

COUNCIL OF THE EUROPEAN COMMUNITIES

# COMPILATION OF TEXTS

## II

### ASSOCIATIONS

EEC-CYPRUS  
EEC-MALTA  
EEC-TURKEY

1 January — 31 December 1985





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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.

GENERAL MATTERS

Provisions within the Community  
relating to the Association Agreement



**COUNCIL REGULATION (EEC) No 3016/85  
of 28 October 1985**

**on the application of Decision No 1/85 of the EEC-Cyprus 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 the  
Republic of Cyprus<sup>(1)</sup> was signed on 19 December  
1972 and entered into force on 1 June 1973;

Whereas an Additional Protocol to this Agreement<sup>(2)</sup>  
was signed in Brussels on 15 September 1977 and  
entered into force on 1 June 1978;

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 1/85 again amending  
Article 6 and 17;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Decision No 1/85 of the EEC-Cyprus 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 1 November  
1985.

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

Done at Luxembourg, 28 October 1985.

*For the Council*  
*The President*  
J. SANTER

<sup>(1)</sup> OJ No L 133, 21. 5. 1973, p. 2.

<sup>(2)</sup> OJ No L 339, 28. 12. 1977, p. 2.



ACTS OF THE ASSOCIATION COUNCIL





**COUNCIL DECISION No 1/85 OF THE EEC-CYPRUS ASSOCIATION  
COUNCIL**

**of 21 October 1985**

**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 the Republic of Cyprus, signed in Brussels on 19 December 1972,

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

Whereas the equivalent value of the ECU in certain national currencies on 1 October 1984 was less than the corresponding value on 1 October 1982; whereas the automatic change in the base date laid down in Decision No 1/81 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 ECU,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Protocol is hereby amended as follows:

1. In the second subparagraph of Article 6 (1), '2 000 ECU' is replaced by '2 355 ECU'.
2. In Article 17 (2), '140 ECU' is replaced by '165 ECU' and '400 ECU' by '470 ECU'.

*Article 2*

This Decision shall enter into force on 1 November 1985.

Done at Brussels, 21 October 1985.

*For the Association Council*

*The President*

J. WEYLAND



PROVISIONS WITHIN THE EEC



COUNCIL REGULATION (EEC) No 799/85

of 26 March 1985

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 (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas Article 2 of 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 3628/84 (2), provides, for the period 1 April to 15 May 1985, 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;

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;

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,

*Article 1*

1. From 1 April to 15 May 1985, 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.

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 (3), annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

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 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 335, 22. 12. 1984, p. 6.

(3) 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 1985.

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

Done at Brussels, 26 March 1985.

*For the Council*  
*The President*  
F. M. PANDOLFI

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COUNCIL REGULATION (EEC) No 1132/85  
of 30 April 1985

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 (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 Article 2 of 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), as amended by Regulation (EEC) No 3628/84 (2), 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 1985; 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 86 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial 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 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 1985, 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 :

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

(2) OJ No L 335, 22. 12. 1984, p. 6.

CCT heading No	Description	Rate of duty
08.04	Grapes fresh or dried :	
	A. Fresh :	
	I. Table grapes :	
	a) From 1 November to 14 July :	
	ex 2. Other :	7,2 %
	— From 8 June to 14 July	
	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<sup>(1)</sup>.

#### Article 2

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

2. The first tranche, amounting to 6 476 tonnes, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 July 1985, shall be as follows :

Benelux	150 tonnes
Denmark	10 tonnes
Germany	300 tonnes
Greece	2 tonnes
France	2 tonnes
Ireland	10 tonnes
Italy	2 tonnes
United Kingdom	6 000 tonnes

3. The second tranche, amounting to 1 024 tonnes, shall constitute the reserve.

#### Article 3

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

to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

#### Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 July 1985.

#### Article 5

The Member States shall return to the reserve, not later than 15 July 1985, such unused portion of their initial share as, on 10 July 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 15 July 1985, of the total quantity of the products in question imported up to 10 July 1985 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

<sup>(1)</sup> OJ No L 174, 30. 6. 1981, p. 2.



*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 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 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 1985.

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

Done at Luxembourg, 30 April 1985.

*For the Council*  
*The President*  
G. ANDREOTTI

## COUNCIL REGULATION (EEC) No 1133/85

of 30 April 1985

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 (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 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<sup>(1)</sup>, as amended by Regulation (EEC) No 3628/84<sup>(2)</sup>, 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 1985; 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	3,1
Greece	0,1
France	0,1
Ireland	0,6
Italy	0,1
United Kingdom	90,9

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 90 % 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

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

(2) OJ No L 335, 22. 12. 1984, p. 6.

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 1985, 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 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 55 000 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1985, shall be as follows :

	<i>(tonnes)</i>
Benelux	2 750
Denmark	50
Germany	1 750
Greece	50
France	50
Ireland	300
Italy	50
United Kingdom	50 000

3. The second instalment of 5 000 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 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 10 % 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 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 1985.

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

*Article 5*

The Member States shall return to the reserve, not later than 15 June 1985, such unused portion of their initial share as, on 10 June 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 15 June 1985, of the total quantities of the products in question imported up to 10 June 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 20 June 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 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 1985.

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

Done at Luxembourg, 30 April 1985.

*For the Council*  
*The President*  
G. ANDREOTTI

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**COUNCIL REGULATION (EEC) No 1681/85**

**of 19 June 1985**

**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 <sup>(1)</sup>, as last  
amended by Regulation (EEC) No 3628/84 <sup>(2)</sup>, has  
extended the arrangements applicable to trade with  
the Republic of Cyprus until 30 June 1985;

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 3700/83, '30 June  
1985' is hereby replaced by '31 December 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 July 1985.

