to in Article 2 (1) shall be used, until exhausted. In that case, the funds shall be used in accordance with the same arrangements as those laid down in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be made in accordance with the arrangements, conditions and procedures laid down in its Statute. They shall, as regards their duration, be subject to terms established on the basis of the economic and financial characteristics of the projects for which these loans are intended, also taking into account the conditions obtaining on the capital markets on which the Bank procures its resources. The interest rate shall be determined in accordance with the Bank's practice at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).

2. Loans on special terms shall be granted for 40 years with 10 years' postponement of amortization and at an interest rate of 1 % per annum. The terms and arrangements for contributions to risk capital formation shall be determined on a case-by-case basis.

3. The loans may be granted through the intermediary of the State or appropriate Cypriot bodies, on condition that they on-lend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects for which they are intended.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Cyprus, take the form of co-financing in which, in particular, credit and development bodies and institutions of

Cyprus, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation :

(a) in general :

— the State of Cyprus ;

(b) with the agreement of the State of Cyprus, for projects or measures approved by it :

— Cypriot official development agencies,

— private agencies working in Cyprus for economic and social development,

— undertakings carrying on their activities in accordance with industrial and business management methods and set up as legal persons within the meaning of Article 12,

— groups of producers who are nationals of Cyprus, and exceptionally, where no such groups exist, the producers themselves,

— scholarship holders and trainees sent by Cyprus under the training schemes referred to in Article 3.

Article 9

1. Upon the entry into force of this Protocol, the Community and Cyprus shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Cyprus's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Cyprus's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and schemes drawn up by the State of Cyprus or by other beneficiaries approved by that country.

Article 10

1. The State of Cyprus or, with the agreement of its Government, the other possible beneficiaries referred to in Article 8, shall present their requests for financial aid to the Community.

2. The Community shall appraise the requests for financing in collaboration with the competent Cypriot authorities and other beneficiaries, in accordance with the objectives referred to in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

1. The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Cyprus or the other beneficiaries referred to in Article 8.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

2. Certain rules for administering the financial aid granted by the Community will be the subject of an exchange of letters between the Commission and Cyprus at the conclusion of this Protocol.

Article 12

All natural and legal persons which come within the scope of the Treaty establishing the European Economic Community and all natural and legal persons of Cyprus may participate on equal terms in tendering procedures and other procedures for the award of contracts likely to be financed. Such legal persons formed in accordance with the law of a Member State of the EEC or of Cyprus must have their registered offices, their administrative head offices or their principal establishments in the territories in which the Treaty establishing the EEC is applied or in Cyprus; however, where only their registered offices are in those territories or in Cyprus, the activities of such legal persons must be effectively and continuously linked with the economy of those territories or of Cyprus.

Article 13

To promote participation by Cypriot undertakings in the performance of works contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used where the works in question, because of their scale, are mainly of interest to Cypriot undertakings.

This accelerated procedure may be used for invitations to tender the value of which is estimated at less than 2 000 000 ECU.

Article 14

1. Cyprus shall apply to contracts awarded for the execution of projects or schemes financed by the Community fiscal and customs arrangements no less favourable than those applied *vis-à-vis* the most-favoured international development organization.

2. The fiscal and customs arrangements shall be established by means of an exchange of letters between the Parties.

Article 15

Cyprus shall take the necessary measures to ensure that interest and all other payments due to the Community in respect of loans granted under this

Protocol are exempted from any national or local tax or levy.

Article 16

Where a loan is accorded to a beneficiary other than the State of Cyprus, the provisions of a guarantee by the latter or of other adequate guarantees may be required by the Community as a condition of the grant of the loan.

Article 17

Throughout the duration of the loans accorded pursuant to this Protocol, Cyprus shall undertake to make available to debtors enjoying such loans, or to the guarantors thereof, the foreign currency necessary for the payment of interest, commission and other charges and the repayment of principal.

Article 18

The results of financial and technical cooperation may be examined within the Association Council. The latter shall establish, where appropriate, the general guidelines of such cooperation.

Article 19

One year before the expiry of this Protocol, the Contracting Parties shall examine what arrangements could be made for financial and technical cooperation during a possible further period.

Article 20

This Protocol shall be annexed to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus.

Article 21

1. This Protocol shall be subject to approval in accordance with the Contracting Parties' own procedures; the Contracting Parties shall notify each other that the procedures necessary to this end have been completed.

2. This Protocol shall enter into force on the first day of the second month following the date on which the notifications provided for in paragraph 1 have been given.

Article 22

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

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne protokol.

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

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τῆς υπογραφῆς τοὺς στο παρὸν πρωτόκολλο.

In witness whereof the undersigned plenipotentiaries have signed this Protocol.

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

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

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

Udfærdiget i Bruxelles, den tyvende december nitten hundrede og treogfirs.

Geschehen zu Brüssel am zwanzigsten Dezember neunzehnhundertdreiundachtzig.

Έγινε στις Βρυξέλλες, στις εικοσι Δεκεμβρίου χίλια εννιακόσια ογδόντα τρία.

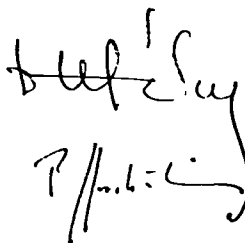
Done at Brussels on the twentieth day of December in the year one thousand nine hundred and eighty-three.

Fait à Bruxelles, le vingt décembre mil neuf cent quatre-vingt-trois.

Fatto a Bruxelles, addì venti dicembre millenovecentottantatré.


Gedaan te Brussel, de twintigste december negentienhonderd drieëntachtig.

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen



A handwritten signature in black ink, appearing to read 'P. M. L. C.' with a large flourish extending downwards.

regeringen for republikken Cypern
Für die Regierung der Republik Zypern
Για την κυβέρνηση της Κυπριακής Δημοκρατίας
For the Government of the Republic of Cyprus
Pour le gouvernement de la république de Chypre
Per il governo della Repubblica di Cipro
Voor de Regering van de Republiek Cyprus



A handwritten signature in black ink, appearing to read 'D. G. L. C.' with a large flourish extending downwards.

Information concerning the date of entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Cyprus signed in Brussels on 20 December 1983 (*)

As the instruments of notification of the completion of the procedures necessary for the entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Cyprus signed in Brussels on 20 December 1983 were exchanged on 30 March 1984, the Protocol will enter into force in accordance with Article 21 (2) thereof, on 1 May 1984.

(*) OJ No L 85, 28. 3. 1984, p. 37.

Association EEC-MALTA

The Compilation of Texts pertaining to the "Association between the European Economic Community and Malta" contains all the acts adopted by the various Institutions of the Association pursuant to the Agreement signed at Valletta on 5 December 1970 as well as the acts adopted by the EEC concerning Malta.

FREE MOVEMENT OF GOODS

1. Acts of the Association Council

DECISION No 1/84 OF THE ASSOCIATION COUNCIL
of 17 May 1984

again amending Articles 6 and 17 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE ASSOCIATION COUNCIL,

Having regard to the Agreement between the European Economic Community and Malta, signed in Brussels on 5 December 1970,

Having regard to the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'the Protocol', and in particular Article 25 thereof,

Whereas the equivalent value of the European unit of account in certain national currencies on 1 October 1982 was less than the corresponding value on 1 October 1980; whereas the automatic change in the base date laid down in Decision No 1/82 of the Association Council would, in the case of conversion into the national currencies concerned, have the effect of reducing the limits which permit the presentation of simplified documentary evidence; whereas, in order to avoid this effect, it is necessary to increase such limits expressed in European units of account,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol is hereby amended as follows:

1. In the second subparagraph of Article 6 (1), '1 620 ECU' is replaced by '2 000 ECU'.
2. In Article 17 (2), '105 ECU' is replaced by '140 ECU' and '325 ECU' by '400 ECU'.

Article 2

This Decision shall enter into force on 1 June 1984.

Done at Brussels, 17 May 1984.

For the Association Council

The President

J. LEPRETTE

DECISION OF THE EEC-MALTA ASSOCIATION COUNCIL No 2/84
of 23 July 1984

derogating from the provisions concerning the definition of the concept of originating products laid down in the Agreement establishing an association between the European Economic Community and Malta in respect of intermediate frequency transformers

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an association between the European Economic Community and Malta, signed in Valetta on 5 December 1970,

Having regard to the Protocol concerning the definition of the concept of originating products and methods of administrative cooperation, hereinafter called 'the Protocol', annexed to the Additional Protocol to the Agreement, and in particular Article 25 thereof,

Whereas, in order to take account of the particular situation of Malta and to allow the industries concerned to adapt their production to the conditions required by the Protocol with respect to the acquisition of originating status, it is necessary to provide for a temporary derogation from certain provisions in favour of the State,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the rule in lists A and B of the Protocol in respect of tariff heading No 85.15, which provides that at least 50 % in value of the

materials and parts used must be originating products, intermediate frequency transformers manufactured in Malta shall be considered as products originating in Malta in cases where this rule is not complied with, provided that the other conditions applicable to that heading are fulfilled.

Article 2

Malta, the Member States and the Community shall, in so far as they are concerned, take the measures necessary for the implementation of this Decision.

Article 3

This Decision shall take effect from 1 August 1984.

It shall apply until 31 July 1986.

Done at Brussels, 23 July 1984.

*For the
EEC-Malta Association Council*

The President

A. O'ROURKE

FREE MOVEMENTS OF GOODS

2. Provisions within the EEC

**COUNCIL REGULATION (EEC) No 1472/84
of 24 May 1984**

**on the application of Decision No 1/84 of the EEC-Malta Association Council
again amending Articles 6 and 17 of the Protocol concerning the definition of
the concept of 'originating products' and methods of administrative cooperation**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association
between the European Economic Community and
Malta (*) was signed on 5 December 1970 and entered
into force on 1 April 1971;

Whereas a Protocol laying down certain provisions
relating to the Agreement establishing an association
between the European Economic Community and
Malta (**) was signed in Brussels on 4 March 1976 and
entered into force on 1 June 1976;

Whereas, under Article 25 of the Protocol concerning
the definition of the concept of 'originating products'
and methods of administrative cooperation, which is

an integral part of the Agreement, the Association
Council adopted Decision No 1/84 again amending
Articles 6 and 17;

Whereas it is necessary to apply this Decision in the
Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/84 of the EEC-Malta Association
Council shall be applicable in the Community.

The text of the Decision is attached to this 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, 24 May 1984.

For the Council
The President
G. LENGAGNE

(*) OJ No L 61, 14. 3. 1971, p. 2.
(**) OJ No L 111, 28. 4. 1976, p. 3.

COMMISSION DECISION

of 27 April 1984

concerning animal health conditions and veterinary certification for the import of fresh meat from Malta

(84/294/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 83/91/EEC ⁽²⁾, and in particular Article 16 thereof,

Whereas following a Community veterinary mission it appears that the animal health situation in Malta is excellent, stable and completely controlled by well-structured and organized veterinary services, particularly as regards diseases transmissible through meat;

Whereas, in addition, the responsible veterinary authorities of Malta have confirmed that Malta has for at least 12 months been free from rinderpest, exotic and classical foot-and-mouth disease, African swine fever, classical swine fever, swine vesicular disease and Brucella suis infection and that no vaccinations have been carried out against those diseases during that time with the exception of classical foot-and-mouth disease; whereas animals vaccinated against classical foot-and-mouth disease are present in Malta;

Whereas the responsible veterinary authorities of Malta have undertaken to notify the Commission of the European Communities and the Member States, by telex or telegram, within 24 hours at the latest, of the confirmation of the occurrence of any of the abovementioned diseases or an alteration in vaccination policy against them;

Whereas animal health conditions and veterinary certification must be adopted according to the animal health situation of the non-member country concerned;

Whereas certain Member States, because of their particular animal health situations concerning foot-and-mouth disease, benefit from special provisions in intra-Community trade and should therefore also be authorized to apply special provisions in respect of

imports from third countries; whereas these provisions must be at least as strict as those which the same Member States apply in intra-Community trade;

Whereas it will be necessary to re-examine this Decision with a view to its adaptation to Community rules concerning the control and eradication of foot-and-mouth disease within the Community;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize the importation from Malta of fresh meat of bovine animals, swine and domestic solipeds conforming to the guarantees laid down in an animal health certificate which accords with the Annex hereto and which must accompany the consignment.

2. Member States shall not authorize imports of categories of fresh meat from Malta other than those referred to in paragraph 1.

Article 2

Until the adoption by the Council of rules concerning the control and eradication of foot-and-mouth disease within the Community, and while continuing to prohibit vaccination against foot-and-mouth disease, Ireland and the United Kingdom in respect of Northern Ireland may, in respect of fresh meat of bovine animals and swine, referred to under Article 1, retain their national animal health rules relating to protection against foot-and-mouth disease.

Article 3

This Decision shall not apply to imports of glands and organs authorized by the country of destination for pharmaceutical manufacturing purposes.

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

Article 4

This Decision shall be re-examined with a view to its adaptation to Community rules concerning the control and eradication of foot-and-mouth disease within the Community.

Article 5

This Decision shall apply from 1 May 1984.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 27 April 1984.

For the Commission

Poul DALSA GER

Member of the Commission

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of bovine animals, swine and domestic solipeds intended for consignment to the European Economic Community

Country of destination:

Reference to public health certificate ⁽²⁾:

Exporting country: MALTA

Ministry:

Department:

Reference:

(Optional)

I. Identification of meat

Meat of:
(Animal species)

Nature of cuts:

Type of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) ⁽³⁾ of approved slaughterhouse(s):

Address(es) and veterinary approval number(s) ⁽³⁾ of approved cutting plant(s):

III. Destination of meat

The meat will be sent from:
(Place of loading)

to:
(Country and place of destination)

by the following means of transport ⁽³⁾:

Name and address of consignor:

Name and address of consignee:

⁽¹⁾ Fresh meat means all parts of domestic animals of the bovine and porcine species and of domestic solipeds which are fit for human consumption and which have not undergone any preserving process, chilled and frozen meat being considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For aircraft the flight number should be given and for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above has been obtained from animals which have remained in the territory of Malta for at least three months before being slaughtered or since birth in the case of animals less than three months old.

Done at, on

.....
(Signature of official veterinarian)



**COUNCIL REGULATION (EEC) No 1832/84
of 28 June 1984**

**amending Regulation (EEC) No 3508/80 extending the term of validity of the
arrangements applicable to trade with Malta beyond 31 December 1980**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3508/80⁽¹⁾, as last
amended by Regulation (EEC) No 3664/83⁽²⁾, has
extended the arrangements applicable to trade with
Malta until 30 June 1984;

Whereas the conditions justifying this extension still
exist; whereas the period of validity of the said Regu-
lation should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '30 June
1984' is hereby replaced by '31 December 1984'.

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 July 1984.

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

Done at Luxembourg, 28 June 1984.

For the Council

The President

H. BOUCHARDEAU

⁽¹⁾ OJ No L 367, 31. 12. 1980, p. 86.

⁽²⁾ OJ No L 366, 28. 12. 1983, p. 7.

**COUNCIL REGULATION (EEC) No 2124/84
of 23 July 1984**

concerning the application of Decision No 2/84 of the EEC-Malta Association Council derogating from the provisions concerning the definition of the concept of originating products laid down in the Agreement establishing an association between the European Economic Community and Malta in respect of intermediate frequency transformers

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and Malta (*) was signed on 5 December 1970 and entered into force on 1 April 1971;

Whereas a Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta (†) was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976;

Whereas, pursuant to Article 25 of the Protocol concerning the definition of the concept of originating products and methods of administrative cooperation annexed to the Protocol referred to above and forming

an integral part of the Agreement, the EEC-Malta Association Council adopted Decision No 2/84 which derogates from the Protocol concerning the rules on origin;

Whereas this Decision should be applied in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

Decision No 2/84 of the EEC-Malta Association Council shall be applicable in the Community.

The text of the Decision is attached to this 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, 23 July 1984.

