

COUNCIL OF THE EUROPEAN COMMUNITIES

# COMPILATION OF TEXTS

## III

### ASSOCIATIONS

EEC-CYPRUS  
EEC-MALTA  
EEC-TURKEY

1 January — 31 December 1986





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EEC-CYPRUS

	<u>Page</u>
<u>PROVISIONS WITHIN THE EEC</u>	
Council Regulation (EEC) No 881/86 of 24 March 1986 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 (1986)	23
Council Regulation (EEC) No 1216/86 of 22 April 1986 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 (1986)	25
Council Regulation (EEC) No 1217/86 of 22 April 1986 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 (1986)	28
Council Regulation (EEC) No 2882/86 of 15 September 1986 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 (1986)	31
Commission Decision 86/463/EEC of 3 September 1986 concerning animal health conditions and veterinary certification for importation of fresh meat from Cyprus	33

	Page
Commission Regulation (EEC) No 3295/86 of 29 October 1986 introducing a countervailing charge on lemons originating in Cyprus	36
Commission Regulation (EEC) No 3381/86 of 4 November 1986 abolishing the countervailing charge on lemons originating in Cyprus	38
Commission Regulation (EEC) No 3502/86 of 17 November 1986 applying the duty in the Common Customs Tariff to fresh lemons originating in Cyprus	39
Commission Regulation (EEC) No 3577/86 of 24 November 1986 repealing Regulation (EEC) No 3502/86 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus	41
Commission Regulation (EEC) No 3757/86 of 9 December 1986 introducing a countervailing charge on clementines originating in Cyprus	42
Commission Regulation (EEC) No 3870/86 of 18 December 1986 abolishing the counter- vailing charge on clementines originating in Cyprus	44
Commission Regulation (EEC) No 3919/86 of 22 December 1986 applying the duty in the Common Customs Tariff to fresh lemons originating in Cyprus	45



Page

Council Regulation (EEC) No 3973/86 of 22 December 1986 concerning the application of the Protocols on financial and technical co-operation concluded between the Community and Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan, Syria, Malta and Cyprus	47
Council Regulation (EEC) No 4113/86 of 22 December 1986 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 (1987)	51
Council Regulation (EEC) No 4119/86 of 22 December 1986 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 (1987)	53
Council Regulation (EEC) No 4120/86 of 22 December 1986 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 (1987)	57
Council Regulation (EEC) No 4121/86 of 22 December 1986 opening 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 (1987)	60
Council Regulation (EEC) No 4122/86 of 22 December 1986 establishing ceilings and Community surveillance of imports of certain textile products originating in Cyprus (1987)	62

Council Regulation (EEC) No 4125/86 of  
22 December 1986 opening, allocating  
and providing for the administration of  
a Community tariff quota for certain  
dried grapes, falling within subheading  
No 08.04 B I of the Common Customs Tariff  
and originating in Cyprus (1987)

EEC-MALTA

Page

GENERAL MATTERS

Provisions within the Community relating  
to the Association Agreement

Council Regulation (EEC) No 374/86 of  
17 February 1986 on the application of  
Decision No 1/86 of the EEC-Malta  
Association Council again amending  
Articles 6 and 17 of the Protocol  
concerning the definition of the concept  
of "originating products" and methods of  
administrative co-operation

71

Council Regulation (EEC) No 3878/86 of  
16 December 1986 concerning the application  
of Decision No 2/86 of the EEC-Malta  
Association Council extending Decision No 2/84  
derogating from the provisions concerning the  
definition of the concept of originating  
products laid down in the Agreement  
establishing an association between the  
European Economic Community and Malta in  
respect of intermediate frequency transformers

72

DECISIONS OF THE ASSOCIATION COUNCIL

Decision No 1/86 of the EEC-Malta Association Council of 15 January 1986 again amending Articles 6 and 17 of the Protocol concerning the definition of the concept of "originating products" and methods of administrative co-operation	75
Decision No 2/86 of the EEC-Malta Association Council of 16 December 1986 extending Decision No 2/84 derogating from the provisions concerning the definition of the concept of originating products laid down in the Agreement establishing an association between the European Economic Community and Malta in respect of intermediate frequency transformers	76

PROVISIONS WITHIN THE EEC

Council Regulation (EEC) No 2357/86 of 24 July 1986 amending Regulations (EEC) No 3555/80, (EEC) No 3394/85 and (EEC) No 3668/85 as regards imports into Greece of certain products originating in Malta	79
Council Regulation (EEC) No 2458/86 of 7 July 1986 on the conclusion of a Protocol on financial and technical co-operation between the European Economic Community and the Republic of Malta	81
Protocol on financial and technical co-operation between the European Economic Community and the Republic of Malta	82
Information concerning the date of entry into force of the Protocol on financial and technical co-operation between the European Economic Community and the Republic of Malta signed in Brussels on 4 December 1985	87
Council Regulation (EEC) No 3973/86 of 22 December 1986 concerning the application of the Protocols on financial and technical co-operation concluded between the Community and Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan, Syria, Malta and Cyprus	88

Commission Regulation (EEC) No 3981/86 of 22 December 1986 extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 and amending Regulation (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating in Malta, Egypt and Turkey	92
Council Regulation (EEC) No 4010/86 of 16 December 1986 establishing ceilings and Community surveillance of imports of certain products originating in Malta (1987)	95
Council Regulation (EEC) No 4111/86 of 22 December 1986 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 (1987)	98

EEC-TURKEY

Page

GENERAL MATTERS

1. Association Agreement and related texts

Information regarding the date of entry into force of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey and the Supplementary Protocol on products within the province of the European Coal and Steel Community, signed on 30 June 1973

109

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 1985 to 28 February 1986

110

2. Provisions within the Community relating to the Association Agreement

Council Regulation (EEC) No 442/86 of 17 February 1986 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 1985 to 28 February 1986