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

Done at Luxembourg, 19 June 1985.

*For the Council*

*The President*

G. ANDREOTTI

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<sup>(1)</sup> OJ No L 369, 20. 12. 1983, p. 1.

<sup>(2)</sup> OJ No L 335, 22. 12. 1984, p. 6.

**COUNCIL REGULATION (EEC) No 2729/85**  
**of 27 September 1985**

**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 (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 Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983<sup>(1)</sup>, as amended by Regulation (EEC) No 1681/85<sup>(2)</sup>, provides for the opening, in respect of the period 1 October to 30 November 1985, 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;

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;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 October until 30 November 1985, 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.

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.

<sup>(1)</sup> OJ No L 369, 30. 12. 1983, p. 1.

<sup>(2)</sup> OJ No L 162, 21. 6. 1985, p. 5.

*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 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.

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 1985.

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

Done at Luxembourg, 27 September 1985.

*For the Council*

*The President*

R. STEICHEN

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FINANCIAL AND TECHNICAL CO-OPERATION



COUNCIL REGULATION (EEC) No 3389/85

of 18 November 1985

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 (1986)

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 <sup>(1)</sup> 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 <sup>(2)</sup>;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1986 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 the Community tariff quota should be opened for the period 1 January to 31 December 1986;

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 <sup>(3)</sup> as last amended by Regulation (EEC) No 2342/84 <sup>(4)</sup>, must be complied with;

Whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain

and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to the Community of Ten;

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 when each

<sup>(1)</sup> OJ No L 172, 28. 6. 1978, p. 2.

<sup>(2)</sup> OJ No L 369, 30. 12. 1983, p. 1.

<sup>(3)</sup> OJ No L 54, 5. 3. 1979, p. 1.

<sup>(4)</sup> OJ No L 217, 14. 8. 1984, p. 6.

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 position to monitor the extent to which the quota volume has been used up and to inform the Member States;

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

Whereas, since, the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux

Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January to 31 December 1986, Common Customs Tariff duties, on import into the Community of Ten, 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:

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 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	3,6 ECU per hl          4,2 ECU per hl

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.

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

*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 which, subject to Article 5, shall be valid until 31 December 1986 shall be as follows:

	(hectolitres)
Benelux	10
Denmark	380
Germany	540
Greece	10
France	10
Ireland	340
Italy	10
United Kingdom	6 700

*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 1986.

#### *Article 5*

Member States shall return to the reserve, not later than 1 October 1986, such unused portion of their initial share as, on 15 September 1986 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 1986, of the total quantities of the products in question imported up to 15 September 1986 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.

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

Done at Brussels, 18 November 1985.

It shall inform the Member States, not later than 5 October 1986 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 1986.

*For the Council*

*The President*

M. FISCHBACH

COUNCIL REGULATION (EEC) No 3390/85

of 18 November 1985

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 (1986)

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 <sup>(1)</sup> 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 <sup>(2)</sup>;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1986 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 1986;

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

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 <sup>(4)</sup>, as last amended by Regulation (EEC) No 2342/84 <sup>(5)</sup>, must be complied with;

Whereas, in the absence of a Protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to the Community of Ten;

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

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

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

<sup>(1)</sup> OJ No L 172, 28. 6. 1978, p. 2.

<sup>(2)</sup> OJ No L 369, 30. 12. 1983, p. 1.

<sup>(3)</sup> OJ No L 237, 28. 8. 1976, p. 1.

<sup>(4)</sup> OJ No L 54, 5. 3. 1979, p. 1.

<sup>(5)</sup> OJ No L 217, 14. 8. 1984, p. 6.

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 State thereof;

Whereas, it 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 1986, Common Customs Tariff duties, on import into the Community of Ten, 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>

2. The admission of these wines under the tariff quota shall be conditional on their being described in the V.1.1 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 1986 shall be as follows:

	(hectolitres)
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 1986.

*Article 5*

Member States shall return to the reserve, not later than 1 October 1986, the unused portion of their initial share which, on 15 September 1986, 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 1986, notify the Commission of the total quantities of the products in question imported up to 15 September 1986 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 1986, 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 1986.



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

Done at Brussels, 18 November 1985.

*For the Council*  
*The President*  
M. FISCHBACH

COUNCIL REGULATION (EEC) No 3391/85

of 18 November 1985

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes falling within subheading No 08.04 B 1 of the Common Customs Tariff and originating in Cyprus (1986)

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 1986 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 1 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 1986;

Whereas, in the absence of a Protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to the Community of Ten;

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	1982	1983	1984
Benelux	10	28	65
Denmark	1	1	—
Germany	15	—	19
Greece	—	—	—
France	11	7	—
Ireland	—	—	—
Italy	—	—	—
United Kingdom	63	64	16

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	28,0
Denmark	1,3
Germany	2,5
Greece	0,5
France	3,7
Ireland	1,3
Italy	0,7
United Kingdom	52,0

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 States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up

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

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

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 1986 the Common Customs Tariff duty, on import into the Community of Ten, 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.

*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 1986 shall be as follows:

	<i>(tonnes)</i>
Benelux	153
Denmark	5
Germany	10
Greece	2
France	15
Ireland	5
Italy	3
United Kingdom	207

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 1986.

*Article 5*

The Member States shall return to the reserve, not later than 1 October 1986, such unused portion of their initial share as, on 15 September 1986, 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 1986 of the total quantities of the products in question imported up to 15 September 1986 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 1986 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 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 1986.

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

Done at Brussels, 18 November 1985.

*For the Council*

*The President*

M. FISCHBACH

COUNCIL REGULATION (EEC) No 3392/85

of 18 November 1985

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 (1986)

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<sup>(1)</sup>, 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 1986 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 1986;

Whereas, in the absence of a Protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to the Community of Ten;

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 1986, the Common Customs Tariff duty, on import into the Community of Ten, 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.