For the Council
The President
J. O'KEEFFE

(*) OJ No L 61, 14. 3. 1971, p. 1.

(†) OJ No L 111, 28. 4. 1976, p. 3.

COUNCIL REGULATION (EEC) 3217/84
of 6 November 1984
establishing ceilings and Community surveillance of imports of certain products originating
in Malta (1985)

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 provisions of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾ have lapsed;

Whereas, pending the entry into force of a new protocol, it is necessary to extend, for 1985, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas, since a Protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be re-introduced; whereas the ceilings to be applied in 1985 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being re-introduced as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-introduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, imports into the Community of Nine of the products listed in the Annex and originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and, the ceilings shall be as set out in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽²⁾.

Goods may be charged against the ceiling only if the movement certificate is submitted before the date on which customs duties are reimposed.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

⁽¹⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽²⁾ OJ No L 111, 28. 4. 1976, p. 3.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until the end of the calendar year the customs duties applicable to third countries.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the quantities charged during the preceding month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them

within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, for the purposes of applying this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 6 November 1984.

For the Council

The President

J. O'KEEFE

ANNEX

List of products subject to import ceilings in 1985

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	Ceiling delayed
I M 2	55.09	Other woven fabrics of cotton	55.09-all Nos	Ceiling delayed
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	Ceiling delayed
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05-all Nos	Ceiling delayed
I M 5	61.01	Men's and boys' outer garments	61.01-all Nos	1 203

COMMISSION REGULATION (EEC) No 3552/84
of 17 December 1984

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79, (EEC) No 1782/80 and (EEC) No 2295/82 on Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal, Egypt and Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports (1), and in particular Article 10 thereof,

Having regard to the opinion of the Advisory Committee set up by Article 5 of that Regulation,

Whereas Commission Regulation (EEC) No 2819/79 (2), the period of validity of which was last extended by Regulation (EEC) No 3551/84 (3), makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulations (EEC) No 3044/79 (4), (EEC) No 3045/79 (5), (EEC) No 3046/79 (6), (EEC) No 1782/80 (7) and (EEC) No 2295/82 (8), as last amended by Regulation (EEC) No 3581/82 (9), the Commission established Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal, Egypt and Turkey; whereas those Regulations expire on 31 December 1984, as regards Regulation (EEC) No 3581/83 (10);

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION:

Article 1

Community surveillance of imports of certain textile products originating in Malta, Spain, Portugal, Egypt and Turkey, established respectively by Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79, (EEC) No 1782/80 and (EEC) No 2295/82, is hereby extended until 31 December 1985.

Article 2

This Regulation shall enter into force on 1 January 1985.

It shall apply until 31 December 1985.

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

Done at Brussels, 17 December 1984.

For the Commission
Wilhelm HAFERKAMP
Vice-President

(1) OJ No L 35, 9. 2. 1982, p. 1.
(2) OJ No L 320, 15. 12. 1979, p. 9.
(3) See page 14 of this Official Journal.
(4) OJ No L 343, 31. 12. 1979, p. 8.
(5) OJ No L 343, 31. 12. 1979, p. 11.
(6) OJ No L 343, 31. 12. 1979, p. 12.
(7) OJ No L 174, 9. 7. 1980, p. 16.
(8) OJ No L 245, 20. 8. 1982, p. 25.
(9) OJ No L 373, 31. 12. 1982, p. 64.
(10) OJ No L 356, 20. 12. 1983, p. 17.

**COUNCIL REGULATION (EEC) No 3627/84
of 19 December 1984
extending beyond 31 December 1984 the arrangements applicable to trade with
Malta**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3508/80⁽¹⁾, as last
amended by Regulation (EEC) No 1832/84⁽²⁾, has
extended the arrangements applicable to trade with
Malta until 31 December 1984;

Whereas the conditions justifying this extension still
exist; whereas the period of validity of the said Regu-
lations should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '31
December 1984' is hereby replaced by '30 June 1985'.

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 January 1985.

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

Done at Brussels, 19 December 1984.

For the Council
The President
J. BRUTON

⁽¹⁾ OJ No L 367, 31. 12. 1980, p. 86.

⁽²⁾ OJ No L 172, 30. 6. 1984, p. 4.

COUNCIL REGULATION (EEC) No 3723/84

of 18 December 1984

totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1985)

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 Council Regulation (EEC) No 3033/80 of 11 November 1980 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,

Whereas, under Annex 1 to the Agreement establishing an Association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1985 and at the levels indicated for each of them;

Whereas in the absence of a protocol provided for in Article 118 of the 1979 Act of Accession, the Community must take the measures referred to in Article 119 of that Act; whereas the tariff measure in question will therefore apply to the Community of Nine,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985, the products originating in Malta listed in the Annex shall be

admitted for import into the Community of Nine at the customs duties indicated for each of them.

2. For the purposes of the application of this Regulation, the rules of origin shall be those in force at the time as regards the implementation of the Agreement establishing an Association between the European Economic Community and Malta.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in 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 Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

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, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1985.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 61, 14. 3. 1971, p. 3.

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

Done at Brussels, 18 December 1984.

For the Council

The President

P. BARRY

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
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 C. Other: ex I. Frogs' legs II. Other	5 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: 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: ex B. Other: — Cut flowers, not further prepared than dried — Other cut flowers	7 % 15 %
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: III. Horse-radish (<i>Cochlearia armoracia</i>) T. Other: ex III. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	13 % Free

CCT heading No	Description	Rate of duty
1	2	3
07.02	Vegetables (whether or not cooked); preserved by freezing: ex B. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	13 %
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: 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: — Horse-radish (<i>Cochlearia armoracia</i>) — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free 11 %
08.08	Berries, fresh: F. Other	5 %
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	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	14 % 8 % 14 % 17 %

CCT heading No	Description	Rate of duty
1	2	3
16.02 (cont'd)	B. III. b) 2. Other: aa) Of sheep or goats: — Sheep — Goats bb) Other	18 % 16 % 16 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers ex H. Other, including mixtures: — Moringa oleifera (drumsticks)	14 % 20 % 15 % 12 % Free
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a density exceeding 1,33 g/cm ³ at 20 °C: III. Other: ex a) Of a value exceeding 30 ECU per 100 kg net weight: — Fruits falling within subheading 08.01 A — Fruit falling within heading Nos 08.01 B to H, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex b) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons B. Of a density of 1,33 g/cm ³ or less at 20 °C: II. Other: a) Of a value exceeding 30 ECU per 100 kg net weight: 2. Grapefruit juice 3. Lemon juice and other citrus fruit juices: ex aa) Containing added sugar: — Excluding lemon juices ex bb) Other: — Excluding lemon juices 6. Other fruit and vegetable juices, excluding apricot and peach juices: ex aa) Containing added sugar: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	Free 8 % 8 % + (L) 8 % 13 % 13 % 8 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. II. a) 6. ex aa) — Other, excluding apricot and peach juices</p> <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 ECU 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"> — 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"> — 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>17 %</p> <p>8 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p> <p>8 % + (L)</p> <p>8 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>15 %</p> <p>8 % + (L)</p> <p>17 % + (L)</p> <p>8 %</p> <p>17 %</p>

Association EEC-TURKEY

The Compilation of Texts pertaining to the "Association between the European Economic Community and Turkey" contains all the acts adopted by the various Institutions of the Association pursuant to the Agreement signed at Ankara on 12 September 1963 as well as the acts adopted by the EEC concerning Turkey.

GENERAL MATTERS

1. Association Agreement and related texts

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1983 to 31 October 1984

Letter No 1

Sir,

Annex IV to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 2 of that Decision is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the said Article.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex IV, the Community will take the necessary steps to fix the additional amount at 10,88 ECU per 100 kilograms for the period 1 November 1983 to 31 October 1984.

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

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'Annex IV to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community stipulates that for untreated olive oil falling within subheading 15.07 A 1 of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 2 of that Decision is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the said Article.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex IV, the Community will take the necessary steps to fix the additional amount at 10,88 ECU per 100 kilograms for the period 1 November 1983 to 31 October 1984.

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

I confirm the agreement of my Government to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Republic of Turkey*

GENERAL MATTERS

2. Provisions within the Community relating
to the Association Agreement

**COUNCIL REGULATION (EEC) No 662/84
of 13 March 1984**

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey for the period 1 November 1983 to 31 October 1984

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 Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community, and in particular Annex IV thereto,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1983 to 31 October 1984,

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

Done at Brussels, 13 March 1984.

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1983 to 31 October 1984 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

For the Council

The President

C. CHEYSSON

FREE MOVEMENT OF GOODS
Provisions within the EEC

COMMISSION REGULATION (EEC) No 208/84

of 26 January 1984

introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2004/83⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 2085/83 of 26 July 1983 fixing the reference price for apples for the 1983/84 marketing year⁽³⁾ fixed the reference price for products of class I for the month of January 1984 at 41,97 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative price or the arithmetic mean of the lowest prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3110/83⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for Turkish apples, the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these apples;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, when the Commission introduces a countervailing charge on imports of apples originating in Turkey, at the same time it reintroduces for the product in question the conventional rate of customs duty; whereas, therefore, a rate of customs duty of 8,8 % should be reintroduced for these apples, with a minimum charge of 2,08 ECU per 100 kilograms net;

Whereas if the system is to operate normally the entry price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their effective parity,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of 3,39 ECU per 100 kilograms net is applied on imports of apples falling within subheading 08.06 A II b) of the Common Customs Tariff originating in Turkey.

2. The rate of customs duty on imports of these products shall be 8,8 % with a minimum charge of 2,08 ECU per 100 kilograms net.

Article 2

This Regulation shall enter into force on 28 January 1984.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 21. 7. 1983, p. 2.

⁽³⁾ OJ No L 203, 27. 7. 1983, p. 23.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

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

Done at Brussels, 26 January 1984.

For the Commission
Poul DALSAGER
Member of the Commission

COMMISSION REGULATION (EEC) No 307/84

of 6 February 1984

abolishing the countervailing charge and re-establishing a preferential customs duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2004/83⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 208/84 of 26 January 1984⁽³⁾ introduced a countervailing charge on apples originating in Turkey and suspended the preferential customs duty on imports of these products;

Whereas the present trend of prices for apples originating in Turkey on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3110/83⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of the said Regulation, indicates that entry prices have been at least equal to the reference price for two

consecutive market days; whereas the conditions specified in the second subparagraph of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Turkey can be abolished;

Whereas, in accordance with Article 2 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, the preferential rate of customs duty should be re-established at the same time as the countervailing charge is abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 208/84 is hereby repealed.

Article 2

This Regulation shall enter into force on 7 February 1984.

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

Done at Brussels, 6 February 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 21. 7. 1983, p. 2.

⁽³⁾ OJ No L 22, 27. 1. 1984, p. 31.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 103, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

COMMISSION REGULATION (EEC) No 591/84
of 7 March 1984

introducing a countervailing charge and suspending the preferential customs
duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 2004/83⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25(1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0,6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this charge
is equal to the difference between the reference price
and the arithmetic mean of the last two entry prices
available for that exporting country;

Whereas Commission Regulation (EEC) No 2085/83
of 26 July 1983 fixing the reference price for apples
for the 1983/84 marketing year⁽³⁾ fixed the reference
price for products of class I for the month of March
1984 at 45,49 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country
is equal to the lowest representative price or the arith-
metic mean of the lowest prices recorded for at least
30 % of the quantities from the exporting country
concerned which are marketed on all representative
markets for which prices are available less the duties
and the charges indicated in Article 24 (3) of Regula-
tion (EEC) No 1035/72; whereas the meaning of
representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-
tion (EEC) No 3110/83⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets;

Whereas, for Turkish apples, the entry price calculated
in this way has remained at least 0,6 ECU below the
reference price for two consecutive market days;
whereas a countervailing charge should therefore be
introduced for these apples;

Whereas, in Article 1 of Council Regulation (EEC) No
3671/81 of 15 December 1981 on imports into the
Community of certain agricultural products origina-
ting in Turkey⁽⁶⁾, when the Commission introduces a
countervailing charge on imports of apples originating
in Turkey, at the same time it reintroduces for the
product in question the conventional rate of customs
duty; whereas, therefore, a rate of customs duty of
8,8 % should be reintroduced for these apples, with a
minimum charge of 2,08 ECU per 100 kilograms net;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate,
- 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 indent,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of 6,13 ECU per 100
kilograms net is applied on imports of apples falling
within subheading 08.06 A II b) of the Common
Customs Tariff originating in Turkey.
2. The rate of customs duty on imports of these
products shall be 8,8 % with a minimum charge of
2,08 ECU per 100 kilograms net.

Article 2

This Regulation shall enter into force on 9 March
1984.

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 198, 21. 7. 1983, p. 2.
(3) OJ No L 203, 27. 7. 1983, p. 23.
(4) OJ No L 220, 10. 8. 1974, p. 20.
(5) OJ No L 303, 5. 11. 1983, p. 5.

(6) OJ No L 367, 23. 12. 1981, p. 3.

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

Done at Brussels, 7 March 1984.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION

of 5 March 1984

accepting an undertaking in connection with the anti-dumping proceeding concerning imports of certain synthetic fibre hand-knitting yarn originating in Turkey and terminating that proceeding

(84/131/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1580/82⁽²⁾, and in particular Article 10 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

(1) In November 1982 the Commission received a complaint lodged by the Committee of the Wool Textile Industry in the EEC (Interlaine) on behalf of 84 EEC producers representing almost the entire Community industry. The complaint contained evidence of dumping and resultant material injury, which was considered sufficient to justify the initiation of a proceeding. The Commission therefore announced, in a notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of an anti-dumping proceeding concerning imports of certain synthetic fibre hand-knitting yarn falling within subheadings 56.05 ex A and 56.06 ex A of the Common Customs Tariff, corresponding to NIMEXE codes ex 56.05-21, 23, 25, 28, 32, 34 and 36 and ex 56.06-11 and 15, originating in Turkey, and commenced an investigation.

- (2) The Commission officially so notified the exporters and importers known to be concerned, the representatives of the exporting country and the complainants, and gave the parties directly involved the opportunity of presenting their views in writing and of requesting a hearing.
- (3) The producers also lodged the complaint, the known exporters and some importers presented their views in writing. In particular, one of the exporters and the major importers, represented by their association, requested and obtained a hearing.
- (4) One of the exporters asked for a meeting with the other directly affected parties in order to present counter-arguments. The Commission was prepared to create the opportunity for such a meeting. However, the exporter concerned, in the end, declined to make use of this opportunity under the conditions set by the other party.
- (5) The Commission has collected all the information it considered necessary for the purposes of arriving at a preliminary finding, checked this information, and pursued enquiries on the spot with the following firms :

EEC producers :

- Filature de l'Espierres SA, Belgium,
- Kammgarnspinnerei Wilhelmshaven AG, Federal Republic of Germany,
- Schoeller Eitorf AG, Federal Republic of Germany,
- Ets. Caullier & Delaoutre, France,
- Ets. Carlos Lecoutre & Fils, France,
- Hayfield Textiles Ltd, United Kingdom,
- Sirdar Ltd, United Kingdom,
- NV Koninklijke D. S. van Schuppens en Zn, Netherlands,
- Leidsche Wolspinnerij NV, Netherlands.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No C 102, 15. 4. 1983, p. 2.

Exporters and producers in third countries:

- AK-PA Tekstil İhracat Pazarlama AS,
as exporting company for:
 - AK-SU İplik Dokuma ve Boya Apre Fabrikaları TAS,
 - AK-AL Tekstil Sanayii AS,
 - Emböy-Yüntaş Birleşik Kamgarn ve Straygarn İplik İmalcılığı AS,
- OMPA Tekstil Pazarlama ve İhracat AS,
as exporting company for:
ORMO Yün İplik Sanayii ve Ticaret AS,
all of İstanbul, Turkey.