113

PROVISIONS WITHIN THE EEC

Council Regulation (EEC) No 415/86 of 17 February 1986 amending Regulation (EEC) No 1180/77 on imports into the Community of certain agricultural products originating in Turkey (1985/1986)

117

Decision 86/69/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, and the Commission of 24 February 1986 determining the arrangements to be applied with regard to imports into Spain and Portugal, originating in Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey and Yugoslavia of products falling within the ECSC Treaty

118

Commission Regulation (EEC) No 1667/86 of 29 May 1986 introducing a countervailing charge and suspending the preferential customs duty on imports of tomatoes originating in Turkey

120

Commission Regulation (EEC) No 1755/86 of 5 June 1986 abolishing the countervailing charge and re-establishing a preferential customs duty on imports of tomatoes originating in Turkey

122



Commission Regulation (EEC) No 1769/86 of 6 June 1986 amending Regulation (EEC) No 2819/79 as regards certain textile products (categories 4, 5, 6, 7, 8, 12, 13, 20, 39 and 83) originating in Turkey	123
Commission Regulation (EEC) No 1770/86 of 6 June 1986 repealing Regulation (EEC) No 2662/85 making the importation of certain textile products originating in Turkey subject to quantitative limitation	128
Council Regulation (EEC) No 1910/86 of 16 June 1986 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	129
Commission Regulation (EEC) No 1971/86 of 26 June 1986 amending Regulation (EEC) No 2819/79 as regards certain textile products (category 73) originating in Turkey	131
Commission Regulation (EEC) No 2138/86 of 8 July 1986 introducing a countervailing charge and suspending the preferential customs duty on imports of tomatoes originating in Turkey	135
Commission Regulation (EEC) No 2254/86 of 17 July 1986 abolishing the countervailing charge and re-establishing a preferential customs duty on imports of tomatoes originating in Turkey	137
Commission Regulation (EEC) No 2592/86 of 19 August 1986 introducing a countervailing charge on table grapes originating in Turkey	138

Commission Regulation (EEC) No 2676/86 of 28 August 1986 introducing a countervailing charge on table grapes originating in Turkey	140
Commission Regulation (EEC) No 2859/86 of 16 September 1986 introducing a countervailing charge and suspending the preferential customs duty on imports of lemons originating in Turkey	141
Commission Regulation (EEC) No 2924/86 of 23 September 1986 amending Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey	143
Commission Regulation (EEC) No 2981/86 of 29 September 1986 amending for the second time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey	144
Commission Regulation (EEC) No 3048/86 of 3 October 1986 amending for the third time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey	145

	<u>Page</u>
Commission Regulation (EEC) No 3124/86 of 14 October 1986 amending for the fourth time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey	146
Commission Regulation (EEC) No 3215/86 of 22 October 1986 amending for the fifth time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey	147
Commission Regulation (EEC) No 3314/86 of 30 October 1986 abolishing the countervailing charge and re-establishing a preferential customs duty on imports of lemons originating in Turkey	148
Commission Regulation (EEC) No 3687/86 of 2 December 1986 introducing a countervailing charge and suspending the preferential customs duty on imports of lemons originating in Turkey	149
Commission Regulation (EEC) No 3981/86 of 22 December 1986 extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 and amending Regulation (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating in Malta, Egypt and Turkey	151
Council Regulation (EEC) No 4115/86 of 22 December 1986 on import into the Community of agricultural products in Turkey	154

Page

Council Regulation (EEC) No 4116/86 of  
22 December 1986 on the total or partial  
suspension of Common Customs Tariff duties  
on certain agricultural products originating  
in Turkey (1987) 159

Council Regulation (EEC) No 4117/86 of  
22 December 1986 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 (1987) 162

Council Regulation (EEC) No 4126/86 of  
22 December 1986 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 (1987) 165

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**EEC-CYPRUS Association**

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.

PROVISIONS WITHIN THE EEC





**COUNCIL REGULATION (EEC) No 881/86  
of 24 March 1986**

**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 (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 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 last amended by Regulation (EEC) No 3682/85<sup>(2)</sup>, provides, for the period 1 April to 15 May 1986 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, in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Council adopted Regulation (EEC) No 449/86 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries<sup>(3)</sup>; whereas this Regulation applies therefore to the Community of Ten;

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,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 April to 15 May 1986, 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 in the Community of Ten be suspended at 6,8 % within the limits of a Community tariff quota of 2 500 tonnes.

The Protocol on the definition of the concept of originating products' and on methods of administrative cooperation<sup>(4)</sup>, 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.

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

<sup>(2)</sup> OJ No L 351, 28. 12. 1985, p. 9.

<sup>(3)</sup> OJ No L 50, 28. 2. 1986, p. 40.

<sup>(4)</sup> OJ No L 339, 28. 12. 1977, p. 19.

*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.

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 1986.

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

Done at Brussels, 24 March 1986.

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

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**COUNCIL REGULATION (EEC) No 1216/86  
of 22 April 1986**

**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 (1986)**

THE COMMISSION 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 3682/85 (<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, in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Council adopted Regulation (EEC) No 449/86 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries (<sup>(3)</sup>); whereas this Regulation 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 imports into the Community from Cyprus of the products concerned:

Member States	1982	1983	1984
Benelux	4,8	6,2	6,2
Denmark	—	—	—
Germany	4,4	1,9	4,0
Greece	—	—	—
France	—	—	—
Ireland	—	0,2	0,8
Italy	—	—	—
United Kingdom	90,8	91,7	89,0

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	3,3
Greece	0,1
France	0,1
Ireland	0,3
Italy	0,1
United Kingdom	91,0

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 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;

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

(<sup>2</sup>) OJ No L 351, 28. 12. 1985, p. 9.

(<sup>3</sup>) OJ No L 50, 28. 2. 1986, p. 40.

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

From 16 May to 30 June 1986, 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.

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 1986, shall be as follows:

	<i>(tonnes)</i>
Benelux	2 750
Denmark	50
Germany	1 810
Greece	50
France	50
Ireland	160
Italy	50
United Kingdom	50 080

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 1986.