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 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.

<sup>(1)</sup> OJ No L 369, 30. 12. 1983, p. 1.

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 4*

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

*Article 3*

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

*Article 5*

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 18 November 1985.

*For the Council*

*The President*

M. FISCHBACH

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COUNCIL REGULATION (EEC) No 3393/85

of 18 November 1985

opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus (1986)

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<sup>(1)</sup>, 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 S of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50 % of the customs duty in the Common Customs Tariff;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1986 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 1986;

Whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to the Community of Ten;

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, 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 1986, the Common Customs Tariff duty, on import into the Community of Ten, for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus shall be partially suspended at 4,5 % within the limits of the Community tariff quota of 300 tonnes.
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 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.

<sup>(1)</sup> OJ No L 369, 30. 12. 1983, p. 1.

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 4*

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

*Article 3*

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

*Article 5*

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 18 November 1985.

*For the Council*

*The President*

M. FISCHBACH

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COUNCIL REGULATION (EEC) No 3395/85

of 18 November 1985

establishing ceilings and Community surveillance of imports of certain textile products originating in Cyprus (1986)

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 I to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus <sup>(1)</sup>, the arrangements applicable to trade with Cyprus, as last amended by Regulation (EEC) No 3700/83 <sup>(2)</sup>, 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 1986 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned provisions; whereas, therefore, the ceilings for 1986 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, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas

the tariff measure in question therefore applies to the Community of Ten;

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 1986 imports into the Community of Ten 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 <sup>(3)</sup>.

<sup>(1)</sup> OJ No L 133, 21. 5. 1973, p. 2.

<sup>(2)</sup> OJ No L 369, 30. 12. 1983, p. 1.

<sup>(3)</sup> OJ No L 339, 28. 12. 1977, p. 19.

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.

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.

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 1986.

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

Done at Brussels, 18 November 1985.

*For the Council*

*The President*

M. FISCHBACH

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ANNEX

List of products subject to import ceilings in 1986

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 3682/85**  
of 20 December 1985  
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 <sup>(1)</sup>, as last  
amended by Regulation (EEC) No 1681/85 <sup>(2)</sup>, extended  
the arrangements applicable to trade with the Republic of  
Cyprus until 31 December 1985;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 3700/83, '31  
December 1985' is hereby replaced by 'the entry into  
force of trade arrangements in a contractual form'.

*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 1986.

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

Done at Brussels, 20 December 1985.

*For the Council*  
*The President*  
R. KRIEPS

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<sup>(1)</sup> OJ No L 369, 20. 12. 1983, p. 1.

<sup>(2)</sup> OJ No L 162, 21. 1985, p. 5.

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.

PROVISIONS WITHIN THE EEC





**COUNCIL REGULATION (EEC) No 1680/85**  
**of 19 June 1985**  
**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 <sup>(1)</sup>, as last  
amended by Regulation (EEC) No 3627/84 <sup>(2)</sup>, has  
extended the arrangements applicable to trade with  
Malta until 30 June 1985;

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  
1985' is hereby replaced by '31 December 1985'.

*Article 2*

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

It shall apply from 1 July 1985.

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

Done at Luxembourg, 19 June 1985.

*For the Council*  
*The President*  
G. ANDREOTTI

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<sup>(1)</sup> OJ No L 367, 31. 12. 1980, p. 86.

<sup>(2)</sup> OJ No L 335, 22. 12. 1984, p. 5.

COUNCIL REGULATION (EEC) No 3394/85

of 18 November 1985

establishing ceilings and Community surveillance of imports of certain products originating in Malta (1986)

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<sup>(1)</sup> have lapsed;

Whereas, pending the entry into force of a new protocol, it is necessary to extend, for 1986, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

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<sup>(2)</sup>; whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas this Regulation applies therefore 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 reintroduced; whereas the ceilings to be applied in 1986 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 reintroduced 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 reintroduce custom tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January to 31 December 1986 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<sup>(3)</sup>.

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

<sup>(1)</sup> OJ No L 304, 29. 11. 1977, p. 2.

<sup>(2)</sup> OJ No L 382, 31. 12. 1980, p. 1.

<sup>(3)</sup> OJ No L 111, 28. 4. 1976, p. 3.

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 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 1986.

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

Done at Brussels, 18 November 1985.

*For the Council*

*The President*

M. FISCHBACH

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## ANNEX

## List of products subject to import ceilings in 1986

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	1 263

COMMISSION REGULATION (EEC) No 3559/85

of 16 December 1985

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80 and (EEC) No 2295/82 on Community surveillance of imports of certain textile products originating respectively in Malta, 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<sup>(1)</sup>, 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<sup>(2)</sup>, the period of validity of which was last extended by Regulation (EEC) No 3558/85<sup>(3)</sup>, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulations (EEC) No 3044/79<sup>(4)</sup>, (EEC) No 1782/80<sup>(5)</sup> and (EEC) No 2295/82<sup>(6)</sup>, as last amended by Regulation (EEC) No 3581/82<sup>(7)</sup>, 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 1985, as regards Regulation (EEC) No 3552/84<sup>(8)</sup>;

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, Egypt and Turkey, established respectively by Regulations (EEC) No 3044/79, (EEC) No 1782/80 and (EEC) No 2295/82, is hereby extended until 31 December 1986.

*Article 2*

This Regulation shall enter into force on 1 January 1986.

It shall apply until 31 December 1986.

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

Done at Brussels, 16 December 1985.