Importers or agents in the EEC:

- Rump & Sohn GmbH & Co., Federal Republic of Germany,
 - W. Harbeck, Federal Republic of Germany,
 - J. Newton Burton Ltd, United Kingdom.
- (6) The Commission asked for and received detailed written information from complainant producers in the Community, the known exporters and some importers, and checked this information to the extent considered necessary.

The dumping investigation covered the period January to December 1982.

B. Normal value

Sales in normal trading on the domestic market

- (7) Normal value was provisionally established on the basis of the weighted average of the domestic prices charged by producers exporting to the Community.

C. Export price

- (8) Export prices were, with one exception, determined on the basis of the prices actually paid or payable for goods sold for export to the Community.
- (9) One exporter invoiced his deliveries to the Community via an intermediate firm in a third country. The export prices stated on that firm's invoices could not be regarded as those obtained in normal trading. The Commission therefore, in calculating the export prices for that exporter, took as a basis the prices at which the imported produce was resold for the first time to an independent buyer in the Community. These prices were then adjusted to take account of all costs arising between importation and resale.

D. Comparison

- (10) In comparing the normal value with the export prices, the Commission took appropriate account of the differences influencing the comparability of the prices, in so far as these could be adequately substantiated. Those differences concerned in particular the exemption from entry duties and domestic turnover tax on the raw materials used for manufacturing the exported hand-knitting yarns, and certain cost savings in producing large batches for export.

In addition, adjustments were also proposed for differences in yarn count, terms of payment, and provision for doubtful debts. However, the evidence submitted was not sufficient to prove unequivocally the actual influence of these differences on prices in direct connection with the sales in question and the Commission therefore made no adjustments for these factors. All comparisons were made at the ex-works stage.

E. Dumping margins

- (11) The above preliminary investigation into the matter showed that AK-PA Tekstil İhracat Pazarlama AS, as exporter for:

- AK-SU İplik Dokuma ve Boya Apre Fabrikaları TAS,
- AK-AL Tekstil Sanayii AS,
- Emböy-Yüntaş Birleşik Kamgarn ve Straygarn İplik İmalcılığı AS,

all of İstanbul, Turkey, was dumping the goods concerned, and that the dumping margin corresponded to the amount by which the price on exportation to the Community was below the established normal value. For the exporters in question, there was a weighted average dumping margin of 17,8 % for the products referred to.

In the case of Hasköy Yün İplik Fabrikası AS, İstanbul, Turkey, a weighted average dumping margin of 0,9 % was recorded, while for the other exporters concerned, namely:

- OMPA Tekstil Pazarlama ve İhracat AS,
as exporter for:
ORMO Yün İplik Sanayii ve Ticaret AS
and
- EDPA Tekstil Pazarlama Ticaret ve Sanayii AS,
as exporter for:
Sağmal İplik ve Dokuma Sanayii,

all of İstanbul, Turkey, there was no dumping.

F. Injury

(12) With regard to the injury caused by the imports in question, the evidence available to the Commission shows that imports from Turkey to the Community of the products referred to rose rapidly from 334 000 kilograms in 1980 and 201 000 kilograms in 1981 to 1 184 000 kilograms in 1982, and that their market share in the Federal Republic of Germany, the market most affected, rose over the same period from 0,3 to 6,1 %. This was aggravated by the fact that the market for synthetic hand-knitting yarns in the Community comprises a broad range of branded and unbranded yarns of widely varying prices, and that the penetration of Turkish yarns was almost exclusively in the particularly price-sensitive sector of unbranded standard yarns. In this market sector, the Turkish share of the German market in 1982 was estimated to have increased from almost zero to more than 20 %, and this is attributable entirely to the dumped imports from AK-PA Tekstil İhracat Pazarlama AS, which were concentrated in this market — also an important sales area for other Community producers.

(13) Measured against the cheap unbranded yarns, the resale prices of the Turkish imports in the period under review were up to 15 % below the prices of Community producers, and were below the price level that would have been necessary for the Community producers to cover their costs and make a reasonable profit.

(14) The impact on the affected branch of the Community industry, particularly on those firms producing a large share of unbranded standard goods, was reflected above all in declining production and sales, loss of market share and a clear drop in prices, combined with considerable shrinking of net profits or increasing losses.

(15) The Commission went into the question of whether injury had been caused by other factors such as, for example, quantities and prices of non-dumped imports or changes in demand. It was found that imports from all countries from 1980 to 1982 fluctuated between 2 344 000 and 2 644 000 kilograms, and that their share of the market during this period increased only slightly, from 6,2 to 6,8 %, while the average value of

imports from most other supplier countries with significant quantities was markedly higher than that of Turkish imports. Consumption of synthetic hand-knitting yarns in the Community from 1981 to 1982 dropped by 2,6 %, while in this period when there was a massive increase in Turkish imports, production declined by 8,1 %.

(16) All these factors, in particular the abrupt rise in imports and the price-undercutting which is felt particularly acutely at a time when this branch of Community industry has to contend with considerable difficulties, led the Commission to the conclusion that dumped imports of certain synthetic fibre hand-knitting yarn originating in Turkey could in themselves be regarded as having the effect of causing material injury to this branch of Community industry.

G. Community interests

(17) Large importers and resellers in the Community have argued that the introduction of protective measures would not be in the Community interest, since this would excessively restrict competition on the market for hand-knitting yarns. The Commission has become convinced that, particularly in the sector of unbranded standard yarns, there is keen competition between Community producers, and that the dumped imports have further depressed the already low level of prices in this sector.

The Commission is therefore of the opinion that fair conditions of competition for Community producers will be restored only after a corresponding price increase for the dumped Turkish imports, and that it is therefore in the Community interest to take defensive measures against exports to the Community of synthetic fibre hand-knitting yarn from AK-PA Tekstil İhracat Pazarlama AS of Istanbul, Turkey. Since the dumping margin established for Haskoy Yun İplik Fabrikasi AS is negligible and the quantities exported to the Community are of hardly any significance, and in the case of exports from OMPA Tekstil Pazarlama ve İhracat AS and EDPA Tekstil Pazarlama Ticaret ve Sanayii AS, all of Istanbul, Turkey, there was no dumping, intervention is not necessary and the proceeding against these exporters can therefore be terminated without counter-measures.

H. Undertakings

- (18) The exporters concerned were informed of the main results of the preliminary investigation into the matter and expressed their opinions thereon. In due course an undertaking was offered by the Turkish exporter concerned in relation to exports to the Community of certain synthetic fibre hand-knitting yarn.
- (19) This undertaking will have the effect of raising prices for exports to the Community to a level necessary to eliminate the injury. None of these price increases exceeds the dumping margin established in the investigation.
- (20) The undertaking offered is therefore regarded as acceptable, and the proceeding may be terminated without anti-dumping duties being levied.
- (21) No objection was raised in the Advisory Committee,

exporter for AK-SU Iplik ve Dokuma ve Boya Apri Fabrikalari TAS, AK-AL Tekstil Sanayii AS and Emböy-Yüntaş Birleşik Kamgarn ve Straygarn Iplik Imalciligi AS, all of Istanbul, Turkey, in connection with the anti-dumping proceeding concerning imports of certain synthetic fibre hand-knitting yarn falling within subheadings 56.05 ex A and 56.06 ex A of the Common Customs Tariff, corresponding to NIMEXE codes ex 56.05-21, 23, 25, 28, 32, 34 and 36 and ex 56.06-11 and 15, originating in Turkey.

Article 2

The anti-dumping proceeding concerning imports of certain synthetic fibre hand-knitting yarn originating in Turkey is hereby terminated.

Done at Brussels, 5 March 1984.

HAS DECIDED AS FOLLOWS :

Article 1

The Commission hereby accepts the undertaking offered by AK-PA Tekstil Ihracat Pazarlama AS as

For the Commission

Étienne DAVIGNON

Vice-President

COUNCIL REGULATION (EEC) No 664/84
of 13 March 1984

amending Regulation (EEC) No 1180/77 on imports into the Community of certain agricultural products originating in Turkey (1983/84)

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⁽¹⁾,

Whereas Annex IV to Council Decision No 1/77 of the EEC-Turkey Association Council on new concessions for imports of Turkish agricultural products into the Community stipulates that the additional amount if any, to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A 1 of the Common Customs Tariff and originating in Turkey, is to be fixed for each year of application by an exchange of letters between the Community and Turkey;

Whereas Regulation (EEC) No 1180/77⁽²⁾, as last amended by Regulation (EEC) No 3489/82⁽³⁾, implemented the abovementioned Decision, in particular as regards olive oil;

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

Done at Brussels, 13 March 1984.

Whereas the contracting parties have agreed, by an exchange of letters, to fix the additional amount in question at 10,88 ECU per 100 kilograms for the period 1 November 1983 to 31 October 1984;

Whereas Article 9 of Regulation (EEC) No 1180/77 should accordingly be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 (1) (b) of Regulation (EEC) No 1180/77 is hereby replaced by the following:

'(b) an amount equal to the special export charge imposed by Turkey on such oil within a limit of 10,88 ECU per 100 kilograms, that amount being increased from 1 November 1983 to 31 October 1984 by 10,88 ECU per 100 kilograms.'

Article 2

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

For the Council
The President
C. CHEYSSON

⁽¹⁾ OJ No C 10, 16. 1. 1984, p. 274.

⁽²⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽³⁾ OJ No L 372, 30. 12. 1982, p. 14.

COMMISSION REGULATION (EEC) No 735/84
of 21 March 1984

amending for the second time Regulation (EEC) No 591/84 introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2004/83⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 591/84 of 7 March 1984⁽³⁾, as amended by Regulation (EEC) No 680/84⁽⁴⁾, introduced a countervailing charge and suspended the application of the preferential customs duty on imports of apples originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a

charge introduced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (1) of Regulation (EEC) No 591/84, '23,95 ECU' is replaced by '41,18 ECU'.

Article 2

This Regulation shall enter into force on 22 March 1984.

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

Done at Brussels, 21 March 1984.

For the Commission

Poul DALSAGER

Member of the Commission

(¹) OJ No L 118, 20. 5. 1972, p. 1.
(²) OJ No L 198, 21. 7. 1983, p. 2.
(³) OJ No L 66, 8. 3. 1984, p. 12.
(⁴) OJ No L 73, 16. 3. 1984, p. 66.

COMMISSION REGULATION (EEC) No 849/84
of 30 March 1984

amending for the third time Regulation (EEC) No 591/84 introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2004/83⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 591/84 of 7 March 1984⁽³⁾, as last amended by Regulation (EEC) No 735/84⁽⁴⁾, introduced a countervailing charge and suspended the application of the preferential customs duty on imports of apples originating in Turkey;

Whereas for apples (subheading 08.06 A II c) of the Common Customs Tariff the conventional rate of duty has been fixed, with effect from 1 April 1984, at 6 % subject to a minimum of 1,40 ECU per 100 kilograms net; whereas, for apples originating in Turkey,

this duty should be applied with effect from the aforesaid date,

HAS ADOPTED THIS REGULATION :

Article 1

1. The rate of 8,8 % subject to a minimum of 2,08 ECU per 100 kilograms net referred to in Article 1 (2) of Regulation (EEC) No 591/84 shall be replaced, with effect from 1 April 1984, by the rate of 6 % subject to a minimum of 1,40 ECU per 100 kilograms net.
2. With effect from 1 April 1984, '08.06 A II b)' in paragraph 1 of the said Article shall be replaced by '08.06 A II c)'.

Article 2

This Regulation shall enter into force on 31 March 1984.

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

Done at Brussels, 30 March 1984.

For the Commission

Poul DALSGER

Member of the Commission

(1) OJ No L 118, 20. 5. 1972, p. 1.

(2) OJ No L 198, 21. 7. 1983, p. 2.

(3) OJ No L 66, 8. 3. 1984, p. 12.

(4) OJ No L 78 22. 3. 1984, p. 9.

COMMISSION REGULATION (EEC) No 1258/84

of 4 May 1984

making the importation of certain textile products originating in Turkey subject to quantitative limitation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1842/71 of 21 June 1971⁽¹⁾, and in particular Article 1 thereof,

After consultation within the Advisory Committee established by Article 3 of that Regulation,

Whereas imports of textile products on the Community market have during recent years given rise to market disturbance and are causing serious damage to Community producers resulting in the closure of factories and considerable loss of employment;

Whereas, in consequence of this situation, imports of certain textile products originating in the majority of low-cost supplier countries are at present subject to a Community system of authorization and quantitative limitation;

Whereas imports into the Community of T-shirts (category 4) originating in Turkey in the first two months of 1984 have already reached 43 % of imports of 1983, which represents an increase of 58 % compared with the same period in 1983;

Whereas imports into the Community of trousers (category 6) originating in Turkey in the first two months of 1984 have already reached 25 % of imports of 1983, which represents an increase of 43 % compared with the same period in 1983;

Whereas imports into the Community of knickers (category 13) originating in Turkey in the first two months of 1984 have already reached 22 % of imports of 1983, which represents an increase of 122 % compared with the same period in 1983;

Whereas imports into the Community of outer garments (category 83) originating in Turkey in the first two months of 1984 have already reached 39 % of imports of 1983, which represents an increase of 131 % compared with the same period in 1983;

Whereas the extremely rapid increase in recent months of imports into the Community of T-shirts, trousers, knickers, bed linen and other outer garments originating in Turkey, have helped to exacerbate the cumulative disturbance of these markets and that, in 1982 and 1983 the Community was obliged to submit, particularly, the import of T-shirts, trousers and other outer garments to Community or regional quantitative restrictions;

Whereas the volume of this increase makes it necessary to take immediate action aimed at avoiding irreparable damage to Community producers; whereas it therefore justifies the adoption, pursuant to Article 60 of the Additional Protocol to the Association Agreement between the European Economic Community and Turkey, of the safeguard measures needed to overcome these difficulties;

Whereas imports into France of dresses (category 26) originating in Turkey in the first two months of 1984 have already reached 31 % of imports of 1983, which represents an increase of 207 % compared with the same period in 1983;

Whereas imports into the United Kingdom of category 32 textile products covered by NIMEXE code 58.04-69 originating in Turkey in the first two months of 1984 have already reached 23 % of imports of 1983, which represents an increase of 135 % compared with the same period in 1983;

Whereas the extremely rapid increase in recent months of imports into France of dresses and into the United Kingdom of velvet originating in Turkey have helped to exacerbate the cumulative disturbance of those markets;

Whereas the volume of this increase and the United Kingdom and French request make it necessary to make immediate action aimed at avoiding irreparable damage to United Kingdom and French producers and a serious deterioration in the economic situation of those regions of the Community; whereas it therefore justifies the adoption, pursuant to Article 60 of the Additional Protocol to the Association Agreement between the European Economic Community and Turkey, of the safeguard measures needed to overcome these difficulties,

⁽¹⁾ OJ No L 192, 26. 8. 1971, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

1. The importation into the Community of the textile products of categories 4, 6, 13 and 83 listed in the Annex originating in Turkey, shall be subject, until 31 December 1984 to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to the Community before the entry into force of this Regulation.

Article 2

1. The importation into France of the textile products of category 26 listed in the Annex originating in Turkey shall be subject, until 31 December 1984, to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on

board and are in the course of shipment to France before the entry into force of this Regulation.

Article 3

1. The importation into the United Kingdom of the textile products, category 32, covered by NIMEXE code 58.04-69 listed in the Annex originating in Turkey shall be subject, until 31 December 1984 to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to the United Kingdom before the entry into force of this Regulation.

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 until 31 December 1984.

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

Done at Brussels, 4 May 1984.