(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 1986, such unused portion of their initial share as, on 10 June 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 15 June 1986, of the total quantities of the products in question imported up to 10 June 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 20 June 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 16 May 1986.

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

Done at Luxembourg, 22 April 1986.

*For the Council*

*The President*

H. van den BROEK

COUNCIL REGULATION (EEC) No 1217/86

of 22 April 1986

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 (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 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 (<sup>1</sup>), as amended by Regulation (EEC) No 3682/85 (<sup>2</sup>), 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 1986; whereas the Community tariff quota in question should therefore be opened for this period;

Whereas, in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Council adopted Regulation (EEC) No 449/86 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries (<sup>3</sup>); whereas this Regulation 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 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 1986, 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 :

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

(<sup>2</sup>) OJ No L 351, 28. 12. 1985, p. 9.

(<sup>3</sup>) OJ No L 50, 28. 2. 1986, p. 40.

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

*Article 2*

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

2. The first tranche, amounting to 6 476 tonnes, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 July 1986, 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 1986.

*Article 5*

The Member States shall return to the reserve, not later than 15 July 1986, such unused portion of their initial share as, on 10 July 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 15 July 1986, of the total quantity of the products in question imported up to 10 July 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 State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 July 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 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 1986.

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

Done at Luxembourg, 22 April 1986.

*For the Council*

*The President*

H. van den BROEK

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COUNCIL REGULATION (EEC) No 2882/86  
of 15 September 1986

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 (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 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 3682/85 (2), provides for the opening, in respect of the period 1 October to 30 November 1986, 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 according to Article 1 of Council Regulation (EEC) No 449/86 of 24 February 1986 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries (3), the provisions applicable by Spain and Portugal to trade with Cyprus shall be subject to the tariff treatment and other trade rules applied to third countries enjoying most favoured-nation treatment; whereas, therefore, this Regulation applies only to the Community as constituted on 31 December 1985;

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 1986, 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, in the Community as constituted on 31 December 1985, be suspended at 6,4 % within the limits of a 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.

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

(2) OJ No L 351, 28. 12. 1985, p. 9.

(3) OJ No L 50, 28. 2. 1986, p. 40.

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 1986.

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

Done at Brussels, 15 September 1986.

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

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COMMISSION DECISION  
of 3 September 1986  
concerning animal health conditions and veterinary certification for importation of fresh meat from Cyprus

(86/463/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries<sup>(1)</sup>, as last amended by Regulation (EEC) No 3768/85<sup>(2)</sup>, and in particular Article 16 thereof,

Having regard to Commission Decision 86/425/EEC of 29 July 1986 supplementing, by the addition of Cyprus, the list of third countries from which Member States authorize imports of bovine animals, swine and fresh meat<sup>(3)</sup>,

Whereas, following a Community veterinary mission, it appears that the animal health situation in Cyprus is good and is controlled by well-structured and organized veterinary services, particularly as regards diseases transmissible through meat; whereas production of fresh meat for export to the Community will be supervised by an official veterinarian appointed by the Department of Veterinary Services;

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

Whereas the responsible authorities of Cyprus have undertaken to notify the Commission of the European Communities and the Member States, by telex or telegram, within 24 hours at the latest, of the confirmation of the occurrence of either of the abovementioned diseases or the adoption of vaccination against either of them;

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

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

HAS ADOPTED THIS DECISION:

*Article 1*

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

*Article 2*

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

*Article 3*

This Decision shall apply with effect from 1 August 1986.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussel, 3 September 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 362, 31. 12. 1985, p. 8.

<sup>(3)</sup> OJ No L 243, 28. 8. 1986, p. 34.

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat <sup>(1)</sup> of bovine animals, swine, sheep, goats and domestic solipeds intended for consignment to the European Economic Community

Country of destination : .....

Reference number of the public health certificate <sup>(2)</sup> : .....

Exporting country : Cyprus

Ministry : .....

Department : .....

References : .....  
(Optional)

I. Identification of meat :

Meat of : .....  
(Animal species)

Nature of cuts : .....

Nature of packaging : .....

Number of cuts or packages : .....

Net weight : .....

II. Origin of meat :

Address(es) and veterinary approval number(s) <sup>(3)</sup> of the approved slaughterhouse(s) : .....

.....

Address(es) and veterinary approval number(s) <sup>(3)</sup> of the approved cutting plant(s) : .....

.....

.....

III. Destination of meat :

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

to : .....  
(Country and place of destination)

by the following means of transport <sup>(4)</sup> : .....

Name and address of consignor : .....

.....

Name and address of consignee : .....

.....

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

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

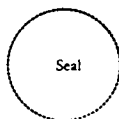
<sup>(3)</sup> For aircraft, the flight number should be given and for ships the name.

**IV. Attestation of health**

I, the undersigned, official veterinarian, certify that the fresh meat described above has been obtained from :

- animals which have remained in the territory of Cyprus for at least three months before being slaughtered, or since birth in the case of animals less than three months old ;
- in the case of fresh meat from swine, animals which have not come from holdings which are subject to prohibition for health reasons as a result of an outbreak of porcine brucellosis during the previous six weeks ;
- in the case of fresh meat from sheep and goats, animals which have not come from holdings which are subject to prohibition for health reasons as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks.

Done at ....., on .....



.....

(Signature of official veterinarian appointed  
by the Department of Veterinary Services)

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COMMISSION REGULATION (EEC) No 3295/86

of 29 October 1986

introducing a countervailing charge on lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<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 1661/86 of 29 May 1986 fixing for the 1986/1987 marketing year the reference prices for lemons<sup>(3)</sup> fixed the reference price for products of class I for the month of October 1986 at 47,66 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all 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 Regulation

(EEC) No 3811/85<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 lemons originating in Cyprus 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 lemons;

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 corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85<sup>(6)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of 1,08 ECU per 100 kilograms net is applied to lemons (subheading 08.02 C of the Common Customs Tariff) originating in Cyprus.