*For the Commission*

Willy DE CLERCQ

*Member of the Commission*

<sup>(1)</sup> OJ No L 35, 9. 2. 1982, p. 1.

<sup>(2)</sup> OJ No L 320, 15. 12. 1979, p. 9.

<sup>(3)</sup> See page 21 of this Official Journal.

<sup>(4)</sup> OJ No L 343, 31. 12. 1979, p. 8.

<sup>(5)</sup> OJ No L 174, 9. 7. 1980, p. 16.

<sup>(6)</sup> OJ No L 245, 20. 8. 1982, p. 25.

<sup>(7)</sup> OJ No L 373, 31. 12. 1982, p. 64.

<sup>(8)</sup> OJ No L 331, 19. 12. 1983, p. 20.

COUNCIL REGULATION (EEC) No 3681/85

of 20 December 1985

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1680/85<sup>(2)</sup> has extended the arrangements applicable to trade with Malta until 31 December 1985;

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 3508/80, '31 December 1985' is hereby replaced by 'the entry into force of a trade arrangement in a contractual form'.

*Article 2*

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

It shall apply with effect from 1 January 1986

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

Done at Brussels, 20 December 1985.

*For the Council*

*The President*

R. KRIEPS

<sup>(1)</sup> OJ No L 367, 31. 12. 1980, p. 86.

<sup>(2)</sup> OJ No L 162, 21. 6. 1985, p. 4.

COUNCIL REGULATION (EEC) No 3668/85

of 20 December 1985

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 (1986)

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 agricultural products<sup>(1)</sup>, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta<sup>(2)</sup>, 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 accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey<sup>(3)</sup>; whereas in the absence of Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measure referred to in Articles 180 and 367 of that Act; whereas this Regulation applies therefore to the Community of Nine,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January to 31 December 1986 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 1986.

<sup>(1)</sup> OJ No L 323, 29. 11. 1980, p. 1.

<sup>(2)</sup> OJ No L 61, 14. 3. 1971, p. 3.

<sup>(3)</sup> OJ No L 382, 31. 12. 1980, p. 1.

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

Done at Brussels, 20 December 1985.

*For the Council*

*The President*

R. KRIEPS

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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. Frog's 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 : II. 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: I. 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
20.07 (cont'd)	B. II. a) 6. ex aa) — Other, excluding apricot and peach juices	17 %
	ex bb) Other:	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
	— Other, excluding apricot and peach juices	18 %
	7. Mixtures:	
	ex bb) Other excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:	
	11. Containing added sugar	17 %
	22. Other	18 %
	b) Of a value of 30 ECU or less per 100 kg net weight:	
	2. Grapefruit juice	
	aa) With an added sugar content exceeding 30 % by weight	8 % + (L)
	bb) Other	8 %
	4. Other citrus fruit juices:	
	aa) With an added sugar content exceeding 30 % by weight	14 % + (L)
	bb) With an added sugar content of 30 % or less by weight	14 %
	cc) Not containing added sugar	15 %
	7. Other fruit and vegetable juices:	
	ex aa) With an added sugar content exceeding 30 % by weight:	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 % + (L)
	— Other, excluding apricot and peach juices	17 % + (L)
	ex bb) With an added sugar content of 30 % or less by weight:	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
	— Other, excluding apricot and peach juices	17 %





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

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 1984 to 31 October 1985

### *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 1984 to 31 October 1985.

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 1984 to 31 October 1985.

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*

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PROVISIONS WITHIN THE EEC



**COUNCIL REGULATION (EEC) No 435/85  
of 18 February 1985**

**amending Regulation (EEC) No 1180/77 on imports into the Community of  
certain agricultural products originating in Turkey (1984/85)**

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 conces-  
sions 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 I 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 664/84 (3), imple-  
mented 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, 18 February 1985.

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 1984 to 31 October 1985;

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 1984 to 31  
October 1985 by 10,88 ECU per 100 kilo-  
grams.'

*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*

G. ANDREOTTI

(1) Opinion delivered on 15 February 1985 (not yet published  
in the Official Journal).

(2) OJ No L 142, 9. 6. 1977, p. 10.

(3) OJ No L 73, 16. 3. 1984, p. 11.

**COUNCIL REGULATION (EEC) No 439/85**

of 18 February 1985

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 1984 to 31 October 1985

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,

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 1984 to 31 October 1985 is hereby approved on behalf of the Community.

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,

The text of the Agreement is annexed to this Regulation.

Having regard to the recommendation from the Commission,

*Article 2*

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 1984 to 31 October 1985,

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*.

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

Done at Brussels, 18 February 1985.

*For the Council*

*The President*

G. ANDREOTTI



COMMISSION REGULATION (EEC) No 1064/85

of 25 April 1985

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1332/84<sup>(2)</sup>, 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 751/85 of 22 March 1985 fixing the reference price for tomatoes for the 1985 marketing year<sup>(3)</sup> fixed the reference price for products of class I for the month of April 1985 at 197,27 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<sup>(4)</sup>, as last amended by Regula-

tion (EEC) No 3110/83<sup>(5)</sup>, 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 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 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 originating in Turkey<sup>(6)</sup>, as amended by Regulation (EEC) No 1555/84<sup>(7)</sup>, when the Commission introduces a countervailing 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<sup>(8)</sup>, as last amended by Regulation (EEC) No 855/84<sup>(9)</sup>,
- 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 coefficient,

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 130, 16. 5. 1984, p. 1.

<sup>(3)</sup> OJ No L 81, 23. 3. 1985, p. 20.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 303, 5. 11. 1983, p. 5.

<sup>(6)</sup> OJ No L 367, 23. 12. 1981, p. 3.

<sup>(7)</sup> OJ No L 150, 6. 6. 1984, p. 4.