For the Commission

Antonio GIOLITTI

Member of the Commission

ANNEX

Category	CCT heading No	NIMEXE code (1984)	Description	Third countries	Member States	Units	Quantitative limits from 8 May to 31 December 1984
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ee) d) 1 aa) dd) 2 dd)	60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89	Under garments, knitted or crocheted, not elastic or rubberized: Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, under vests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers, of regenerated textile fibres, other than babies' garments	Turkey	D F I BNL UK IRL DK GR EEC	1 000 pieces	5 000 200 250 900 650 50 100 45 7 195
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72	Men's and boys' outer garments: Women's, girls' and infants' outer garments: B. Other: Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	Turkey	D F I BNL UK IRL DK GR EEC	1 000 pieces	3 000 180 250 350 100 5 100 4 3 989
13	60.04 B IV b) 1 cc) 2 dd) d) 1 cc) 2 cc)	60.04-48, 56, 75, 85	Under garments, knitted or crocheted, not elastic or rubberized: Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	Turkey	D F I BNL UK IRL DK GR EEC	1 000 pieces	1 000 50 200 300 1 100 50 80 30 2 810
83	60.05 A II a) b) 4 hh) 11 22 33 44 ijj) 11 kk) 11 ll) 11 22 33 44	60.05-04, 76, 77, 78, 79, 81, 85, 88, 89, 90, 91	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: II. Other: Outer garments, knitted or crocheted, not elastic or rubberized, other than garments of categories 5, 7, 26, 27, 28, 71, 72, 73, 74 and 75, of wool, of cotton or of man-made textile fibres	Turkey	D F I BNL UK IRL DK GR EEC	Tonnes	150 50 20 30 60 5 7 3 325

Category	CCT heading No	NIMEXE code (1984)	Description	Third countries	Member States	Units	Quantitative limits from 8 May to 31 December 1984
26	60.05 A II b) 4 cc) 11 22 33 44 61.02 B II e) 4 bb) cc) dd) ee)	60.05-45, 46, 47, 48 61.02-48, 52, 53, 54	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres	Turkey	F	1 000 pieces	50
32	ex 58.04	58.04-07, 11, 15, 18, 41, 43, 45, 61, 63, 67, 69, 71, 75, 77, 78	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): Woven pile fabrics and chenille fabrics (other than terry fabrics of cotton and narrow woven fabrics), of wool, of cotton or of man-made textile fibres	Turkey	UK	Tonnes	150 (*)

(*) This limit only applies on the products covered by NIMEXE code 58.04-69.

COMMISSION REGULATION (EEC) No 1259/84
of 4 May 1984

to suspend temporarily the issuing of import documents in respect of certain
textile products originating in Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1842/71 of 21 June 1971⁽¹⁾, and in particular Article 1
thereof,

After consultation within the Advisory Committee
established by Article 3 of that Regulation,

Whereas imports of textile products on the Commu-
nity market have during recent years given rise to
market disturbance and are causing serious damage to
Community producers resulting in the closure of
factories and considerable loss of employment;

Whereas, in consequence of this situation, imports of
certain textile products originating in the majority of
low-cost supplier countries are at present subject to a
Community system of authorization and quantitative
limitation;

Whereas the quantities of products covered by import
documents already issued in the first four months of
1984 under the surveillance system introduced in
Regulation (EEC) No 2819/79⁽²⁾, as last amended and
extended by Regulation (EEC) No 3580/83 of 15
December 1983⁽³⁾, already reached 120 % of the
imports of cotton fabric (category 2) into the Commu-
nity for the whole of 1983, 91 % of the imports of
shirts (category 8) into France for the whole of 1983,
234 % of the imports of towels and towelling (category
9) into the United Kingdom for the whole of 1983 and
90 % of the quantities of products covered by import
documents for the whole of 1983 for bed linen (cate-
gory 20) into the Community;

Whereas the extremely rapid growth in recent months
of imports into the Community of cotton fabric, shirts,

towels and towelling originating in Turkey has con-
tributed to aggravating the cumulative disruption of
these markets and that, particularly, in 1982 and 1983,
the Community was obliged to submit the import of
cotton fabric and towels to Community or regional
restraints;

Whereas this situation, in particular the volume of
import documents already issued, makes it necessary
to take immediate action in order to avoid irreparable
injury to Community producers;

Whereas it is therefore necessary to adopt, pursuant to
Article 60 of the Additional Protocol to the Associa-
tion Agreement between the European Economic
Community and Turkey, the protective measures
needed to overcome these difficulties; whereas,
however, such measures should initially be restricted
to suspending temporarily the issuing of new import
documents so that the latter's effects on the market
situation can be assessed and any measures determined
which ought subsequently to be applied,

HAS ADOPTED THIS REGULATION:

Article 1

The issuing of import documents provided for in
Regulation (EEC) No 2819/79 is suspended for textile
products originating in Turkey and the Member States
listed in the Annex.

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 until 15 July 1984.

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

Done at Brussels, 4 May 1984.

For the Commission

Antonio GIOLITTI

Member of the Commission

⁽¹⁾ OJ No L 192, 26. 8. 1971, p. 14.

⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.

⁽³⁾ OJ No L 356, 20. 12. 1983, p. 16.

ANNEX

Category	CCT heading No	NIMEXE code (1984)	Description	Third countries	Member States
2	55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics :	Turkey	EEC
8	61.03 A	61.03-11, 15, 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres	Turkey	F
9	55.08 62.02 B III a) 1	55.08-10, 30, 50, 80 62.02-71	Terry-towelling and similar terry fabrics of cotton : Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Woven cotton terry fabrics ; toilet and kitchen linen of woven cotton terry fabrics	Turkey	UK
20	62.02 B I a) c)	62.02-12, 13, 19	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Bed linen, woven	Turkey	EEC

COUNCIL REGULATION (EEC) No 1320/84

of 7 May 1984

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Turkey

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 Annex to Council Regulation (EEC) No 3590/82 of 21 December 1982 on imports into the Community of certain agricultural products originating in Turkey⁽¹⁾ provides for the opening by the Community of an annual Community tariff quota of 90 tonnes at a rate of 4,7 % for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Turkey; whereas such a quota has been opened for the period up to 30 June 1984 by Regulation (EEC) No 1081/83⁽²⁾; whereas the tariff quota in question should therefore be opened for the abovementioned volume for the period 1 July 1984 to 30 June 1985.

Whereas, since a Protocol as provided for in Article 118 (1) of the 1979 Act of Accession does not exist, the Community adopted the measures envisaged in Article 119 of that Act in Regulation (EEC) No 3555/80⁽³⁾ determining the arrangements to be applied to imports into Greece originating in particular, in Turkey; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas it is in particular necessary to guarantee all importers of the Community equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for that quota to all imports of the product in question into the 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 from Turkey over a representative reference period and to the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports to each Member State from Turkey have been negligible or non-existent; whereas those data cannot therefore be considered as representative to serve as a basis for allocation of the quota volume among the Member States; whereas it is difficult to estimate imports by Member States because of the absence of truly representative figures for previous years; whereas, consequently, the only solution seems to be to allocate part of the quota volume to the Community reserve and to allocate one seventh of the balance to the Benelux countries, Denmark, the Federal Republic of Germany, France, Ireland, Italy and the United Kingdom;

Whereas the initial shares may be used up fairly quickly; whereas, therefore, to avoid disruption of supplies, any Member State which has almost used up its initial share shall draw a supplementary share from the Community reserve; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, and as many times as the reserve allows; whereas the initial and supplementary shares must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the tariff quota has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a considerable quantity of a share remains in any Member State, it is essential that that State should return a significant proportion to the reserve in order to avoid part of the Community quota remaining unused in one Member State when it could be used in others;

⁽¹⁾ OJ No L 375, 31. 12. 1982, p. 1.

⁽²⁾ OJ No L 118, 5. 5. 1983, p. 1.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 July 1984 to 30 June 1985, a Community tariff quota of 90 tonnes shall be opened in the Community of Nine for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Turkey.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be partially suspended at a rate of 4,7 %.

Article 2

1. A first instalment of 70 tonnes shall be allocated among the Member States; the respective shares of the Member States, which subject to Article 5 shall be valid from 1 July 1984 to 30 June 1985, shall be as follows :

Benelux	10 tonnes
Denmark	10 tonnes
Germany	10 tonnes
France	10 tonnes
Ireland	10 tonnes
Italy	10 tonnes
United Kingdom	10 tonnes

2. The second instalment of 20 tonnes shall be held as the Community reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions imposed by paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that those fixed may not be used up. It shall inform the Commission of the reasons for applying this paragraph.

Article 4

Supplementary shares drawn pursuant to Article 3 shall be valid until 30 June 1985.

Article 5

The Member States shall return to the reserve, not later than 1 April 1985, the unused portion of their initial share which on 15 March 1985 is in excess of 20 % of the initial amount. They may return a larger quantity if there are reasons to believe that such quantity might not be used.

Member States shall, not later than 1 April 1985, notify the Commission of the total quantities of the said goods imported up to and including 15 March 1985 and charged against the Community tariff quota and any quantities of the initial share returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 April 1985, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 7

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares in the Community tariff quota.

2. Member States shall ensure that importers of the said goods have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when such goods are entered for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of imports charged in accordance with paragraph 3.

Article 9

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

Article 8

At the request of the Commission, Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 10

This Regulation shall enter into force on 1 July 1984.

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

Done at Brussels, 7 May 1984.

For the Council
The President
M. ROCARD

COMMISSION REGULATION (EEC) No 1439/84
of 24 May 1984

introducing a countervailing charge and suspending the preferential customs
duty on imports of tomatoes originating in Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 985/84⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25a (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a non-member country is alternatively
above and below the reference price for five to seven
consecutive market days a countervailing charge is
introduced in respect of that non-member country,
save in exceptional cases; whereas that charge is intro-
duced when three entry prices fall below the reference
price and one of those entry prices is at least 0,6 ECU
below the reference price; whereas that charge is equal
to the difference between the reference price and the
last available entry price by at least 0,6 ECU below the
reference price;

Whereas Commission Regulation (EEC) No 908/84 of
3 April 1984 fixing for the 1984 marketing year the
reference prices for tomatoes⁽³⁾ fixed the reference
price for products of class I for May 1984 at 127,43
ECU per 100 kilograms net;

Whereas the entry price for a given exporting country
is equal to the lowest representative price or the arith-
metic mean of the lowest prices recorded for at least
30 % of the quantities from the exporting country
concerned which are marketed on all representative
markets for which prices are available less the duties
and the charges indicated in Article 24 (3) of Regula-
tion (EEC) No 1035/72; whereas the meaning of
representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 3110/83⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply, where
appropriate, the prices by the coefficient fixed in
Article 1 (2) of Regulation (EEC) No 908/84;

Whereas for tomatoes from Turkey the entry prices
calculated in this way have for six consecutive market
days been alternatively above and below the reference
price; whereas one of these entry prices is at least
0,6 ECU below the reference price; whereas a coun-
tervailing charge should therefore be introduced for
tomatoes;

Whereas, in Article 1 of Council Regulation (EEC) No
3671/81 of 15 December 1981 on imports into the
Community of certain agricultural products origi-
nating in Turkey⁽⁶⁾, when the Commission introduces a
countervailing charge on imports of tomatoes origi-
nating in Turkey, at the same time it reintroduces for
the product in question the rate of customs duty at the
level which applied prior to 1 January 1981, whereas,
therefore, a rate of customs duty of 18 % should be
reintroduced for these tomatoes, with a minimum
charge of 3,50 ECU per 100 kilograms net;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient
provided for in Article 2b (2) of Regulation (EEC)
No 974/71,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded over a given period in
relation to the Community currencies referred to
in the previous indent and the aforesaid coeffi-
cient;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 1.

⁽³⁾ OJ No L 94, 4. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

HAS ADOPTED THIS REGULATION :

2. The rate of customs duty on imports of these products shall be 18 % with a minimum charge of 3,50 ECU per 100 kilograms net.

Article 1

1. A countervailing charge of 12,17 ECU per 100 kilograms net is applied on imports of tomatoes falling within subheading 07.01 M II of the Common Customs Tariff originating in Turkey.

Article 2

This Regulation shall enter into force on 26 May 1984. Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 31 May 1984.

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

Done at Brussels, 24 May 1984.

For the Commission

Poul DALSAGER

Member of the Commission

COUNCIL REGULATION (EEC) No 1555/84
of 4 June 1984
amending Regulation (EEC) No 3671/81 on imports into the Community of
certain agricultural products originating in Turkey

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3671/81 (1) lays down
that where, pursuant to Articles 25 and 25a of Regula-
tion (EEC) No 1035/72 (2), the Commission introduces
a countervailing charge on imports of certain fruit and
vegetables originating in Turkey, it shall at the same
time reintroduce for these products a customs duty at
the level which applied before 1 January 1981;

Whereas the application of the abovementioned provi-
sion may, in the case of certain products, result in a
customs duty being imposed on Turkey which is
higher than that which, since 1 January 1981, has
been agreed for all non-member supplier countries
which do not enjoy special arrangements as regards
imports into the Community;

Whereas Article 1 of Regulation (EEC) No 3671/81
should be modified accordingly; whereas, moreover,
account should be taken of the arrangements appli-
cable to imports originating in Turkey under the Asso-
ciation Agreement as at 31 December 1980,

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

Done at Luxembourg, 4 June 1984.

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 3671/81 is hereby
replaced by the following:

'Article 1

Where, pursuant to Articles 25 and 25a of Regula-
tion (EEC) No 1035/72, the Commission intro-
duces a countervailing charge on imports of certain
fruit and vegetables originating in Turkey, it shall
at the same time reintroduce:

- for those products originating in Turkey which
as at 31 December 1980 did not enjoy tariff
preference under the arrangements arising from
the Association Agreement, the duty applicable to
non-member countries covered by the most-
favoured nation clause,
- for those products originating in Turkey which
enjoy a special arrangement under the Associa-
tion Agreement, the duty under the Common
Customs Tariff currently applicable to coun-
tries covered by the most-favoured nation
clause, reduced in accordance with the provi-
sions of the preferential scheme in force as at
31 December 1980.'

Article 2

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

For the Council
The President
J. DELORS

(1) OJ No L 367, 23. 12. 1981, p. 3.
(2) OJ No L 118, 20. 5. 1972, p. 1.

COMMISSION REGULATION (EEC) No 1581/84

of 6 June 1984

abolishing the countervailing charge and re-establishing a preferential customs duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 985/84⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 591/84 of 7 March 1984⁽³⁾, as last amended by Regulation (EEC) No 849/84⁽⁴⁾, introduced a countervailing charge on apples originating in Turkey and suspended the preferential customs duty on imports of these products;

Whereas for this product originating in Turkey there were no prices for six consecutive working days; whereas the conditions specified in Article 26 (1) of

Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of apples originating in Turkey can be abolished,

Whereas, in accordance with Article 2 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁵⁾, the preferential rate of customs duty should be re-established at the same time as the countervailing charge is abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 591/84 is hereby repealed.

Article 2

This Regulation shall enter into force on 7 June 1984.

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

Done at Brussels, 6 June 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 1.

⁽³⁾ OJ No L 66, 8. 3. 1984, p. 12.

⁽⁴⁾ OJ No L 88, 31. 3. 1984, p. 67.

⁽⁵⁾ OJ No L 367, 23. 12. 1981, p. 9.