*Article 2*

This Regulation shall enter into force on 31 October 1986.

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 39.

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

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 29 October 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 3381/86  
of 4 November 1986  
abolishing the countervailing charge on lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 3295/86 of 29 October 1986<sup>(3)</sup>, introduced a countervailing charge on lemons originating in Cyprus;

Whereas the present trend of prices for products originating in Cyprus on the representative markets referred to in Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by Regulation (EEC) No 3811/85<sup>(5)</sup>, recorded or calculated

in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3295/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 5 November 1986.

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

Done at Brussels, 4 November 1986.

*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 119, 8. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 304, 30. 10. 1986, p. 27.  
<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.  
<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.



**COMMISSION REGULATION (EEC) No 3502/86**  
of 17 November 1986  
applying the duty in the Common Customs Tariff to fresh lemons originating in  
Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus<sup>(1)</sup>, and in particular Article 5 thereof;

Whereas Article 5 (2) and (3) of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus provides for a reduced rate of duty on imports into the Community of fresh lemons originating in Cyprus; whereas, during the period in which reference prices are applied, this reduction is dependent on the observance of a specified price on the Community market; whereas detailed rules for the application of this system are contained in Regulation (EEC) No 1252/73;

Whereas, in certain respects, these rules refer to provisions of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(2)</sup> as last amended by Regulation (EEC) No 1351/86<sup>(3)</sup>;

Whereas Regulation (EEC) No 1252/73 provides that, where products are imported, the duty in the Common Customs Tariff is applied where quotations for that product, in accordance with the provisions of Article 24 (2) of Regulation (EEC) No 1035/72 recorded on the representative Community markets at the importer/wholesaler stage or converted to that stage, adjusted by the conversion factors and following deduction of import charges other than customs duties, remain lower than the reference price in force, plus the incidence of the Common Customs Tariff on that price and a standard amount fixed at 1,2 units of account (1,44 ECU) per 100 kilograms, for three consecutive market days on the representative markets of the Community with the lowest quotations;

Whereas the conversion factors and import charges other than customs duties are those used for the purpose of

calculating the entry price referred to in Regulation (EEC) No 1035/72; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 of Regulation (EEC) No 1252/73;

Whereas, if the system is to operate normally, it 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 corrective factor provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85<sup>(4)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas application of these rules to quotations recorded for lemons imported into the Community and originating in Cyprus indicates that the conditions set out in the first paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas the duty in the Common Customs Tariff should, therefore, be applied to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 19 November 1986, the duty in the Common Customs Tariff shall be applied to fresh lemons (subheading 08.02 C of the Common Customs Tariff) imported into the Community and originating in Cyprus.

*Article 2*

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

<sup>(1)</sup> OJ No L 133, 21. 5. 1973, p. 113.

<sup>(2)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(3)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 17 November 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 3577/86  
of 24 November 1986  
repealing Regulation (EEC) No 3502/86 applying the duty in the Common  
Customs Tariff to imports of fresh lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 3502/86<sup>(2)</sup> applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1252/73, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down

in Article 3 of that Regulation for three consecutive market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Cypriot products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas Regulation (EEC) No 3502/86 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Commission Regulation (EEC) No 3502/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 25 November 1986.

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

Done at Brussels, 24 November 1986.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

<sup>(1)</sup> OJ No L 133, 21. 5. 1973, p. 113.

<sup>(2)</sup> OJ No L 323, 18. 10. 1986, p. 12.

COMMISSION REGULATION (EEC) No 3757/86  
of 9 December 1986

introducing a countervailing charge on clementines originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86 (<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 3208/86 of 22 October 1986 fixing for the 1986/87 marketing year the reference prices for clementines (<sup>3</sup>) fixed the reference price for products of class I for the period from 1 November 1986 to 28 February 1987 at 59,57 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all 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 Commission Regulation (EEC) No 2118/74 (<sup>4</sup>), as last amended by

Regulation (EEC) No 3811/85 (<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 clementines originating in Cyprus the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these clementines;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 (<sup>6</sup>),
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of 22,03 ECU per 100 kilograms net is applied to clementines (subheading 08.02 B I of the Common Customs Tariff) originating in Cyprus.

*Article 2*

This Regulation shall enter into force on 11 December 1986.

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

(<sup>2</sup>) OJ No L 119, 8. 5. 1986, p.46.

(<sup>3</sup>) OJ No L 299, 23. 10. 1986, p. 14.

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

(<sup>5</sup>) OJ No L 368, 31. 12. 1985, p. 1.

(<sup>6</sup>) OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 9 December 1986.

*For the Commission*  
FRANS ANDRIESEN  
*Vice-President*

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COMMISSION REGULATION (EEC) No 3870/86  
of 18 December 1986

**abolishing the countervailing charge on clementines originating in Cyprus**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European  
Economic Community,

Having regard to the Act of Accession of Spain and  
Portugal,

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 1351/86<sup>(2)</sup>, and in particular the  
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 3757/86<sup>(3)</sup>  
introduced a countervailing charge on clementines origin-  
ating in Cyprus;

Whereas for clementines originating in Cyprus there were  
no prices for six consecutive working days; whereas the

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3757/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 19 December  
1986.

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

Done at Brussels, 18 December 1986.

*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 119, 8. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 348, 10. 12. 1986, p. 43.