<sup>(8)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(9)</sup> OJ No L 90, 1. 4. 1984, p. 1.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. A countervailing charge of 66,08 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.

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 2*

This Regulation shall enter into force on 27 April 1985.

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

Done at Brussels, 25 April 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 1181/85

of 6 May 1985

**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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1332/84<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1064/85 of 25 April 1985<sup>(3)</sup> introduced a countervailing charge on tomatoes 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 tomatoes 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<sup>(4)</sup>, as amended by Regulation (EEC) No 1555/84<sup>(5)</sup>, 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 1064/85 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 7 May 1985.

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

Done at Brussels, 6 May 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 130, 16. 5. 1984, p. 1.  
<sup>(3)</sup> OJ No L 113, 26. 4. 1985, p. 16.

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<sup>(4)</sup> OJ No L 367, 23. 12. 1981, p. 9.  
<sup>(5)</sup> OJ No L 150, 6. 6. 1984, p. 4.

COMMISSION REGULATION (EEC) No 1241/85  
of 14 May 1985  
amending Regulation (EEC) No 2295/82 as regards cotton yarns (category 1)  
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 288/82  
of 5 February 1982 on common rules for imports<sup>(1)</sup>,  
and in particular Article 10 thereof,

After consultation within the Advisory Committee set  
up by Article 5 of that Regulation,

Whereas, Commission Regulation (EEC) No  
2819/79<sup>(2)</sup>, as last amended by Regulation (EEC) No  
3551/84<sup>(3)</sup>, makes imports of certain textile products  
originating in certain non-member countries subject to  
Community surveillance;

Whereas a system of administrative cooperation has  
been established between the European Economic  
Community and Turkey with regard to trade in cotton  
yarns; whereas, consequently, Commission Regulation  
(EEC) No 2295/82<sup>(4)</sup>, as last amended by Regulation  
(EEC) No 3552/84<sup>(5)</sup>, states that the import document  
referred to in Article 2 of Regulation (EEC) No  
2819/79 may only be issued or endorsed on sight of a  
Turkish 'Export Advice Note';

Whereas, to ensure the greater efficiency of this co-  
operation, the Turkish export advice note should be  
presented to the competent authorities in the Member  
States within one month of its date of issue;

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

Done at Brussels, 14 May 1985.

HAS ADOPTED THIS REGULATION :

*Article 1*

Article 1 of Regulation (EEC) No 2295/82 is replaced  
by the following text :

*'Article 1*

Without prejudice to the other provisions of  
Commission Regulation (EEC) No 2819/79, the  
import document referred to in Article 2 of that  
Regulation shall be issued or endorsed for the  
products listed in the Annex hereto only on  
presentation of a Turkish "Export Advice Note".

The said export advice note shall be issued by the  
Istanbul, Izmir, Cukurova and Antalya cotton yarn  
exporters associations.

Any export advice note issued after 15 May 1985  
should be presented to the competent authorities  
in the Member States within one month of its date  
of issue.

The import document referred to in Article 2 of  
Regulation (EEC) No 2819/79 may be used for two  
months from the date of issue. In exceptional  
circumstances that period may be extended by a  
month.'

*Article 2*

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

*For the Commission*

Willy DE CLERCQ

*Member of the Commission*

<sup>(1)</sup> OJ No L 35, 9. 2. 1982, p. 1.

<sup>(2)</sup> OJ No L 320, 15. 12. 1979, p. 9.

<sup>(3)</sup> OJ No L 331, 19. 12. 1984, p. 14.

<sup>(4)</sup> OJ No L 245, 20. 8. 1982, p. 25.

<sup>(5)</sup> OJ No L 331, 19. 12. 1984, p. 20.

COUNCIL REGULATION (EEC) No 1528/85

of 23 May 1985

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 3721/84 of 18 December 1984 on imports into the Community of certain agricultural products originating in Turkey (\*) provides for the opening by the Community of an annual Community tariff quota of 90 tonnes at a rate of 2,3 % 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 1985 by Regulation (EEC) No 1320/84 (†); whereas the tariff quota in question should therefore be opened for the abovementioned volume for the period 1 July 1985 to 30 June 1986;

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 (‡) 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;

(\*) OJ No L 343, 31. 12. 1984, p. 6.

(†) OJ No L 129, 15. 5. 1984, p. 4.

(‡) 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 1985 to 30 June 1986, 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 2,3 %

*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 1985 to 30 June 1986, shall be as follows:

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

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 1986.

*Article 5*

The Member States shall return to the reserve, not later than 1 April 1986, the unused portion of their initial share which on 15 March 1986 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 1986, notify the Commission of the total quantities of the said goods imported up to and including 15 March 1986 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 1986, 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 8*

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

*Article 9*

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

*Article 10*

This Regulation shall enter into force on 1 July 1985.

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

Done at Brussels, 23 May 1985.

*For the Council*

*The President*

C. SIGNORILE

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**COMMISSION REGULATION (EEC) No 1768/85  
of 27 June 1985**

**introducing a countervailing charge and suspending the preferential customs  
duty on imports of cherries 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<sup>(1)</sup>, as last  
amended by Regulation (EEC) No 1332/84<sup>(2)</sup>, 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 784/85 of  
27 March 1985 fixing the reference price for cherries  
for the 1985 marketing year<sup>(3)</sup> fixed the reference  
price for products of class I for June 1985 at 119,45  
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<sup>(4)</sup>, as last amended by Regula-

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

Whereas, for Turkish cherries, 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 cherries;

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<sup>(6)</sup>, as amended by Regulation (EEC) No  
1555/84<sup>(7)</sup>, when the Commission introduces a coun-  
tervailing charge on imports of cherries 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  
15 % should be reintroduced for these cherries, with a  
minimum charge of 3 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<sup>(8)</sup>, as last amended by Regulation (EEC)  
No 855/84<sup>(9)</sup>,
- 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,

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 130, 16. 5. 1984, p. 1.