COMMISSION REGULATION (EEC) No 2021/84
of 12 July 1984

making the importation of certain textile products originating in Turkey subject to quantitative limitation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1842/71 of 21 June 1971⁽¹⁾, and in particular Article 1 thereof,

After consultation within the Advisory Committee established by Article 3 of that Regulation,

Whereas imports of textile products on the Community market have during recent years given rise to market disturbance and are causing serious damage to Community producers resulting in the closure of factories and considerable loss of employment;

Whereas, in consequence of this situation, imports of certain textile products originating in the majority of low-cost supplier countries are at present subject to a Community system of authorization and quantitative limitation;

Whereas imports into France, Italy and the United Kingdom of woven fabrics of cotton (category 2) originating in Turkey in the first four months of 1984 have already reached 55 %, 56 % and 97 % respectively of 1983 imports;

Whereas imports into France of shirts (category 8) originating in Turkey in the first four months of 1984 have already reached 59 % of 1983 imports;

Whereas imports into the United Kingdom of terry-towelling (category 9) originating in Turkey in the first five months of 1984 have already reached 54 % of 1983 imports;

Whereas imports into Germany, Italy and the United Kingdom of bed linen (category 20) originating in Turkey in the first four months of 1984 have already reached 60 %, 77 % and 39 % of 1983 imports respectively;

Whereas by Commission Regulation (EEC) No 1259/84⁽²⁾, the Community adopted safeguard measures providing for the temporary suspension of the issuing of import documents for an initial period until 15 July 1984, of the issue of import documents for textile products falling within categories 2, 8, 9 and 20;

Whereas the extremely rapid increase in recent months of imports into Germany, France, Italy and the United Kingdom of woven fabrics of cotton, shirts,

terry-towelling and bed linen originating in Turkey has helped to exacerbate the cumulative disturbance of these markets and that, in previous years the Community was obliged to submit these imports to Community or regional quantitative restrictions;

Whereas the rate of imports into the Community remains higher than that which has, in previous years, justified the application of safeguard measures for the same categories;

Whereas the volume of this increase makes it necessary to take immediate action aimed at avoiding irreparable damage to Community producers; whereas it therefore justifies the adoption, pursuant to Article 60 of the Additional Protocol to the Association Agreement between the European Economic Community and Turkey, of the safeguard measures needed to overcome these difficulties,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into France, Italy and the United Kingdom of the textile products of category 2 listed in the Annex originating in Turkey, shall be subject, until 31 December 1984 to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to France, Italy and the United Kingdom before the entry into force of this Regulation.

Article 2

1. The importation into France of the textile products of category 8 listed in the Annex originating in Turkey shall be subject, until 31 December 1984, to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to France before the entry into force of this Regulation.

Article 3

1. The importation into the United Kingdom of the textile products, category 9, listed in the Annex originating in Turkey shall be subject, until 31 December 1984 to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on

⁽¹⁾ OJ No L 192, 26. 8. 1971, p. 14.

⁽²⁾ OJ No L 122, 8. 5. 1984, p. 9.

board and are in the course of shipment to the United Kingdom before the entry into force of this Regulation.

Article 4

1. The importation into Germany, Italy and the United Kingdom of the textile products of category 20 listed in the Annex originating in Turkey shall be subject, until 31 December 1984 to the quantitative limits fixed therein.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to Germany, Italy and the United Kingdom before the entry into force of this Regulation.

Article 5

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

It shall apply until 31 December 1984.

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

Done at Brussels, 12 July 1984.

For the Commission

Étienne DAVIGNON

Vice-President

ANNEX

Category	CCT heading No	NIMEXE code (1984)	Description	Third countries	Member States	Units	Quantitative limit from 16 July 31 December 1
2	55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Turkey	F I UK	Tonnes	100 250 100
8	61.03 A	61.03-11, 15, 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres	Turkey	F	1 000 pieces	490
9	55.08 62.02 B III a) 1	55.08-10, 30, 50, 80 62.02-71	Terry-towelling and similar terry fabrics of cotton : Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Woven cotton terry fabrics ; toilet and kitchen linen of woven cotton terry fabrics	Turkey	UK	Tonnes	300
20	62.02 B I a) c)	62.02-12, 13, 19	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Bed linen, woven	Turkey	D I UK	Tonnes	300 100 300

COMMISSION REGULATION (EEC) No 3034/84
of 30 October 1984

introducing a countervailing charge and suspending the preferential customs
duty on imports of tomatoes originating in Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1332/84⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0,6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this charge
is equal to the difference between the reference price
and the arithmetic mean of the last two entry prices
available for that exporting country;

Whereas Commission Regulation (EEC) No 908/84 of
3 April 1984 fixing the reference price for tomatoes
for the 1984 marketing year⁽³⁾ fixed the reference
price for products of class I for the period 1 October
to 20 December 1984 at 43,24 ECU per 100 kilograms
net;

Whereas the entry price for a given exporting country
is equal to the lowest representative price or the arith-
metic mean of the lowest prices recorded for at least
30 % of the quantities from the exporting country
concerned which are marketed on all representative
markets for which prices are available less the duties
and the charges indicated in Article 24 (3) of Regula-
tion (EEC) No 1035/72; whereas the meaning of
representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 3110/83⁽⁵⁾, the prices to be taken into
consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets; whereas it is necessary to multiply the prices
with the coefficient fixed in the first indent of Article
1 (2) of Regulation (EEC) No 908/84;

Whereas, for Turkish tomatoes, the entry price calcu-
lated in this way has remained at least 0,6 ECU below
the reference price for two consecutive market days;
whereas a countervailing charge should therefore be
introduced for these tomatoes;

Whereas, in Article 1 of Council Regulation (EEC) No
3671/81 of 15 December 1981 on imports into the
Community of certain agricultural products origina-
ting in Turkey⁽⁶⁾, as amended by Regulation (EEC) No
1555/84⁽⁷⁾, when the Commission introduces a coun-
tervailing charge on imports of tomatoes originating in
Turkey, at the same time it reintroduces for the
product in question the conventional rate of customs
duty; whereas, therefore, a rate of customs duty of
11 % should be reintroduced for these tomatoes, with
a minimum charge of 2 ECU per 100 kilograms net;

Whereas if the system is to operate normally the entry
price should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient
provided for in Article 2b (2) of Regulation (EEC)
No 974/71⁽⁸⁾, as last amended by Regulation (EEC)
No 855/84⁽⁹⁾,
- 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 indent and the aforesaid coeffi-
cient,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 94, 4. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

HAS ADOPTED THIS REGULATION :

2. The rate of customs duty on imports of these products shall be 11 % with a minimum charge of 2 ECU per 100 kilograms net.

Article 1

1. A countervailing charge of 13,11 ECU per 100 kilograms net is applied on imports of tomatoes falling within subheading 07.01 M of the Common Customs Tariff originating in Turkey.

Article 2

This Regulation shall enter into force on 1 November 1984.

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

Done at Brussels, 30 October 1984.

For the Commission
Poul DALSAGER
Member of the Commission

COMMISSION REGULATION (EEC) No 3087/84
of 6 November 1984

**abolishing the countervailing charge and re-establishing a preferential customs
duty on imports of tomatoes originating in Turkey**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1332/84⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 3034/84
of 30 October 1984⁽³⁾ introduced a countervailing
charge on tomatoes originating in Turkey and
suspended the preferential customs duty on imports of
these products;

Whereas the present trend of prices for Turkish
products on the representative markets referred to in
Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by
Regulation (EEC) No 3110/83⁽⁵⁾, recorded or calcu-
lated in accordance with the provisions of Article 5 of
that Regulation, indicated that entry prices have been
at least equal to the reference price for two consecutive

market days; whereas the conditions specified in the
second indent of Article 26 (1) of Regulation (EEC) No
1035/72 are therefore fulfilled and the countervailing
charge on imports of these products originating in
Turkey can be abolished;

Whereas, in accordance with Article 2 of Council
Regulation (EEC) No 3671/81 of 15 December 1981
on imports into the Community of certain agricultural
products originating in Turkey⁽⁶⁾, as amended by
Regulation (EEC) No 1555/84⁽⁷⁾, the preferential rate
of customs duty should be re-established at the same
time as the countervailing charge is abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3034/84 is hereby repealed.

Article 2

This Regulation shall enter into force on 7 November
1984.

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

Done at Brussels, 6 November 1984.

For the Commission

Poul DALSAČER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 287, 31. 10. 1984, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 9.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

COUNCIL REGULATION (EEC) No 3298/84

of 22 November 1984

opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community supervision of imports thereof (1985)

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, pending the entry into force of the Supplementary Protocol signed in Ankara on 30 June 1973 containing the adjustments to be made to the Agreement establishing an association between the European Economic Community and Turkey and to the Additional Protocol (1) consequent on the accession of new Member States, the Community has undertaken, in an Interim Agreement (2) which runs only for a limited period prior to the entry into force of this Supplementary Protocol, which is applicable until 31 December 1974 but which has been extended for 1985 in accordance with the terms laid down in Article 13 thereof, to implement certain provisions of the Supplementary Protocol relating to trade in goods; whereas, under Article 6 of the Interim Agreement amending the first paragraph of the Sole Article of Annex 1 to the Additional Protocol, the Community must totally suspend the customs duties applicable to certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Turkey, within the limit of an annual Community tariff quota of 340 000 tonnes; whereas, for the products concerned, a provisional adjustment should be made to these tariff preferences, consisting essentially of substituting for the Community tariff quota a Community ceiling which amounts, after successive increases, to 674 463 tonnes, above which the customs duties applicable to third countries may be reintroduced;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Council adopted Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports

into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey (3); whereas, as a result, this Regulation applies to the Community of Nine;

Whereas the application of the ceiling requires that the Community should be regularly informed of the trend of imports of these products refined in Turkey; whereas imports of these products should therefore be subject to a system of supervision;

Whereas this objective may be attained by means of an administrative procedure based on setting off imports of the products in question against the ceiling, at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for free circulation; whereas this administrative procedure must make provision for the reintroduction of the Common Customs Tariff duty as soon as the said ceiling has been reached at Community level;

Whereas this administrative procedure requires close and very rapid cooperation between the Member States and the Commission, which must be able to monitor the amounts set off against the ceiling and keep the Member States informed thereof; whereas this cooperation must be all the closer to enable the Commission to take adequate measures to reintroduce the Common Customs Tariff duty whenever the ceiling is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1985 the Common Customs Tariff duties shall, subject to Article 2, be totally suspended in the Community of Nine for certain petroleum products, referred to hereinafter and refined in Turkey, within the limits of a Community ceiling of 674 463 tonnes.
2. The petroleum products to which paragraph 1 applies are the following:

(1) OJ No L 293, 29. 12. 1972, p. 4.

(2) OJ No L 277, 3. 10. 1973, p. 2.

(3) OJ No L 382, 31. 12. 1980, p. 1.

CCT heading No	Description
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 oil or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations : A. Light oils : III. For other purposes B. Medium oils : III. For other purposes C. Heavy oils : I. Gas oils : c) For other purposes II. Fuel oils : c) For other purposes III. Lubricating oils, other oils : c) To be mixed in accordance with the terms of Additional Note 7 to this chapter (a) d) For other purposes
27.11	Petroleum gases and other gaseous hydrocarbons : B. Other : I. Commercial propane and commercial butane : c) For other purposes
27.12	Petroleum jelly : A. Crude : III. For other purposes B. Other
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured : B. Other : I. Crude : c) For other purposes II. Other
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals : C. Other

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

3. Imports of the petroleum products referred to in paragraph 1 shall be subject to Community supervision.

4. Imports of the products shall be set off against the ceiling as and when they are submitted to the customs authorities under cover of a declaration that they have been made available for free circulation.

5. The extent to which the ceiling has been used shall be determined at Community level on the basis of the imports set off against it in the manner defined in paragraph 4.

6. Member States shall inform the Commission at the intervals and within the time limits specified in Article 3 of any imports effected in accordance with the above rules.

Article 2

As soon as the ceiling referred to in Article 1 (1) has been reached at Community level, the Commission may issue a Regulation reintroducing the Common Customs Tariff duties applicable to third countries until the end of the calendar year.

Article 3

Member States shall forward to the Commission not later than the 15th day of each month a statement of the imports effected during the preceding month. If the Commission so requests, they shall forward this statement, in respect of 10-day periods, within five clear days of the expiry of each such 10-day period.

Article 4

The Commission shall take all necessary measures for the implementation of this Regulation in close cooperation with the Member States.

Article 5

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 22 November 1984.

For the Council
The President
J. BRUTON

COMMISSION REGULATION (EEC) No 3552/84
of 17 December 1984

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79, (EEC) No 1782/80 and (EEC) No 2295/82 on Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal, Egypt and Turkey

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports (*), and in particular Article 10 thereof,

Having regard to the opinion of the Advisory Committee set up by Article 5 of that Regulation,

Whereas Commission Regulation (EEC) No 2819/79 (**), the period of validity of which was last extended by Regulation (EEC) No 3551/84 (***), makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulations (EEC) No 3044/79 (****), (EEC) No 3045/79 (*****), (EEC) No 3046/79 (*****), (EEC) No 1782/80 (*****) and (EEC) No 2295/82 (**), as last amended by Regulation (EEC) No 3581/82 (****), the Commission established Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal, Egypt and Turkey; whereas those Regulations expire on 31 December 1984, as regards Regulation (EEC) No 3581/83 (****);

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

Done at Brussels, 17 December 1984.

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION :

Article 1

Community surveillance of imports of certain textile products originating in Malta, Spain, Portugal, Egypt and Turkey, established respectively by Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79, (EEC) No 1782/80 and (EEC) No 2295/82, is hereby extended until 31 December 1985.

Article 2

This Regulation shall enter into force on 1 January 1985.

It shall apply until 31 December 1985.

For the Commission

Wilhelm HAFERKAMP

Vice-President

(*) OJ No L 35, 9. 2. 1982, p. 1.

(**) OJ No L 320, 15. 12. 1979, p. 9.

(***) See page 14 of this Official Journal.

(****) OJ No L 343, 31. 12. 1979, p. 8.

(*****) OJ No L 343, 31. 12. 1979, p. 11.

(*****) OJ No L 343, 31. 12. 1979, p. 12.

(*****) OJ No L 174, 9. 7. 1980, p. 16.

(*****) OJ No L 245, 20. 8. 1982, p. 25.

(*****) OJ No L 373, 31. 12. 1982, p. 64.

(*****) OJ No L 356, 20. 12. 1983, p. 17.

COUNCIL REGULATION (EEC) No 3597/84
of 18 December 1984

opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey (?); whereas this Regulation therefore applies to the Community of Nine;

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

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quota, and uninterrupted application of the rates laid down for this quota to all imports of the products concerned into the Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect 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 to both the statistics relating to imports of the said products from Turkey over a representative reference period and the economic outlook for the quota period concerned;

Having regard to the proposal from the Commission,

Whereas the Annex to Council Regulation (EEC) No 3590/82 of 21 December 1982 on imports into the Community of agricultural products originating in Turkey (?) provides that fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey are admitted on importation into the Community at zero duty, within the limit of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1985;

Whereas on the basis of the currently available statistical data imports of the product in question from Turkey into the Member States have developed as follows over the years 1981, 1982 and 1983; whereas they represent the following percentage of the total imports into the Community from Turkey:

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria,

Member States	1981		1982		1983	
	Tonnes	%	Tonnes	%	Tonnes	%
Benelux	5 374	7,85	7 017	9,40	6 332	9,37
Denmark	785	1,15	1 183	1,58	1 249	1,85
Germany	47 778	69,80	49 562	66,37	45 649	67,58
France	8 889	13,00	9 529	12,76	7 786	11,53
Ireland	92	0,13	50	0,07	30	0,04
Italy	823	1,20	2 533	3,39	746	1,10
United Kingdom	4 705	6,87	4 798	6,44	5 760	8,53
Total	68 446		74 672		67 552	

(?) OJ No L 375, 31. 12. 1982, p. 1.

(?) OJ No L 382, 31. 12. 1980, p. 1.

Whereas, in view of these factors, and of market forecasts for the products concerned and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed for 1985 at approximately the following percentages :

Benelux	8,89
Denmark	1,53
Germany	67,87
France	12,44
Ireland	0,08
Italy	1,95
United Kingdom	7,24

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 quota should be fixed at a level which could, in the present circumstances, be 84 % of the quota volume ;

Whereas the initial shares of the Member States may be used up at different rates ; whereas, in order to take this into account and to avoid a break in continuity, any Member State which has used up almost all of its initial share should draw an additional share from the reserve ; whereas this should be done by each Member State each time one of its additional shares is almost used up, and so on as many times as the reserve allows ; whereas the initial and additional shares must be valid until the end of the quota period ; whereas this 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 substantial quantity of its initial share remains unused in any Member State, it is essential that it should return a significant proportion thereof to the reserve, to prevent part of the Community quota remaining unused in one Member State when it could be used in others ; whereas, taking into account the seasonal nature of imports, it seems appropriate to fix the transfer limit at 40 % of the initial share ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated

to that 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 1985, a Community tariff quota of 25 000 tonnes shall be opened in the Community of Nine for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey.