COMMISSION REGULATION (EEC) No 3919/86

of 22 December 1986

applying the duty in the Common Customs Tariff to fresh lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus<sup>(1)</sup>, and in particular Article 5 thereof;

Whereas Article 5 (2) and (3) of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus provides for a reduced rate of duty on imports into the Community of fresh lemons originating in Cyprus; whereas, during the period in which reference prices are applied, this reduction is dependent on the observance of a specified price on the Community market; whereas detailed rules for the application of this system are contained in Regulation (EEC) No 1252/73;

Whereas, in certain respects, these rules refer to provisions of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(2)</sup> as last amended by Regulation (EEC) No 1351/86<sup>(3)</sup>;

Whereas Regulation (EEC) No 1252/73 provides that, where products are imported, the duty in the Common Customs Tariff is applied where quotations for that product, in accordance with the provisions of Article 24 (2) of Regulation (EEC) No 1035/72 recorded on the representative Community markets at the importer/wholesaler stage or converted to that stage, adjusted by the conversion factors and following deduction of import charges other than customs duties, remain lower than the reference price in force, plus the incidence of the Common Customs Tariff on that price and a standard amount fixed at 1,2 units of account (1,44 ECU) per 100 kilograms, for three consecutive market days on the representative markets of the Community with the lowest quotations;

Whereas the conversion factors and import charges other than customs duties are those used for the purpose of

calculating the entry price referred to in Regulation (EEC) No 1035/72; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 of Regulation (EEC) No 1252/73;

Whereas, if the system is to operate normally, it 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 corrective factor provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85<sup>(4)</sup>,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas application of these rules to quotations recorded for lemons imported into the Community and originating in Cyprus indicates that the conditions set out in the first paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas the duty in the Common Customs Tariff should, therefore, be applied to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 24 December 1986, the duty in the Common Customs Tariff shall be applied to fresh lemons (subheading 08.02 C of the Common Customs Tariff) imported into the Community and originating in Cyprus.

*Article 2*

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

<sup>(1)</sup> OJ No L 133, 21. 5. 1973, p. 113.

<sup>(2)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(3)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 1

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

Done at Brussels, 22 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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**COUNCIL REGULATION (EEC) No 3973/86**  
of 22 December 1986

concerning the application of the Protocols on financial and technical cooperation concluded between the Community and Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan, Syria, Malta and Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 209 and 235 thereof,

Having regard to the Regulations concerning the conclusion of the Protocols on financial and technical cooperation between the European Economic Community and Algeria<sup>(1)</sup>, Morocco<sup>(2)</sup>, Tunisia<sup>(3)</sup>, Egypt<sup>(4)</sup>, Lebanon<sup>(5)</sup>, Jordan<sup>(6)</sup>, Syria<sup>(7)</sup>, Malta<sup>(8)</sup> and Cyprus<sup>(9)</sup>, hereinafter referred to as 'Protocols',

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Court of Auditors<sup>(10)</sup>,

Whereas these Protocols lay down the amount of Community aid granted to each of these countries and contain specific points for each particular case; whereas, however, common implementing rules should be established;

Whereas detailed rules for the administration of aid not covered by the own resources of the European Investment Bank, hereinafter referred to as 'the Bank', must be laid down;

Whereas the rules for the administration of financial cooperation should be determined, the procedure for laying down guidelines for aid and for examining and approving it should be established, and the detailed rules for supervising the use of that aid should be fixed;

Whereas the Treaty has not provided the powers necessary for this purpose other than those under Article 235;

Whereas a committee of representatives of the Government of the Member States should be set up at the Commission;

Whereas it should be stipulated that the draft financing decisions drawn up by the Bank for operations not

covered by its own resources should be submitted for opinion to a committee of representatives of the Governments of the Member States;

Whereas work by the Commission and the Bank to apply the Protocols should be harmonized;

Whereas on 16 July 1974 the Council adopted a resolution on the harmonization and coordination of Member States' cooperation policies,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. In implementing aid to Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan and Syria, the Commission shall be responsible for applying the overall Mediterranean policy and the development cooperation policy defined by the Council and the general guidelines for financial and technical cooperation defined pursuant to the Agreements concluded with these countries and the Protocols.

2. In implementing aid to Malta and Cyprus, the Commission shall be responsible for applying the overall Mediterranean policy and the development cooperation policy defined by the Council and the general guidelines for financial and technical cooperation defined pursuant to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta<sup>(11)</sup>, the Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus<sup>(12)</sup> and the Protocols on financial and technical cooperation concluded with these countries.

*Article 2*

1. The appropriations for the financing of aid not covered by the Bank's own resources shall be administered by the Commission, in accordance with the Financial Regulation applicable to the general budget of the European Communities, subject in particular to Articles 9, 10 and 11 of this Regulation and without prejudice to the Bank's powers in administering certain forms of aid.

<sup>(1)</sup> OJ No L 337, 29. 11. 1982, p. 1.

<sup>(2)</sup> OJ No L 337, 29. 11. 1982, p. 29.

<sup>(3)</sup> OJ No L 337, 29. 11. 1982, p. 43.

<sup>(4)</sup> OJ No L 337, 29. 11. 1982, p. 8.

<sup>(5)</sup> OJ No L 337, 29. 11. 1982, p. 22.

<sup>(6)</sup> OJ No L 337, 29. 11. 1982, p. 15.

<sup>(7)</sup> OJ No L 337, 29. 11. 1982, p. 36.

<sup>(8)</sup> OJ No L 216, 5. 8. 1986, p. 1.

<sup>(9)</sup> OJ No L 85, 28. 3. 1984, p. 37.

<sup>(10)</sup> OJ No C 302, 27. 11. 1986, p. 6.

<sup>(11)</sup> OJ No L 111, 28. 4. 1986, 1976, p. 3.

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

2. However, the detailed rules for administering the appropriations referred to in paragraph 1, particularly with regard to the appointment of financial implementation bodies and the conditions guaranteeing equal competition, in so far as such rules are necessary for the purpose of implementing the Protocols, shall be adopted by common agreement between the Community and each recipient country.

### *Article 3*

1. As regards Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan and Syria, a general mandate shall be given to the Bank by the Commission on behalf of the Community, after consultation of the representatives of the Member States, to administer interest-rate subsidies for loans from its own resources, risk-capital operations and special loans in the industrial, energy, mining, tourism and economic infrastructure sectors.

The Commission shall itself administer grants for technical assistance programmes or schemes, in whatever sector, and special loans in sectors other than those mentioned in the general mandate given to the Bank and specified in the first subparagraph.