<sup>(3)</sup> OJ No L 88, 28. 3. 1985, p. 26.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 303, 5. 11. 1983, p. 5.

<sup>(6)</sup> OJ No L 367, 23. 12. 1981, p. 3.

<sup>(7)</sup> OJ No L 150, 6. 6. 1984, p. 4.

<sup>(8)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(9)</sup> OJ No L 90, 1. 4. 1984, p. 1.



HAS ADOPTED THIS REGULATION :

*Article 1*

1. A countervailing charge of 37,52 ECU per 100 kilograms net is applied on imports of cherries falling within subheading 08.07 C of the Common Customs Tariff originating in Turkey.

2. The rate of customs duty on imports of these products shall be 15 % with a minimum charge of 3 ECU per 100 kilograms net.

*Article 2*

This Regulation shall enter into force on 29 June 1985.

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

Done at Brussels, 27 June 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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**COMMISSION REGULATION (EEC) No 1944/85**  
**of 12 July 1985**  
**abolishing the countervailing charge and re-establishing a preferential customs**  
**duty on imports of cherries 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1332/84<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1768/85 of 27 June 1985<sup>(3)</sup> introduced a countervailing charge on cherries 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 cherries 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<sup>(4)</sup>, as amended by Regulation (EEC) No 1555/84<sup>(5)</sup>, 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 1768/85 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 13 July 1985.

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

Done at Brussels, 12 July 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 130, 16. 5. 1984, p. 1.  
<sup>(3)</sup> OJ No L 168, 28. 6. 1985, p. 24.

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<sup>(4)</sup> OJ No L 367, 23. 12. 1981, p. 3.  
<sup>(5)</sup> OJ No L 150, 6. 6. 1984, p. 4.

**COMMISSION REGULATION (EEC) No 2662/85**  
**of 20 September 1985**  
**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 (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 the extremely rapid increase in recent years of imports into the Community of T-shirts (category 4), jerseys (category 5), trousers (category 6), shirts (category 8), underpants (category 13), bed linen (category 20), dresses (category 26) 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 quantitative limits;

Whereas the quantities of products covered by import documents already issued between 1 July and 10 September 1985 under the surveillance system introduced in Commission Regulation (EEC) No 2819/79 (2), as last amended and extended by Regulation (EEC) No 3551/84 (3) showed the following percentage increases by comparison to the quantitative limits laid down by the Community in Commission Regulation (EEC) No 3639/84 (4) for the same categories in the period 1 January to 30 June 1985: T-shirts

category 4) 92 %, trousers (category 6) 115 %, outer garments (category 83) 130 %;

Whereas in the first six months of 1985 imports into the Community of jerseys (category 5), shirts (category 8) and bed linen (category 20) originating in Turkey amounted to 78 %, 71 % and 59 % respectively of 1984 imports;

Whereas this situation makes it necessary to take immediate action in order to avoid irreparable injury to producers in the Community as currently composed;

Whereas it is therefore necessary to adopt, pursuant to Article 60 of the Additional Protocol to the Association Agreement between the European Economic Community and Turkey, the protective measures needed to overcome these difficulties;

Whereas in the first six months of 1985 imports into Germany of socks (category 12) originating in Turkey amounted to 600 % of 1984 imports;

Whereas in the first six months of 1985 imports into Germany of underpants (category 13) originating in Turkey amounted to 318 % of 1984 imports; whereas in the first seven months of 1985 imports into the United Kingdom of the same products amounted to 127 % of 1984 imports;

Whereas in the first seven months of 1985 imports into France and the United Kingdom of dresses (category 26) amounted respectively to 130 % and 107 % of 1984 imports;

Whereas the volume of this increase makes it necessary to take immediate action aimed at avoiding irreparable damage to producers in France, Germany and the United Kingdom; 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 the cumulative disturbance of the Community market should not be exacerbated by a concentration of imports in the initial period of application of quantitative restrictions; whereas imports to the Community should be as regularly phased as possible,

(1) OJ No L 192, 26. 8. 1971, p. 14.

(2) OJ No L 320, 15. 12. 1979, p. 9.

(3) OJ No L 331, 19. 12. 1984, p. 14.

(4) OJ No L 335, 22. 12. 1984, p. 28.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The importation into the Community of the textile products of categories 4, 5, 6, 8, 20 and 83 listed in Annex I, originating in Turkey, shall be subject to the quantitative limits fixed therein.

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.

*Article 2*

1. The importation into Germany of the textile products of category 12 listed in Annex II, originating in Turkey, shall be subject 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 before the entry into force of this Regulation.

*Article 3*

1. The importation into Germany and the United Kingdom of the textile products of category 13 listed in Annex II, originating in Turkey, shall be subject 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 and the United Kingdom before the entry into force of this Regulation.

*Article 4*

1. The importation into France and the United Kingdom of the textile products of category 26 listed in Annex II, originating in Turkey, shall be subject 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 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 July 1986.

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

Done at Brussels, 20 September 1985.

*For the Commission*

Willy DE CLERCQ

*Member of the Commission*

## ANNEX I

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits	
							from 21 September 1985 to 31 July 1986	of which (*) from 21 September to 31 December 1985
4	60.04	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	16 175	3 875
	2 090						260	
5	60.05	60.05-01, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43	Outer garments and other articles, knitted or crocheted, not elastic or rubberized :  A. Outer garments and clothing accessories :  Jerseys, pullovers, slip-overs, waist-coats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	Turkey	D F I BNL UK IRL DK GR  EEC	1 000 pieces	8 300	1 500
	220						70	
6	61.01	61.01-62, 64, 66, 72, 74, 76	Men's and boys' outer garments :	Turkey	D F I BNL UK IRL DK GR  EEC	1 000 pieces	6 600	1 850
	350						100	
	61.02	61.02-66, 68, 72	Women's, girls' and infants' outer garments :				415	115
	9						3	
							8 521	2 392

(\*) Those quantities not used by 31 December 1985 may be allotted up to 31 July 1986.