2. Within this tariff quota the Common Customs Tariff duty shall be totally suspended.

3. Imports of the product in question benefiting from the same or lower customs duties under preferential arrangements shall not be charged against this tariff quota.

4. This Community tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

1. The Community tariff quota referred to in Article 1 (1) shall be divided into two instalments.

2. A first instalment amounting to 21 000 tonnes shall be shared among the Member States ; the shares, which subject to Article 5 shall be valid until 31 December 1985, shall be as follows :

	(tonnes)
Benelux	1 867
Denmark	321
Germany	14 253
France	2 612
Ireland	17
Italy	410
United Kingdom	1 520

3. The second instalment amounting to 4 000 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share, as specified in Article 2 (2), or of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State

has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in these paragraphs if there is reason to believe that those fixed might not be used up. They shall inform the Commission of their grounds for applying this paragraph.

Article 4

The additional share drawn pursuant to Article 3 shall be valid until 31 December 1985.

Article 5

Member States shall return to the reserve, not later than 1 October 1985, the unused portion of their initial shares which on 15 September 1985, is in excess of 40 % of the initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1985, of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1985 and, where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

The Commission shall keep an account of the shares opened by Member States pursuant to Articles 2 and 3 and, as soon as it has been notified, shall inform each

Member State of the extent to which the reserve has been used up.

It shall notify the Member States, not later than 1 October 1985, of the state of the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 7

1. Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their aggregated shares in the Community quota.

2. Member States shall ensure that importers of the products have free access to the shares allocated to them or which they have taken from the reserve.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the 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 collaborate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 18 December 1984.

For the Council

The President

P. BARRY

COMMISSION REGULATION (EEC) No 3639/84
of 20 December 1984

making the importation of certain textile products originating in Turkey subject
to quantitative limitation

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1842/71 of 21 June 1971 (1), and in particular Article 1
thereof,

After consultation within the Advisory Committee
established by Article 3 of that Regulation,

Whereas imports of textile products on the Commu-
nity market have during recent years given rise to
market disturbance and are causing serious damage to
Community producers resulting in the closure of
factories and considerable loss of employment;

Whereas, in consequence of this situation, imports of
certain textile products originating in the majority of
low-cost supplier countries are at present subject to a
Community system of authorization and quantitative
limitation;

Whereas the extremely rapid increase in recent years
of imports into the community of T-shirts (category 4),
trousers (category 6) and outer garments (category 83)
originating in Turkey, have helped to exacerbate the
cumulative disturbance of the Community market;
whereas the Community has already made imports of
such products subject to Community or regional quan-
titative limits; whereas these measures expire on 31
December 1984;

Whereas import statistics show that, despite the limits
imposed by the above protective measures, imports
into the Community of T-shirts, trousers and outer
garments originating in Turkey have increased con-
siderably in recent years;

Whereas, in the first nine months of 1984, imports of
T-shirts (category 4), trousers (category 6) and outer
garments (category 83) amounted to 133 %, 100 %
and 122 % respectively of 1983 imports;

Whereas, while taking account of seasonal factors
which may affect the spread over the year of imports
into the Community of T-shirts (category 4), trousers
(category 6) and outer garments (category 83), such

imports have increased suddenly and substantially,
particularly at the beginning of each of the last few
years, adding to the cumulative disturbance of the
markets;

Whereas in the first three months of 1983, import into
the Community of T-shirts (category 4), trousers (cate-
gory 6) and outer garments (category 83) originating in
Turkey amounted to 43 %, 48 % and 117 % respec-
tively of 1982 imports; whereas in the first three
months of 1984, imports into the Community of
T-shirts (category 4), trousers (category 6) and outer
garments (category 83) originating in Turkey
amounted to 65 %, 43 % and 66 % respectively of
1983 imports;

Whereas the foregoing reveals the existence of a
critical situation in which any delay would cause very
serious injury to Community producers which would
be difficult to remedy and, in these circumstances,
immediate action must be taken in the interests of
the Community; whereas the foregoing justifies the adop-
tion, pursuant to Article 60 of the Additional Protocol
to the Association Agreement between the European
Economic Community and Turkey, of the protective
measures needed to overcome these difficulties;
whereas the object of these measures must be to estab-
lish quantitative limits for imports into the Commu-
nity of T-shirts, trousers and outer garments,
originating in Turkey, as from 1 January 1985;

Whereas, in the interests of trade flows, provision
should be made for products subject to these measures
to be imported even before the import authorization
system is established by the national authorities,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into the Community of the
textile products of categories 4, 6 and 83 listed in the
Annex, originating in Turkey, shall be subject to the
quantitative limits carried over in that same Annex
from 1 January until 30 June 1985.
2. The provisions of paragraph 1 shall not apply to
products which have been placed on board and are in
the course of shipment to the Community before the
entry into force of this Regulation.

(1) OJ No L 192, 26. 8. 1971, p. 14.

3. For the purposes of implementing paragraph 1, the Member States shall institute an import authorization system from 1 January 1985, or from 1 February 1985 at the latest.

Article 2 of Commission Regulation (EEC) No 2819/79 of 11 December 1979⁽¹⁾. Quantities imported in this way shall be deducted from the quantitative limits referred to in paragraph 1.

Article 2

Prior to the establishment of such a system, the products subject to the quantitative limits referred to in paragraph 1 may be imported into the Community under cover of the import document provided for in

This Regulation shall enter into force on 1 January 1985.

It shall apply until 30 June 1985.

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

Done at Brussels, 20 December 1984.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 320, 15. 2. 1979, p. 9.

ANNEX

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 30 June 1985
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ce) d) 1 aa) dd) 2 dd)	60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89	Under garments, knitted or crocheted, not elastic or rubberized : Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers, of regenerated textile fibres, other than babies' garments	Turkey	D F I BNL UK IRL DK GR EEC	1 000 pieces	10 200 800 280 1 000 3 000 50 100 45 15 475
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72	Men's and boys' outer garments : Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	Turkey	D F I BNL UK IRL DK GR EEC	1 000 pieces	3 900 240 160 300 320 8 280 6 5 214
3	60.05 A II a) b) 4 hh) 11 22 33 44 ijj) 11 kk) 11 ll) 11 22 33 44	60.05-04, 76, 77, 78, 79, 81, 85, 88, 89, 90, 91	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other : Outer garments, knitted or crocheted, not elastic or rubberized, other than garments of categories 5, 7, 26, 27, 28, 71, 72, 73, 74 and 75, of wool, of cotton or of man-made textile fibres	Turkey	D F I BNL UK IRL DK GR EEC	Tonnes	810 95 20 50 130 5 7 3 1 120

COUNCIL REGULATION (EEC) No 3720/84

of 18 December 1984

on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1985)

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 Council Regulation (EEC) No 3033/80 of 11 November 1980 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,

Whereas, under Annex 6 of the Additional Protocol laying down the conditions, procedures and timetables for implementing the transitional phase pursuant to Article 4 of the Agreement establishing an association between the European Economic Community and Turkey, and under Article 1 of the Interim Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community, the Community must totally or partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary on a provisional basis to adjust or supplement some of the advantages provided for in the abovementioned Annex 6; whereas the Community should therefore, with regard to the products originating in Turkey contained in the list annexed to this Regulation, suspend until 31 December 1985 either the fixed component of the charge applicable to the goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products, at the levels indicated for each of them;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Council adopted Regulation (EEC) No 3555/80 of 16 December 1980 determining

the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey⁽²⁾; whereas, as a result, this Regulation applies to the Community of Nine,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1985 the products originating in Turkey listed in the Annex shall be admitted for import into the Community of Nine at the customs duties indicated for each of them.
2. For the purposes of application of this Regulation, 'originating products' shall mean those products which fulfil the conditions laid down in Association Council Decision No 4/72 annexed to Regulation (EEC) No 428/73⁽³⁾, as amended by Decision No 1/75 annexed to Regulation (EEC) No 1431/75⁽⁴⁾.

The methods of administrative cooperation which ensure that the products listed in the Annexes benefit from the total or partial suspension shall be those laid down in Association Council Decision No 5/72 annexed to Regulation (EEC) No 428/73, as last amended by Decision No 1/83, annexed to Regulation (EEC) No 993/83⁽⁵⁾.

Article 2

When the imports of products benefiting from the arrangements provided for in Article 1 come into the

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽³⁾ OJ No L 59, 5. 3. 1973, p. 73.

⁽⁴⁾ OJ No L 142, 4. 6. 1975, p. 1.

⁽⁵⁾ OJ No L 112, 8. 4. 1983, p. 1.

Community in quantities or at prices which cause or threaten to cause serious loss to the Community producers of similar products or directly competitive products, the Common Customs Tariff duties may be partially or wholly reintroduced for the products in question. These measures may also be taken in the event of serious loss or the threat of serious loss limited to a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide by means of a Regulation to reintroduce Common Customs Tariff duties for a limited period.

2. Where the Commission has been requested by a Member State to take action it shall take a decision

within a maximum period of 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer the Commission's action to the Council, within a period of 10 working days following the day of its notification. The intervention of the Council shall not have a suspensory effect. The Council shall meet without delay. It may by a qualified majority amend or annul the measure taken.

Article 4

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 18 December 1984.

For the Council

The President

P. BARRY

CCT heading No	Description	Rate of duty
08.11	<p>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:</p> <p>ex E. Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B and F and 08.09, excluding pineapples, melons and watermelons</p>	Free
18.06	<p>Chocolate and other food preparations containing cocoa:</p> <p>A. Cocoa powder, not otherwise sweetened than by the addition of sucrose</p> <p>C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa</p>	<p>3 % + vc</p> <p>9 % + vc with a max. of 27 % + ads</p>
19.02	<p>Malt extract: preparation 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:</p> <p>B. Other:</p> <p>ex II. Other:</p> <p>— Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'</p>	Free
ex 19.04	<p>Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches</p>	2 % + vc
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 density exceeding 1,33 g/cm³ at 20 °C:</p> <p>III. Other:</p> <p>ex a) Of a value exceeding 30 ECU per 100 kg net weight:</p> <p>— Fruit falling within subheading 08.01 A</p> <p>— Fruit falling within heading Nos 08.01 B to H, 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, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p>	<p>Free</p> <p>8 %</p> <p>8 % + (L)</p>

CCT heading No	Description	Rate of duty
21.07	Food preparations not elsewhere specified or included: A. Cereals in grain or ear form, pre-cooked or otherwise prepared: I. Maize II. Rice III. Other	 3 % + vc 3 % + vc 2 % + vc

Abbreviations:

(L) = levy,
 vc = variable component,
 ads = additional duty on sugar.

COUNCIL REGULATION (EEC) No 3721/84

of 18 December 1984

on imports into the Community of agricultural products originating in Turkey

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, by its Decision No 1/80, the EEC-Turkey Association Council decided to abolish the customs duties still applicable to imports into the Community of agricultural products originating in Turkey which may not yet be imported into the Community free of customs duty;

Whereas in respect of such products:

- (a) duties equivalent to or less than 2 % are to be abolished from 1 January 1981;
- (b) duties of more than 2 % are to be abolished in four stages according to the following timetable:

Timetable	Rate of reduction
As from 1 January 1981	30 %
As from 1 January 1983	60 %
As from 1 January 1985	80 %
As from 1 January 1987	100 %

- (c) duties reaching a level of 2 % or less during the process of tariff dismantling are to be abolished completely;

Whereas it is necessary to take measures for the third period beginning 1 January 1985 and ending 31 December 1986;

Whereas Common Customs Tariff duties, which directly influence the level of duties applicable under Decision No 1/80, are often reduced or suspended and it therefore becomes necessary to adjust duties on agricultural imports from Turkey accordingly;

Whereas this Regulation should therefore contain provisions enabling the Member States customs administrations to determine what customs duties should apply to agricultural products originating in Turkey when Common Customs Tariff duties are changed or suspended;

Whereas the Annex to this Regulation takes account of modifications or suspensions of Common Customs Tariff duties applicable on 1 January 1985; whereas, consequently, Member States need only take account of modifications or suspensions applicable from 2 January 1985;

Whereas, in the case of products for which Community rules require a certain import price to be observed, application of the tariff preference is subject to observance of that price;

Whereas, for certain products, detailed rules of application have been established as regards quantities of seasonal restrictions by the exchange of letters of 20 January 1981 between the Community and Turkey ⁽¹⁾, account having been taken of the interests of both parties;

Whereas the step-by-step elimination of the customs duties applied by the Community to imports originating in Turkey does not conflict with the principles and machinery of the common agricultural policy;

Whereas the elimination of customs duties by the Community, as provided for in Article 1 of this Regulation, is subject to the observance of normal conditions of competition by Turkey;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽²⁾; whereas this Regulation therefore applies to the Member States other than Greece,

HAS ADOPTED THIS REGULATION:

Article 1

1. Products originating in Turkey which are listed in Annex II to the EEC Treaty, other than those listed in the Annex hereto, shall be put into free circulation in the Member States other than Greece free of customs duty.

⁽¹⁾ OJ No L 65, 11. 3. 1981, p. 36.
⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

2. Products originating in Turkey which are listed in the Annex hereto shall be put into free circulation in the Member States other than Greece at the levels of customs duty indicated in each case.

Article 2

1. From 2 January 1985, where Common Customs Tariff duties are reduced or suspended either temporarily or in the context of a tariff quota in relation to certain products listed in the Annex, the customs duties applying to those products originating in Turkey shall be reduced in proportion to the application of the reductions or suspensions.

2. Where duties have been reduced or suspended under the system of generalized preferences or as concessions to countries which have concluded preferential agreements with the Community, those reductions or suspensions shall not be considered as falling under paragraph 1.

3. Where Common Customs Tariff duties are reduced or suspended subject to specific conditions, reduction of duties on imports of products originating in Turkey, as provided for in paragraph 1, shall be subject to the same conditions.

4. Duties reduced or suspended in accordance with paragraph 1 which reach a level equivalent to or less than 2 % shall not be collected. The same rule shall apply to specific duties if their application results in an *ad valorem* charge equivalent to or less than 2 %.

5. The reduced duties calculated in accordance with paragraph 1 shall be applied by rounding up the first decimal place and dropping the second decimal place.

Article 3

1. In case of products for which Community rules require a certain import price to be observed, application of the preferential tariff shall be subject to observance of that price.

In the case of fishery products for which a reference price is fixed, application of the preferential tariff shall be subject to observance of that reference price.

2. For the purposes of the application of this Regulation, originating products means products fulfilling the conditions laid down in Association Council Decision No 4/72 annexed to Regulation

(EEC) No 428/73⁽¹⁾, as amended by Decision No 1/75 annexed to Regulation (EEC) No 1431/75⁽²⁾.

3. The methods of administrative cooperation for ensuring that imports of the products referred to in Article 1 benefit from the reduced customs duties shall be those laid down in Association Council Decision No 5/72 annexed to Regulation (EEC) No 428/73, as last amended by Decision No 1/78 annexed to Regulation (EEC) No 2152/78⁽³⁾.

Article 4

1. The reduction of customs duties by the Community as provided for in Article 1 shall be subject to observance by Turkey of the normal conditions of competition defined in Articles 43 to 47 of the Additional Protocol; if a given product is found to have been the subject of dumping, aids or measures incompatible with the principles set out in the Articles referred to, the Community may, without prejudice to the other provisions of those Articles, reimpose the full duty on imports of that product into the Community until such time as the dumping, aids or other measures have been discontinued.

2. The procedure applicable for implementing paragraph 1 shall be that stipulated in Council Regulation (EEC) No 1842/71 of 21 June 1971 on the protective measures provided for in the Additional Protocol to the Agreement of Association between the European Economic Community and Turkey and in the Interim Agreement between the European Economic Community and Turkey⁽⁴⁾, without prejudice to the procedures defined in the Articles mentioned in that paragraph.