2. As regards Malta and Cyprus, a general mandate from the Community shall be given to the Bank by the Commission, after consultation of the representatives of the Member States, to administer interest-rate subsidies for loans from its own resources and risk-capital operations and special loans.

The Commission shall itself administer grants for technical assistance programmes or schemes.

3. The mandates given to the Bank in accordance with paragraphs 1 and 2, and in particular the provisions concerning movements of funds and the remuneration for executing the mandate, shall be the subject of an agreement between the Commission and the Bank after consulting the representatives of the Member States. This agreement shall include the provisions set out in Articles 9, 10 and 11.

Operations covered by the mandates established pursuant to paragraphs 1 and 2 and concerning special loans and risk capital shall be undertaken by the Bank on behalf of, and at the risk of, the Community.

The Bank shall act in accordance with the procedures laid down in its Statute and with the rules laid down in the agreement referred to in the first subparagraph.

### *Article 4*

The Commission shall communicate to the Member States at least once a year the information obtained from the recipient countries on the content and prospects of their development plans, the objectives they have set themselves and the projects already known which are likely to attain these objectives.

The Commission shall compile this information in collaboration with the Bank.

The Member States shall at the same time inform the Commission, which shall in turn inform the other Member States, of any bilateral aid to the recipient countries which has been decided on.

Furthermore, the Commission shall forward to the committee referred to in Article 6 any information available on other bilateral or multilateral aid for the recipient countries.

To this end, and to enable the Member States to be informed, the Commission shall obtain all relevant information on aid provided to the recipient countries.

### *Article 5*

1. The position to be taken by the Community for the purposes of defining the specific objectives of financial and technical cooperation in the Cooperation or Association Councils shall be adopted by the Council acting on a proposal from the Commission, drawn up, in close collaboration with the Bank, on the basis of the information obtained in accordance with Article 4. In the event of disagreement, the Bank shall make its position known to the Council.

2. For the purposes of implementing financial and technical cooperation on the basis of the specific objectives referred to in paragraph 1, the Council shall hold an annual policy debate on the future course of financial cooperation. In so doing, it shall see that due account is taken in particular of the mutual complementarity of the interests involved.

For that policy debate the Commission shall submit to the Council a report drawn up in liaison with the Bank, where the latter is concerned, on the implementation of financial cooperation during the last financial year. The Commission and the Bank shall also notify the Council of the information obtained from the recipient countries on the financing sought and of the operations which the Commission and the Bank intend to submit for opinions to the committees provided for in Articles 6 and 9, in accordance with Articles 7 and 10.

In addition, the Commission and the Bank shall undertake, each for those projects concerning it, an evaluation of the main projects completed in major sectors to establish whether the objectives defined in the appraisal of those projects have been met and to provide guidelines for improving the effectiveness of future aid activities. These evaluation reports shall be made available to all Member States.

### *Article 6*

1. A committee, hereinafter to be called the 'Article 6 Committee', consisting of representatives of the Governments of the Member States, shall be set up at the Commission.

The Article 6 Committee shall be chaired by a representative of the Commission and its secretarial services shall be provided by the Commission.

A representative of the Bank shall take part in its proceedings.

2. The Council, acting unanimously on a proposal from the Commission, shall adopt the rules of procedure of the Article 6 Committee.

3. The Article 6 Committee shall act by a qualified majority in accordance with Article 148 (2) of the Treaty.

4. Within the Article 6 Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

*Article 7*

1. The Article 6 Committee shall give its opinion on draft project or scheme financing decisions submitted to it by the Commission.

2. The draft project or scheme financing decisions shall, in particular, explain the relevance of the projects or schemes concerned to the development prospects of the recipient country or countries and shall assess the effectiveness of each project or scheme by setting the effects it is expected to produce against the resources to be invested in it. Where appropriate, they shall indicate the extent to which the aid already agreed to by the Community for the project or similar projects in that or those countries has been utilized as well as the various external sources helping to finance such projects.

They shall include, in particular, measures aimed at promoting, in accordance with the Protocols, participation by undertakings belonging to recipient countries in carrying out the projects.

*Article 8*

The Commission shall adopt decisions which shall apply immediately. However, if the Article 6 Committee has not delivered a favourable opinion, these decisions shall forthwith be communicated by the Commission to the Council. In that event the Commission shall defer application of the decisions which it has adopted for not more than three months from the date of such communication.

The Council, acting by a qualified majority, may take a different decision with three months.

*Article 9*

1. A Committee consisting of representatives of the Governments of the Member States, hereinafter referred to as the 'Article 9 Committee', shall be set up at the Bank.

The Article 9 Committee shall be chaired by the representative of the Government of the Member State currently holding the Presidency of the Board of Governors of the Bank; its secretariat shall be provided by the Bank.

A representative of the Commission shall take part in its proceedings.

2. The Council, acting unanimously, shall adopt the rules of procedure of the Article 9 Committee.

3. The Article 9 Committee shall act by a qualified majority in accordance with Article 148 (2) of the Treaty.

4. Within the Article 9 Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

*Article 10*

1. The Article 9 Committee shall give its opinion on the draft financing decisions drawn up by the Bank pursuant to Article 3.

The Commission representative shall state the Commission's position on these draft decisions.

The Commission's position shall cover the conformity of the draft decisions with the objectives of financial and technical cooperation laid down in the Agreements or the Protocols and with the general guidelines adopted by the Cooperation or Association Councils.

2. In addition, the Bank shall inform the Article 9 Committee of any loans without interest-rate subsidies which it intends to grant from its own resources.

*Article 11*

1. The document in which the Bank submits a draft financing decision to the Article 9 Committee shall, in particular, explain the relevance of the projects concerned to the development prospects of the recipient country or countries and, where appropriate, indicate the extent to which loans agreed to by the Bank have been utilized.

2. Where the Article 9 Committee delivers a favourable opinion and the Commission expresses a favourable view in respect of a draft financing decision involving a special loan or risk capital, the draft decision shall be submitted for decision to the Board of Directors of the Bank, which shall act in accordance with the Bank's Statute.