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits	
							from 21 September 1985 to 31 July 1986	of which (1) from 21 September to 31 December 1985
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	D F I BNL UK IRL DK GR  EEC	1 000 pieces	6 100 1 230 200 570 330 15 25 4	1 900 30 20 170 30 5 5 2
20	62.02 B 1 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 F I BNL UK IRL DK GR  EEC	Tonnes	990 250 245 1 500 340 6 27 6	250 90 45 450 60 2 12 2
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	1 255 131 28 68 179 7 9 4	300 31 7 16 42 2 2 1

(1) Those quantities not used by 31 December 1985 may be allotted up to 31 July 1986.

## ANNEX II

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits	
							from 21 September 1985 to 31 July 1986	of which (*) from 21 September to 31 December 1985
12	60.03 A B I II b) C D	60.03-11, 19, 20, 27, 30, 90	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized :  Other than women's stockings of synthetic textile fibres	Turkey	D	1 000 pairs	13 600	3 600
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 UK	1 000 pieces	8 200 1 500	2 300 100
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 UK	1 000 pieces	270 200	20 20

(\*) Those quantities not used by 31 December 1985 may be allotted up to 31 July 1986.

COMMISSION REGULATION (EEC) No 3559/85

of 16 December 1985

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80 and (EEC) No 2295/82 on Community surveillance of imports of certain textile products originating respectively in Malta, 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 <sup>(1)</sup>, 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 <sup>(2)</sup>, the period of validity of which was last extended by Regulation (EEC) No 3558/85 <sup>(3)</sup>, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulations (EEC) No 3044/79 <sup>(4)</sup>, (EEC) No 1782/80 <sup>(5)</sup> and (EEC) No 2295/82 <sup>(6)</sup>, as last amended by Regulation (EEC) No 3581/82 <sup>(7)</sup>, 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 1985, as regards Regulation (EEC) No 3552/84 <sup>(8)</sup>;

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, Egypt and Turkey, established respectively by Regulations (EEC) No 3044/79, (EEC) No 1782/80 and (EEC) No 2295/82, is hereby extended until 31 December 1986.

*Article 2*

This Regulation shall enter into force on 1 January 1986.

It shall apply until 31 December 1986.

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

Done at Brussels, 16 December 1985.

*For the Commission*

Willy DE CLERCQ

*Member of the Commission*

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<sup>(1)</sup> OJ No L 35, 9. 2. 1982, p. 1.  
<sup>(2)</sup> OJ No L 320, 15. 12. 1979, p. 9.  
<sup>(3)</sup> See page 21 of this Official Journal.  
<sup>(4)</sup> OJ No L 343, 31. 12. 1979, p. 8.  
<sup>(5)</sup> OJ No L 174, 9. 7. 1980, p. 16.  
<sup>(6)</sup> OJ No L 245, 20. 8. 1982, p. 25.  
<sup>(7)</sup> OJ No L 373, 31. 12. 1982, p. 64.  
<sup>(8)</sup> OJ No L 331, 19. 12. 1983, p. 20.



**COMMISSION REGULATION (EEC) No 3652/85**  
**of 20 December 1985**  
**amending Regulation (EEC) No 2819/79 as regards certain textile products**  
**(categories 2, 9, ex 32 and 56) 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 288/82 of 5 February 1982 on common rules for imports<sup>(1)</sup>, and in particular Article 10 thereof,

After consultation within the Advisory Committee set up by Article 5 of that Regulation,

Whereas Commission Regulation (EEC) No 2819/79<sup>(2)</sup>, as last amended by Regulation (EEC) No 3558/85<sup>(3)</sup>, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas Turkey has introduced administrative procedures to provide rapid information on the trend of trade in certain textile products;

Whereas a system of administrative cooperation has been established between the European Economic Community and Turkey with regard to trade in certain textile products referred in the Annex to this Regulation;

Whereas, in order to be effective, such administrative cooperation must have a consistent statistical basis;

Whereas it is appropriate that this Regulation should not apply in respect of those products referred to in the Annex to this Regulation, in so far as these originated in Turkey and have been introduced into the customs territory of the Community prior to its entry into force, but

have not been released into free circulation in the Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the other provisions of Commission Regulation (EEC) No 2819/79, the import document referred to in Article 2 of that Regulation shall be issued or endorsed for the products listed in the Annex hereto only on presentation of a Turkish 'Export Advice Note'.

The said export advice note shall be issued by the Istanbul, Izmir, Curkurova and Antalya textile exporters associations.

Any export advice note should be presented to the competent authorities in the Member States within one month of its date of issue.

The import document referred to in Article 2 of Regulation (EEC) No 2819/79 may be used for two months from the date of issue. In exceptional circumstances that period may be extended by a month.

*Article 2*

This Regulation shall enter into force on 1 January 1986.

It shall not apply in respect of products originating in Turkey which have previously been introduced into the customs territory of the Community, but which have not been released into free circulation in the Community.

It shall apply until 31 December 1986.

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

Done at Brussels, 20 December 1985.

*For the Commission*  
Willy DE CLERCQ  
*Member of the Commission*

<sup>(1)</sup> OJ No L 35, 9. 2. 1982, p. 1.