3. In the event of disturbances or the threat of disturbances on the Community market resulting either from quantities or prices of exports of products originating in Turkey for which customs duties have been removed, consultations shall be held in the Association Council as soon as possible, without prejudice to the application, in the event of an emergency, of measures provided for in Community legislation.

Article 5

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

It shall apply from 1 January 1985.

⁽¹⁾ OJ No L 59, 5. 3. 1978, p. 73.

⁽²⁾ OJ No L 142, 4. 6. 1975, p. 1

⁽³⁾ OJ No L 253, 15. 9. 1978, p. 1.

⁽⁴⁾ OJ No L 192, 26. 8. 1971, p. 14.

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

Done at Brussels, 18 December 1984.

For the Council

The President

P. BARRY

ANNEX

CCT heading No	Description	Rate of duty (%)
01.02	Live animals of the bovine species: A. Domestic species: II. Other	3,2 + (L)
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) Fresh or chilled b) Frozen	4 + (L) (a) 4 + (L) (a) (b) (c)
02.06	Meat and edible meat offals (except poultry liver), salted in brine, dried or smoked: A. Horsemeat, salted, in brine or dried C. Other: I. Of bovine animals: a) Meat: 1) Unboned (bone-in) 2) Boned or boneless b) Offals II. Of sheep and goats: ex b) Offals: — Of domestic sheep	2,1 4,8 4,8 4,1 4,8
03.01	Fish, fresh (live or dead), chilled or frozen: A. Freshwater fish: 1. Trout and other salmonidae: a) Trout	2,4

- (a) A rate of 4 % shall be applicable for 'high quality' meat, with or without bone falling within subheading ex 02.01 A II, within the limits of an erga omnes global annual tariff quota of 21 000 tonnes, without prejudice to the tariff quota for subheading 02.01 A II b). Qualification for the quota is subject to conditions to be determined by the competent authorities.
- (b) A rate of 4 % shall be applicable within the limits of an erga omnes global annual tariff quota of 50 000 tonnes (without bone), of which 16 500 tonnes may be subject to the application of monetary compensatory amounts.
- (c) A rate of 4 % for buffalo meat shall be applicable within the limits of an erga omnes annual tariff quota of 2 250 tonnes (without bone), without prejudice to the tariff quota for subheading 02.01 A II b). Qualification for the quota is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty (%)
03.01 (cont'd)	<p>B. Saltwater fish:</p> <p>I. Whole, headless or in pieces:</p> <p>a) Herring:</p> <p>2. From 16 June to 14 February:</p> <p>aa) Fresh or chilled</p> <p>bb) Frozen</p> <p>b) Sprats:</p> <p>2. From 16 June to 14 February</p> <p>d) Sardines (<i>Sardina pilchardus</i>):</p> <p>1. Fresh or chilled</p> <p>2. Frozen</p> <p>p) Anchovies (<i>Engraulis</i> spp):</p> <p>1. Fresh or chilled</p> <p>2. Frozen</p> <p>II. Fillets:</p> <p>a) Fresh or chilled</p> <p>b) Frozen:</p> <p>1. Of cod (<i>Gadus morrhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)</p> <p>2. Of saithe (<i>Pollachius virens</i>)</p> <p>3. Of haddock (<i>Melanogrammus aeglefinus</i>)</p> <p>4. Of redfish (<i>Sebastes</i> spp)</p> <p>5. Of whiting (<i>Merlangus merlangus</i>)</p> <p>6. Of ling (<i>Molva</i> spp)</p> <p>7. Of tuna (<i>Thunnus</i> spp and <i>Euthynnus</i> spp)</p> <p>8. Of mackerel (<i>Scomber scombrus</i>, <i>Scomber japonicus</i> and <i>Oreynopsis unicolor</i>)</p> <p>9. Of hake (<i>Merluccius</i> spp)</p> <p>10. Of sharks (<i>Squalus</i> spp)</p> <p>11. Of plaice (<i>Pleuronectes platessa</i>)</p> <p>12. Of flounder (<i>Platichthys flesus</i>)</p> <p>13. Of herring</p> <p>14. Other</p>	<p>3 (a)</p> <p>3 (a)</p> <p>2,6</p> <p>4,6</p> <p>4,6</p> <p>3</p> <p>3</p> <p>3,6</p> <p>3 (b)</p> <p>3</p> <p>3</p> <p>2,5</p> <p>3</p> <p>3</p> <p>3,6</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p> <p>3</p>

(a) Duty exemption within the limits of an *erga omnes* annual tariff quota of 34 000 tonnes to be granted by the competent authorities and subject to compliance with the reference price.

(b) Duty exemption for cod of the species *Gadus morrhua* within the limits of an *erga omnes* annual tariff quota of 10 000 tonnes to be granted by the competent authorities.

CCT heading No	Description	Rate of duty (%)
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:	
	A. Crustaceans:	
	V. Other:	
	a) Norway lobsters (<i>Nephrops norvegicus</i>):	
	1. Frozen	2,4
	2. Other	2,4
	b) Other	2,4
	B. Molluscs:	
	I. Oysters:	
	b) Other	3,6
04.06	Natural honey	5,4
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips:	
	D. Other	2,6
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:	
	I. From 1 June to 31 October	4,8
	II. From 1 November to 31 May	3,4
	B. Other	4
06.04	Foliage, branches and other parts (other than flowers or buds), of trees, shrubs, 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:	
	B. Other:	
	III. Other	3,4
07.01	Vegetables, fresh or chilled:	
	A. Potatoes:	
	II. New potatoes:	
	a) From 1 January to 15 May:	
	— From 1 January to 31 March	3
	— From 1 April to 15 May	15
	b) From 16 May to 30 June	21
	III. Other	
	b) Other	3,6

CCT heading No	Description	Rate of duty (%)
07.01 (cont'd)	B. Cabbages, cauliflowers and Brussels sprouts:	
	I. Cauliflowers:	
	a) From 15 April to 30 November	3,4 with a min. of 0,4 ECU per 100 kg net
	b) From 1 December to 14 April	2,4 with a min. of 0,2 ECU per 100 kg net
	II. White cabbages and red cabbages	3 with a min. of 0,1 ECU per 100 kg net
	III. Other	3
	C. Spinach	2,6
	D. Salad vegetables, including endive and chicory:	
	I. Cabbage lettuce:	
	a) From 1 April to 30 November	3 with a min. of 0,5 ECU per 100 kg gross
	b) From 1 December to 31 March	2,6 with a min. of 0,3 ECU per 100 kg gross
	II. Other	2,6
	F. Leguminous vegetables, shelled or unshelled:	
	I. Peas:	
	b) From 1 June to 31 August	3,4
	II. Beans (of the species Phaseolus):	
	ex a) From 1 October to 30 June:	
	— From 1 October to 31 October	13 with a min. of 2 ECU per 100 kg net
	— From 1 May to 30 June	13 with a min. of 2 ECU per 100 kg net
	b) From 1 July to 30 September	17 with a min. of 2 ECU per 100 kg net

CCT heading No	Description	Rate of duty (%)
07.01 (cont'd)	F. III. Other:	
	— Broad beans (<i>Vicia faba major</i> L.):	
	— From 1 May to 30 June	14
	— From 1 July to 30 April	Free
	— Other	2,8
	G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots:	
	I. Celeriac (rooted celery or German celery):	
	a) From 1 May to 30 September	2,6
	b) From 1 October to 30 April	3,4
	II. Carrots and turnips	3,4
	III. Horse-radish (<i>Cochlearia armoracia</i>)	3
	IV. Other	3,4
	ex H. Onions, shallots and garlic:	
	— Onions:	
	— From 16 May to 14 February	12
	— Shallots and garlic	2,4
	IJ. Leeks and other alliaceous plants (for example, chives, Welsh onions)	2,6
	K. Asparagus	3,2
	L. Artichokes	2,6
	M. Tomatoes:	
	I. From 1 November to 14 May	2,2 with a min. of 0,4 ECU per 100 kg net
	II. From 15 May to 31 October	3,6 with a min. of 0,7 ECU per 100 kg net
	P. Cucumbers and gherkins:	
	I. Cucumbers:	
	a) From 1 November to 15 May	3,2
	b) From 16 May to 31 October	4
	II. Gherkins	3,2
	Q. Mushrooms and truffles:	
	I. Cultivated mushrooms	3,2
	T. Other:	
	ex I. Vegetable marrows (including courgettes):	
	— From 1 March to 30 November	16

CCT heading No	Description	Rate of duty (%)
07.01 (cont'd)	T. ex II. Aubergines: — From 1 May to 14 January III. Other: — Celery sticks: — From 1 January to 30 April — From 1 May to 31 December — Pumpkins: — From 1 December to end February — From 1 March to 30 November — Parsley — Other	16 Free 16 Free 16 Free 3,2
07.02	Vegetables (whether or not cooked), preserved by freezing: A. Olives B. Other	3,8 3,6
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: D. Cucumbers and gherkins E. Other vegetables F. Mixtures of vegetables specified above	3 2,4 (a) 3
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: A. Onions B. Other: — Garlic — Other	2,7 2,8 3,2 (b) (c)

- (a) Duty rate suspended up to and including 30 June 1985 in respect of mushrooms, excluding cultivated mushrooms within the meaning of subheading 07.01 Q 1, in salted or sulphur water or to which other substances ensuring their temporary preservation have been added, but not specially prepared for immediate consumption.
- (b) Duty rate suspended up to and including 30 June 1985 in respect of mushrooms, excluding cultivated mushrooms within the meaning of subheading 07.01 Q 1, dried, dehydrated or evaporated, whole or in identifiable slices or pieces, intended for treatment other than simple repacking for retail sale. Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions. However, the suspension is not allowed where the treatment is carried out by retail sale or catering undertakings.
- (c) Duty rate suspended up and to 30 June 1985 for sweet red or green peppers, dried, dehydrated or evaporated, in pieces, with a moisture content not exceeding 9,5 %, but not further prepared.

CCT heading No	Description	Rate of duty (%)
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: B. Bananas	4 (a)
08.02	Citrus fruit, fresh or dried: A. Oranges: H. Other: a) From 1 April to 15 October: — Fresh — Other b) From 16 October to 31 March: — Fresh — Other B. Mandarins (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids: — Fresh — Other E. Other	Free 3 Free 4 Free 4 3,2
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes: a) From 1 November to 14 July: ex 2. Other: — From 1 November to 14 November — From 1 May to 17 June b) From 15 July to 31 October: — From 15 July to 17 July — From 18 July to 31 October II. Other: a) From 1 November to 14 July b) From 15 July to 31 October	18 18 2,2 22 3,6 4,4
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: ex. G. Other: — Hazelnuts	4 (b)

(a) Duty exemption granted in the Federal Republic of Germany within the limits of a tariff quota.
(b) Duty exemption within the limits of an annual Community tariff quota of 25 000 tonnes.

CCT heading No	Description	Rate of duty (%)
08.06	<p>Apples, pears and quinces, fresh:</p> <p>A. Apples:</p> <p>II. Other:</p> <p> a) From 1 August to 31 December</p> <p>B. Pears:</p> <p>II. Other:</p> <p> d) From 1 August to 31 December</p>	<p>2,8 with a min. of 0,4 ECU per 100 kg net</p> <p>2,6 with a min. of 0,4 ECU per 100 kg net</p>
08.07	<p>Stone fruit, fresh:</p> <p>A. Apricots</p> <p>B. Peaches, including nectarines</p> <p>C. Cherries:</p> <p> I. From 1 May to 15 July</p> <p> II. From 16 July to 30 April</p> <p>D. Plums:</p> <p> I. From 1 July to 30 September</p> <p> ex II. From 1 October to 30 June:</p> <p> — From 1 October to 30 April</p> <p> — From 16 June to 30 June</p> <p>E. Other</p>	<p>5</p> <p>4,4</p> <p>3 with a min. of 0,6 ECU per 100 kg net</p> <p>3</p> <p>15 with a min. of 3 ECU per 100 kg net</p> <p>8,5</p> <p>8,5</p> <p>3</p>
08.08	<p>Berries, fresh:</p> <p>A. Strawberries:</p> <p> I. From 1 May to 31 July</p> <p> II. From 1 August to 30 April</p> <p>D. Raspberries, black currants and red currants</p> <p>F. Other:</p> <p> II. Other</p>	<p>3,2 with a min. of 0,6 ECU per 100 kg net</p> <p>2,8</p> <p>2,2</p> <p>2,4</p>

CCT heading No	Description	Rate of duty (%)
08.09	Other fruit, fresh: — Melons: — From 1 November to 31 May — From 1 June to 31 October — Water melons: — From 1 April to 15 June — From 16 June to 31 March — Other	Free 11 Free 11 2,2 (a)
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar: A. Strawberries, raspberries and black currants B. Red currants, fruit of the species <i>Vaccinium myrtillus</i> , blackberries (brambleberries), mulberries and cloudberries D. Other	3,6 3,1 (b) 3,7 (b) (c) (d)
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: A. Apricots B. Oranges E. Other	3,2 3,2 2,2
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: C. Prunes F. Fruit salads: II. Containing prunes	2,4 2,4
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion: A. Coffee: I. Unroasted: b) Freed of caffeine	2,6

- (a) Duty rate suspended up to and including 30 June 1985 in respect of fresh rose-hips.
- (b) Duty rate suspended up to and including 30 June 1985 in respect of fruit of the species *Vaccinium*, whether or not cooked, in frozen state, not containing added sugar.
- (c) Duty rate suspended up to and including 30 June 1985 in respect of rose-hips whether or not cooked, in frozen state, not containing added sugar.
- (d) Duty rate suspended up to and including 30 June 1985 in respect of dates, frozen, in immediate packings of a net capacity of 5 kg or more, not intended for the production of alcohol. Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

CCT heading No	Description	Rate of duty (%)
09.01 (cont'd)	A. II. Roasted: a) Not freed of caffeine b) Freed of caffeine B. Husks and skins C. Coffee substitutes containing coffee in any proportion	3 3,6 2,6 3,6
10.01	Wheat and meslin (mixed wheat and rye): A. Spelt for sowing	4
10.06	Rice: A. For sowing (a)	2,4
11.05	Flour, meal and flakes of potato	3,8
12.03	Seeds, fruit and spores, of a kind used for sowing: A. Beet seeds: — Commercial seed (b) — Other	Free 2,6
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: B. Pectic substances, pectinates and pectates: ex I. Dry: — Pectic substances and pectinates ex II. Other: — Pectic substances and pectinates	4,8 2,8
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: D. Other oils: II. Other: a) Palm oil: 2. Other b) Other: 1. Solid, in immediate packings of a net capacity of 1 kg or less 2. Solid, other; fluid: bb) Other	2,8 4 3

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) Solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

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	4
	B. Other	3,4
15.13	Margarine, imitation lard and other prepared edible fats	5
16.02	Other prepared or preserved meat or meat offal:	
	A. Liver:	
	I. Goose or duck liver	3,2
	B. Other:	
	II. Game or rabbit meat or offal	3,4
	III. Other:	
	b) Other:	
	1. Containing bovine meat or offal:	
	aa) Uncooked; mixtures of cooked meat or offal and uncooked meat or offal	4 + (L)
	bb) Other	5,2
	2. Other:	
	aa) Of sheep or goats:	
	11. Uncooked; mixtures of cooked meat or offal and uncooked meat or offal	4
	22. Other	4
	bb) Other	5,2
16.04	Prepared or preserved fish, including caviar and caviar substitutes:	
	A. Caviar and caviar substitutes:	
	I. Caviar (sturgeon roe)	6
	II. Other	6 (a)
	C. Herring:	
	I. Fillets, raw, coated with batter or breadcrumbs, deep frozen	3
	II. Other	4
	D. Sardines	5
	E. Tunny	4,8

(a) Duty rate suspended up to and including 30 June 1985 in respect of hard fish roes, washed, cleaned of adherent organs and simply salted or in brine.