In the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable view being expressed by the Commission, the Bank shall either withdraw the draft decision or request the Member State holding the Chair of the Article 9 Committee to refer the matter to the Council as soon as possible.

3. Where, in the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable view being expressed by the Commission, the matter is brought before the Council in accordance with the second subparagraph of paragraph 2, the Bank's draft decision shall be submitted to the Council together with the reasoned opinion of the Article 9 Committee or the Commission's view.

The Council shall take its decision by a qualified majority.

If the Council decides to confirm the position taken by the Article 9 Committee or by the Commission, the Bank shall withdraw its proposal.

If, however, the Council is in agreement with the Bank's proposal, the Bank shall implement the procedures laid down in its Statute.

4. The Commission and the Bank shall jointly identify the branches of activity likely to benefit from a loan with an interest-rate subsidy.

Where the Article 9 Committee delivers a favourable opinion in respect of an application for a loan with an interest-rate subsidy, the application shall be submitted for decision to the Board of Directors of the Bank, which shall act in accordance with the Bank's Statute.

In the absence of a favourable opinion from the Article 9 Committee, the Bank shall either withdraw the application or decide to maintain it. In the latter event, the application, together with the reasoned opinion of the Committee, shall be submitted for decision to the Board of Directors of the Bank, which shall act in accordance with the Bank's Statute.

#### *Article 12*

1. The Commission shall ensure that the mandates provided for in Article 3 are carried out and that the aid administered directly by it is implemented and as certain

how the projects being implemented and financed by such aid are implemented by the recipient countries or by any other recipients referred to in each of the Protocols concluded with these countries.

2. It shall also ascertain, in close collaboration with the responsible authorities of the recipient country or countries, how projects financed with Community aid are used by the recipients.

3. When conducting the examinations carried out pursuant to paragraphs 1 and 2, the Commission shall examine jointly with the Bank to what extent the objectives defined pursuant to the provisions of the Cooperation Agreements with Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan and Syria, of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, of the Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus, and the Protocols concluded with all the aforementioned countries, have been attained.

4. The Commission shall report to the European Parliament and the Council at their request, and at least once a year, on compliance with the terms of paragraphs 1, 2 and 3.

#### *Article 13*

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

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

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COUNCIL REGULATION (EEC) No 4113/86

of 22 December 1986

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 (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, in Regulation (EEC) No 3700/83 (1), the Community 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 1987 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 1987;

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 as constituted on 31 December 1985;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, in the present case, it seems advisable not to allocate this quota among the Member States without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, 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 1987 on the import into the Community as constituted on 31 December 1985 the customs duty for the following products shall be suspended at a level and within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duty (%)
09.1409	07.01 S	Sweet peppers, originating in Cyprus	300	4,5

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.

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

*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.

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

*Article 3*

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

*Article 4*

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

*Article 5*

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

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COUNCIL REGULATION (EEC) No 4119/86  
of 22 December 1986

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 (1987)

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 1987 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 1987;

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 or the V.I.2 extract provided for in Regulation (EEC) No 3590/85<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 3805/85<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 could, under present circumstances, be fixed at approximately 84% of the quota volume;

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

<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 343, 20. 12. 1985, p. 20.

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

<sup>(5)</sup> OJ No L 367, 31. 12. 1985, p. 39.

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, 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*

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

1. From 1 January to 31 December 1987 on the import into the Community of Ten the customs duties for the following products, originating in Cyprus, shall be suspended at the levels and within the limits of a Community tariff quota of 250 000 hectolitres as follows:

Order No	CCT heading No	Description	Quota duty
09.1417	22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:	
		C. Other:	
		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:	
		— Liqueur wines of an actual alcoholic strength by volume of 15 % vol	5,0 ECU per hl
		ex b) More than two litres:	
		— Liqueur wines of an actual alcoholic strength by volume of 15 % vol	3,9 ECU per hl
		III. Of an actual alcoholic strength by volume 15 % vol but not exceeding 18 % vol, in containers holding:	
		a) Two litres or less:	
		ex 2. Other:	
— Liqueur wines	6,1 ECU per hl		
b) More than two litres:			
ex 3. Other:			
— Liqueur wines	5,0 ECU per hl		
IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding:			
a) Two litres or less:			
ex 2. Other:			
— Liqueur wines	6,9 ECU per hl		
b) More than two litres:			
ex 3. Other:			
— Liqueur wines	6,9 ECU per hl		

2. The admission of these wines under the tariff quota shall be conditional on their being described in the V.I.1. document or the V.I.2 extract provided for in Regulation (EEC) No 3590/85 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 210 100 hectolitres, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1987 shall be as follows:

	<i>(hectolitres)</i>
Benelux	2 000
Denmark	2 000
Germany	4 000
Greece	20
France	20
Ireland	2 000
Italy	20
United Kingdom	200 040

3. The second instalment, amounting to 39 900 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 1987.

*Article 5*

Member States shall return to the reserve, not later than 1 October 1987, the unused portion of their initial share which, on 15 September 1987, 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 1987, notify the Commission of the total quantities of the products in question imported up to 15 September 1987 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 1987 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 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

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COUNCIL REGULATION (EEC) No 4120/86

of 22 December 1986

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 (1987)

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 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Protocol;

Whereas the abovementioned 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 1987;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 (3) as last amended by Regulation (EEC) No 3805/85 (4), 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

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

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

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

(4) OJ No L 367, 31. 12. 1985, p. 39.

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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;

1. From 1 January to 31 December 1987 on the import into the Community of Ten the customs duties for the following products, originating in Cyprus shall be suspended at the levels and within the limits of a Community tariff quota of 10 000 hectolitres as follows:

Order No	CCT heading No	Description	Quota duty
09.1415	22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers, holding:</p> <p>ex a) Two litres or less:</p> <p>— Wine of fresh grapes</p> <p>II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol in containers holding:</p> <p>ex a) Two litres or less:</p> <p>— Wine of fresh grapes other than liqueur wines of an actual alcoholic strength by volume of 15 % vol</p>	<p>3,6 ECU per hl</p> <p>4,2 ECU per hl</p>

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 1987 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 1987.