<sup>(2)</sup> OJ No L 320, 15. 12. 1979, p. 9.

<sup>(3)</sup> OJ No L 339, 18. 2. 1985, p. 21.

ANNEX

Category	CCT heading No	NIMEXE code (1986)	Description	Units
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	Tonnes
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	Tonnes
ex 32	ex 58.04	58.04-69	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): of cotton, other than épinglé (uncut) textile fibres and other than welt pile fabrics	Tonnes
56	56.06 A	56.06-11, 15	Yarn of man-made fibres (discontinuous or waste), put up for retail sale : Yarn of synthetic textile fibres (discontinuous or waste), put up for retail sale	Tonnes

COUNCIL REGULATION (EEC) No 3665/85

of 20 December 1985

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 (1986)

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 <sup>(1)</sup> consequent on the accession of new Member States, the Community has undertaken, in an Interim Agreement <sup>(2)</sup> 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 1986 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 705 000 tonnes, above which the customs duties applicable to third countries may be reintroduced;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey <sup>(3)</sup>;

Whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas, this Regulation therefore 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 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 take 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.

<sup>(1)</sup> OJ No L 293, 29. 12. 1972, p. 4.

<sup>(2)</sup> OJ No L 277, 3. 10. 1973, p. 2.

<sup>(3)</sup> OJ No L 382, 31. 12. 1980, p. 1.

HAS ADOPTED THIS REGULATION

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 705 000 tonnes.

*Article 1*

1. From 1 January to 31 December 1986 the Common Customs Tariff duties shall, subject to Article 2, be totally

2. The petroleum products to which paragraph 1 applies are the following:

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, pest 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 1986.

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

Done at Brussels, 20 December 1985.

*For the Council*

*The President*

R. KRIEPS

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COUNCIL REGULATION (EEC) No 3666/85

of 20 December 1985

on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

HAS ADOPTED THIS REGULATION:

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

Having regard to 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<sup>(1)</sup> 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 State 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 1986 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 Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey<sup>(2)</sup>; whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas, this Regulation therefore applies to the Community of Nine.

*Article 1*

1. From 1 January until 31 December 1986 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<sup>(3)</sup>, as amended by Decision No 1/75 annexed to Regulation (EEC) No 1431/75<sup>(4)</sup>.

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<sup>(5)</sup>.

*Article 2*

When the imports of products benefiting from the arrangements provided for in Article 1 come into the 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.

<sup>(1)</sup> OJ No L 323, 29. 11. 1980, p. 1.

<sup>(2)</sup> OJ No L 382, 31. 12. 1980, p. 1.

<sup>(3)</sup> OJ No L 59, 5. 3. 1973, p. 73.

<sup>(4)</sup> OJ No L 142, 4. 6. 1975, p. 1.

<sup>(5)</sup> OJ No L 112, 8. 4. 1983, p. 1.

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 be 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 1986.

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

Done at Brussels, 20 December 1985.

*For the Council*

*The President*

R. KRIEPS

ANNEX

List of products falling within Chapters 1 to 24 originating in Turkey for which there are grounds for total or partial suspension of the Common Customs Tariff

CCT heading No	Description	Rate of duty
07.01	Vegetables, fresh or chilled: T. Other: ex II. Aubergines, from 1 to 14 January ex III. Other: — Okra ( <i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	9 %     Free
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: ex E. Other vegetables: — Okra ( <i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Horse-radish ( <i>Cochlearia armoracia</i> )	Free
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: ex B. Bananas: — Dried	Free
ex 08.09	Other fruit, fresh: — Rose-hips fruit — Watermelons, from 1 November to 31 March	Free 6,5 %
08.10	Fruit, (whether or not cooked), preserved by freezing, not containing added sugar: ex D. Other: — Rose-hips fruit	Free



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	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	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/cm<sup>3</sup> 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 c) 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 3667/85

of 20 December 1985

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 (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular 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 agricultural products originating in Turkey (1) 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 1986;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 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 in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and

Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure in question applies therefore to the Community of Nine;

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;

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 1982, 1983 and 1984; whereas they represent the following percentage of the total imports into the Community from Turkey:

Member States	1982		1983		1984	
	Tonnes	%	Tonnes	%	Tonnes	%
Benelux	7 017	9,40	6 332	9,37	6 815	8,36
Denmark	1 183	1,58	1 249	1,85	999	1,23
Germany	49 562	66,37	45 649	67,58	53 831	66,06
France	9 529	12,76	7 786	11,53	9 013	11,06
Ireland	50	0,07	30	0,04	22	0,03
Italy	2 533	3,39	746	1,10	2 904	3,56
United Kingdom	4 798	6,44	5 760	8,53	7 901	9,70
Total	74 672		67 552		81 485	

(1) OJ No L 375, 31. 12. 1982, p. 1.

(2) 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 1986 at approximately the following percentages:

Benelux	9,02
Denmark	1,51
Germany	66,66
France	11,73
Ireland	0,05
Italy	2,77
United Kingdom	8,26

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 80 % 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 1986 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 20 000 tonnes shall be shared among the Member states; the shares, which subject to Article 5 shall be valid until 31 December 1986, shall be as follows:

	(tonnes)
Benelux	1 804
Denmark	302
Germany	13 332
France	2 346
Ireland	10
Italy	554
United Kingdom	1 652

3. The second instalment amounting to 5 000 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.

The 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 1986.

*Article 5*

Member States shall return to the reserve, not later than 1 October 1986, the unused portion of their initial shares which on 15 September 1986 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 1986, of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1986 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.

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

Done at Brussels, 20 December 1985.

It shall notify the Member States, not later than 5 October 1986, 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 aggregate 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 1986.

*For the Council*

*The President*

R. KRIEPS









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