CCT heading No	Description	Rate of duty (%)
16.04 <i>(cont'd)</i>	F. Bonito (<i>Sarda</i> spp), mackerel and anchovies: — Bonito and mackerel — Anchovies G. Other: I. Fillets, raw, coated with batter or bread-crumbs, deep frozen II. Other	4,2 5 3 4
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. Cucumbers and gherkins: — Gherkins	4,4
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: A. Mushrooms: I. Cultivated II. Other B. Truffles C. Tomatoes: — Peeled tomatoes — Tomato concentrates — Other D. Asparagus E. Pickled cabbage G. Peas and beans in pod H. Other, including mixtures: — Mixtures: — Mixtures known as 'Türli' comprising beans in pod, aubergines, courgettes and various other vegetables — Other mixtures — Carrots — Other	4,6 4,6 3,6 2,5 (a) 2,5 (a) 3,6 (a) 3,5 4 3,8 2,2 4,4 3,5 Free

(a) Under the conditions which have been determined by an exchange of letters (OJ No L 65, 11. 3. 1981, p. 36 and OJ No C 325, 12. 12. 1981, p. 15).

CCT heading No	Description	Rate of duty (%)
20.03	Fruit preserved by freezing, containing added sugar: A. With a sugar content exceeding 13 % by weight B. Other	 5,2 + (L) 5,2
20.04	Fruit, fruit peel and parts of plants, preserved by sugar (drained, glace or crystallized): B. Other: I. With a sugar content exceeding 13 % by weight II. Other	 5 + (L) 5
20.05	Jams, fruit jellies, marmalade, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: A. Chestnut purée and paste: I. With a sugar content exceeding 13 % by weight II. Other B. Jams and marmalades of citrus fruit: I. With a sugar content exceeding 30 % by weight II. With a sugar content exceeding 13 % but not exceeding 30 % by weight III. Other C. Other: I. With a sugar content exceeding 30 % by weight: a) Plum purée and plum paste, in immediate packings of a net capacity exceeding 100 kg, for industrial processing (a) b) Other II. With a sugar content exceeding 13 % but not exceeding 30 % by weight III. Other: — Fig purée — Other	 6 + (L) 6 5,1 + (L) 5,1 + (L) 5,4 5,7 6 + (L) 6 + (L) 2,4 6

(a) Entry under this subheading subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty (%)
20.06	<p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>B. Other:</p> <p>1. Containing added spirit:</p> <p>a) Ginger:</p> <p>1. Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>2. Other</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> <p>1. Of more than 1 kg:</p> <p>aa) With a sugar content exceeding 13 % by weight:</p> <p>11. Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>22. Other</p> <p>bb) Other:</p> <p>11. Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>22. 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>e) Other fruits:</p> <p>1. With a sugar content exceeding 9 % by weight:</p> <p>aa) Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>bb) Other</p>	<p>4,6</p> <p>6,4</p> <p>6,4 + (L)</p> <p>6,4</p> <p>6,4 + (L)</p> <p>6,4</p> <p>6,4 + (L)</p> <p>6,4</p> <p>6,1 + 2 ads</p> <p>6,4 + (L)</p> <p>6,1</p> <p>6,4</p> <p>6,4 + (L)</p> <p>6,4</p> <p>6,1 + 2 ads</p> <p>6,4 + (L)</p>

CCT heading No	Description	Rate of duty (%)
20.06 (cont'd)	<p>B. I. e) 2. Other:</p> <p>aa) Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>bb) Other</p> <p>f) Mixtures of fruit:</p> <p>1. With a sugar content exceeding 9 % by weight:</p> <p>aa) Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>bb) Other</p> <p>2. Other</p> <p>aa) Of an actual alcoholic strength by mass not exceeding 11,85 % mas</p> <p>bb) 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>3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids</p> <p>4. Grapes</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 17 % by weight</p> <p>bb) Other</p> <p>6. Pears:</p> <p>aa) With a sugar content exceeding 13 % by weight</p> <p>hb) Other</p> <p>7. Peaches and apricots:</p> <p>aa) With a sugar content exceeding 13 % by weight:</p> <p>— Apricots</p> <p>— Peaches</p> <p>bb) Other:</p> <p>— Apricots</p> <p>— Peaches</p> <p>ex 8. Other fruits:</p> <p>— Other than grapefruit</p>	<p>6,1</p> <p>6,4 (a)</p> <p>6,1 + 2 ads</p> <p>6,4 + (L)</p> <p>6,1</p> <p>6,4</p> <p>4,2 + 2 ads</p> <p>4,4 + 2 ads</p> <p>4,4 + 2 ads</p> <p>4,4</p> <p>4 + 2 ads</p> <p>4</p> <p>3,5 + 2 ads</p> <p>4,4 + 2 ads</p> <p>3,5</p> <p>4,4</p> <p>4 + 2 ads</p>

(a) Duty rate suspended up to and including 30 June 1985 and within the framework of a Community tariff quota of 1 500 tonnes for sweet, clear-fleshed cherries, marinated in alcohol, of a diameter not exceeding 18,9 millimetres, stoned, intended for the manufacture of chocolate products.

Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

CCT heading No	Description	Rate of duty (%)
20.06 (cont'd)	B. II. a) 9. Mixtures of fruit:	
	aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits	4 + 2 ads
	bb) Other	4,1 + 2 ads
	b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:	4 + 2 ads
	3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids	4,1 + 2 ads
	4. Grapes	4,8 + 2 ads
	5. Pineapples:	
	aa) With a sugar content exceeding 19 % by weight	4,8 + 2 ads
	bb) Other	4,8
	6. Pears:	
	aa) With a sugar content exceeding 15 % by weight	4,4 + 2 ads
	bb) Other	4,4
	7. Peaches and apricots:	
	aa) With a sugar content exceeding 15 % by weight:	
	11. Peaches	4,4 + 2 ads
	22. Apricots	4,8 + 2 ads
	bb) Other:	
	11. Peaches	4,4
	22. Apricots	4,8
	ex 8. Other fruits:	
	— Other than grapefruit	4,8 + 2 ads
	9. Mixtures of fruit:	
	aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits	3 + 2 ads
	bb) Other	4,4 + 2 ads
	c) Not containing added sugar, in immediate packings of a net capacity:	
	1. Of 4,5 kg or more:	
	aa) Apricots:	
	— Halves	2,7
	— Pulp	17 (a)
— Other	3,4	
bb) Peaches (including nectarines) and plums	3,8	
cc) Pears	4,2	

(a) Duty rate of 2,3 % within the limits of an annual tariff quota of 90 tonnes until 30 June 1985.

CCT heading No	Description	Rate of duty (%)
20.06 (cont'd)	B. II. c) ex dd) Other fruits: — Other than grapefruit ee) Mixtures of fruit 2. Of less than 4,5 kg: aa) Pears ex bb) Other fruits and mixtures of fruit: — Other than grapefruit	4,6 4,6 4,2 4,6
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a density exceeding 1,33/cm ³ at 20 °C: I. Grape juice (including grape must): a) Of a value exceeding 22 ECU per 100 kg net weight b) Of a value not exceeding 22 ECU per 100 kg net weight: 1. With an added sugar content exceeding 30 % by weight 2. Other II. Apple and pear juice; mixtures of apple and pear juice: a) Of a value exceeding 22 ECU per 100 kg net weight b) Other III. Other: a) Of a value exceeding 30 ECU per 100 kg net weight: — Grapefruit — Other b) Other: — Grapefruit — Other B. Of a density of 1,33/cm ³ or less at 20 °C: I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice: a) Of a value exceeding 18 ECU per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight 22. Other	10 10 + (L) 10 8,4 8,4 + (L) 2,5 8,4 2,5 + (L) 8,4 + (L) 5,6 5,6

CCT heading No	Description	Rate of duty (%)
20.07 (cont'd)	<p>B. I. a) bb) Other:</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>22. Other</p> <p>2. Apple and pear juice:</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>3. Mixtures of apple and pear juice</p> <p>b) Of a value of 18 ECU 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>22. Other</p> <p>bb) Other:</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>22. Other</p> <p>2. Apple juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>3. Pear juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>4. Mixtures of apple and pear juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 ECU per 100 kg net weight:</p> <p>1. Orange juice</p> <p>3. Lemon juice and other citrus fruit juices:</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>4. Pineapple juice:</p> <p>aa) Containing added sugar</p> <p>bb) Other</p>	<p>5,6</p> <p>5,6</p> <p>4,8</p> <p>5</p> <p>5</p> <p>5,6 + (L)</p> <p>5,6</p> <p>5,6 + (L)</p> <p>5,6</p> <p>4,8 + (L)</p> <p>4,8</p> <p>5</p> <p>4,8 + (L)</p> <p>4,8</p> <p>5</p> <p>5 + (L)</p> <p>5</p> <p>3,8</p> <p>3,6</p> <p>3,8</p> <p>3,8</p> <p>4</p>

CCT heading No	Description	Rate of duty (%)
20.07 (cont'd)	<p>B. II. a) 5. Tomato juice:</p> <p>aa) Containing added sugar 4</p> <p>bb) Other 4,2</p> <p>6. Other fruit and vegetable juices:</p> <p>aa) Containing added sugar 4,2</p> <p>bb) Other 4,4</p> <p>7. Mixtures:</p> <p>aa) Of citrus fruit juices and pineapple juice:</p> <p>11. Containing added sugar 3,8</p> <p>22. Other 4</p> <p>bb) Other:</p> <p>11. Containing added sugar 4,2</p> <p>22. Other 4,4</p> <p>b) Of a value of 30 ECU or less per 100 kg net weight:</p> <p>1. Orange juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight 3,8 + (L)</p> <p>bb) Other 3,8</p> <p>3. Lemon juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight 3,6 + (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 3,6</p> <p>cc) Not containing added sugar 3,8</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight 3,6 + (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 3,6</p> <p>cc) Not containing added sugar 3,8</p> <p>5. Pineapple juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight 3,8 + (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 3,8</p> <p>cc) Not containing added sugar 4</p> <p>6. Tomato juice:</p> <p>aa) Containing added sugar 4</p> <p>bb) Other 4,2</p> <p>7. Other fruit and vegetable juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight 4,2 + (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 4,2</p> <p>cc) Not containing added sugar 4,4</p>	

CCT heading No	Description	Rate of duty (%)
20.07 (cont'd)	B. II. b) 8. Mixtures: aa) Of citrus fruit juices and pineapple juice: 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar bb) Other: 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	 3,8 + (L) 3,8 4 4,2 + (L) 4,2 4,4
22.04	Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol	8
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: A. Sparkling wine B. Wine other than that referred to in A in bottles with 'mushroom' stoppers held in place by ties or fastenings; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C C. Other: I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding: a) Two litres or less: — Wine of fresh grapes — Other b) More than two litres: — Wine of fresh grapes — Other II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding: a) Two litres or less:	 4,8 ECU per hl 4,8 ECU per hl 1,7 ECU per hl (a) 2,9 ECU per hl (a) 1,3 ECU per hl (a) 2,1 ECU per hl (a)

(a) The exchange rate to be applied in converting into national currencies the ECU in which the customs duty is expressed shall be the representative rate applicable to wines, if such rate is fixed for the purposes of the common agricultural policy.

CCT heading No	Description	Rate of duty (%)
22.05 (cont'd)	C. II. a) — Wine of fresh grapes	2 ECU per hl (a)
	— Other	3,3 ECU per hl (a)
	b) More than two litres:	
	— Wine of fresh grapes	1,5 ECU per hl (a)
	— Other	2,6 ECU per hl (a)
	III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding:	
	a) Two litres or less:	
	2. Other:	
	— Wine of fresh grapes	2,4 ECU per hl (a)
	— Other	4,1 ECU per hl (a)
	b) More than two litres:	
	3. Other:	
	— Wine of fresh grapes	2 ECU per hl (a)
	— Other	3,3 ECU per hl (a)
	IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding:	
	a) Two litres or less:	
	2. Other:	
	— Wine of fresh grapes	2,7 ECU per hl (a)
	— Other	4,6 ECU per hl (a)
	b) More than two litres:	
	3. Other:	
	— Wine of fresh grapes	2,7 ECU per hl (a)
	— Other	4,6 ECU per hl (a)
	V. Of an actual alcoholic strength by volume exceeding 22 % vol, in containers holding:	
	a) Two litres or less:	

(a) The exchange rate to be applied in converting into national currencies the ECU in which the customs duty is expressed shall be the representative rate applicable to wines, if such rate is fixed for the purposes of the common agricultural policy.

CCT heading No	Description	Rate of duty (%)
22.05 (cont'd)	<p>C. V. a) — Wine of fresh grapes</p> <p>— Other</p> <p>b) More than two litres:</p> <p>— Wine of fresh grapes</p> <p>— Other</p>	<p>0,2 ECU per hl per % vol of alcohol + 1,4 ECU per hl (a)</p> <p>0,3 ECU per hl per % vol of alcohol + 2,4 ECU per hl (a)</p> <p>0,2 ECU per hl per % vol of alcohol (a)</p> <p>0,3 ECU per hl per % vol of alcohol (a)</p>
22.08	<p>Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength:</p> <p>ex A. Denatured spirits (including ethyl alcohol and neutral spirits) of any strength:</p> <p>— Obtained from the agricultural products shown in Annex II to the EEC Treaty</p> <p>ex B. Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher:</p> <p>— Obtained from the agricultural products shown in Annex II to the EEC Treaty</p>	<p>3,2 ECU per hl</p> <p>6 ECU per hl</p>
22.09	<p>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:</p> <p>A. Spirits (other than those of heading No 22.08), in containers holding:</p> <p>ex I. Two litres or less:</p> <p>— Obtained from the agricultural products shown in Annex II to the EEC Treaty</p> <p>ex II. More than two litres:</p> <p>— Obtained from the agricultural products shown in Annex II to the EEC Treaty</p>	<p>0,3 ECU per hl per % vol of alcohol + 2 ECU per hl</p> <p>0,3 ECU per hl per % vol of alcohol</p>

(a) The exchange rate to be applied in converting into national currencies the ECU in which the customs duty is expressed shall be the representative rate applicable to wines, if such rate is fixed for the purposes of the common agricultural policy.

CCT heading No	Description	Rate of duty (%)
22.10	Vinegar and substitutes for vinegar: A. Wine vinegar, in containers holding: I. Two litres or less II. More than two litres B. Other, in containers holding: I. Two litres or less II. More than two litres	1,6 ECU per hl 1,2 ECU per hl 1,6 ECU per hl 1,2 ECU per hl
23.05	Wine lees; argol: A. Wine lees: II. Other	0,4 ECU per kg of total alcohol
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: A. Acorns, horse chestnuts and pomace or marc of fruit: I. Grape marc: b) Other	0,4 ECU per kg of total alcohol

Abbreviations:

(L) = levy,

vc = variable component.

COUNCIL REGULATION (EEC) No 3722/84
of 18 December 1984

amending Regulation (EEC) No 1320/84 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

as from 1 January 1985; whereas Regulation (EEC) No 1320/84 should therefore be amended,

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

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

Article 1

Whereas, by Regulation (EEC) No 1320/84 ⁽¹⁾, the Council opened and allocated among the Member States, from 1 July 1984 to 30 June 1985, a Community tariff quota of 90 tonnes, at a duty rate of 4,7 %, for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Turkey; whereas Council Regulation (EEC) No 3721/84 of 18 December 1984 on imports into the Community of agricultural products originating in Turkey ⁽²⁾ provides that the duty applicable for the purposes of that tariff quota is to be reduced to 2,3 %

Article 1 (2) of Regulation (EEC) No 1320/84 is hereby replaced by the following:

'2. Within the limit of this tariff quota, the Common Customs Tariff duty applicable to these goods shall be suspended at a rate of 2,3 %.'

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 18 December 1984.

For the Council

The President

P. BARRY

⁽¹⁾ OJ No L 129, 15. 5. 1984, p. 4.

⁽²⁾ See page 6 of this Official Journal.

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