*Article 5*

Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial share as, on 15 September 1987 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 1987, of the total quantities of the products in question imported up to 15 September 1987 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, 22 December 1986.

It shall inform the Member States, not later than 5 October 1987 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 1987.

*For the Council*

*The President*

G. SHAW

COUNCIL REGULATION (EEC) No 4121/86

of 22 December 1986

opening 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 (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1987 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 1987;

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 1987, on import into the Community of Ten, the customs duty for the following products is suspended at a level and within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duty (%)
09.1411	ex 07.01 G IV	Beetroots, originating in Cyprus	1 500	8,5

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.

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

*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.

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

*Article 3*

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

*Article 4*

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

*Article 5*

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

COUNCIL REGULATION (EEC) No 4122/86

of 22 December 1986

establishing ceilings and Community surveillance of imports of certain textile products originating in Cyprus (1987)

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 (1), the arrangements applicable to trade with Cyprus, as last amended by Regulation (EEC) No 3700/83 (2), provide for 1984 the exemption of customs duties for:

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

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

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned provisions; whereas, therefore, the ceilings for 1987 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 1987 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 (3).

(1) OJ No L 133, 21. 5. 1973, p. 2.

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

(3) 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 first and second 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 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

ANNEX

List of products subject to import ceilings in 1987

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
14.0010	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04- all Nos	100
14.0020	61.01	Men's and boys' outer garments	61.01- all Nos	525

COUNCIL REGULATION (EEC) No 4125/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes, falling within subheading No 08.04 B I of the Common Customs Tariff and originating in Cyprus (1987)

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 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Protocol;

Whereas the abovementioned Protocol provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1987;

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 the 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 1987, on import into the Community of Ten, the duty for the following products shall be totally suspended within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duty (%)
09.1413	08.04 B I	Dried grapes, in immediate containers of a net capacity of 15 kg or less and originating in Cyprus	500	free

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

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

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.

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

*Article 3*

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

*Article 4*

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

*Article 5*

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

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

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EEC-MALTA Association

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.

GENERAL MATTERS

Provisions within the Community  
relating to the Association Agreement





**COUNCIL REGULATION (EEC) No 374/86  
of 17 February 1986**

**on the application of Decision No 1/86 of the EEC-Malta Association Council  
again amending Articles 6 and 17 of the Protocol concerning the definition of  
the concept of 'originating products' and methods of administrative cooperation**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas a Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta<sup>(2)</sup> was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976;

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

integral part of the Agreement, the Association Council adopted Decision No 1/86 again amending Articles 6 and 17;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Decision No 1/86 of the EEC-Malta Association Council shall be applicable in the Community.

The text of the Decision is attached to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 March 1986.

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

Done at Luxembourg, 17 February 1986.

*For the Council*  
*The President*  
H. van den BROEK

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<sup>(1)</sup> OJ No L 61, 14. 3. 1971, p. 2.  
<sup>(2)</sup> OJ No L 111, 28. 4. 1976, p. 3.

**COUNCIL REGULATION (EEC) No 3878/86  
of 16 December 1986**

**concerning the application of Decision No 2/86 of the EEC-Malta Association Council extending Decision No 2/84 derogating from the provisions concerning the definition of the concept of originating products laid down in the Agreement establishing an association between the European Economic Community and Malta in respect of intermediate frequency transformers**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas a Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta<sup>(2)</sup> was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976;

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

part of the Agreement, the Association Council adopted Decision No 2/86 extending Decision No 2/84 derogating from the provisions concerning the said definition;

Whereas this Decision should be applied in the Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

Decision No 2/86 of the EEC-Malta Association Council attached to this Regulation shall be applicable in the Community.

*Article 2*

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

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

Done at Brussels, 16 December 1986.

*For the Council*

*The President*

G. HOWE

<sup>(1)</sup> O J No L 61, 14. 3. 1971, p. 1.

<sup>(2)</sup> O J No L 111, 28. 4. 1976, p. 3.

DECISIONS OF THE ASSOCIATION COUNCIL



**DECISION No 1/86 OF THE EEC-MALTA ASSOCIATION COUNCIL**  
**of 15 January 1986**  
**again amending Articles 6 and 17 of the Protocol concerning the definition of**  
**the concept of 'originating products' and methods of administrative cooperation**

THE ASSOCIATION COUNCIL,

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

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

Whereas the equivalent value of the 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 1/82 of the Association Council would, in the case of conversion into the national currencies concerned, have the effect of reducing the limits which permit the presentation of simplified documentary evidence; whereas, in order to avoid this effect, it is necessary to increase such limits expressed in 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 March 1986.

Done at Brussels, 15 January 1986.

*For the Association Council*

*The President*

P. FARRUGIA

**DECISION No 2/86 OF THE EEC-MALTA ASSOCIATION COUNCIL  
of 16 December 1986**

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

THE EEC-MALTA ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

*Article 1*

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

In Article 3 of Decision No 2/84 the date of 31 July 1986 shall be replaced by 31 July 1988.

*Article 2*

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

This Decision shall apply from 1 August 1986.

Done at Brussels, 16 December 1986.

Whereas Decision No 2/84 is applicable until 31 July 1986; whereas since part of the Maltese production has still not adapted to the requisite conditions of origin in accordance with this Protocol, there is consequently a requirement to extend it,

*For the  
EEC-Malta Association Council*

*The President*

P. FARRUGIA

PROVISIONS WITHIN THE EEC





COUNCIL REGULATION (EEC) No 2357/86  
of 24 July 1986

amending Regulations (EEC) No 3555/80, (EEC) No 3394/85 and (EEC) No 3668/85 as regards imports into Greece of certain products originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the provisions governing the first stage of the Agreement establishing an Association between the European Economic Community and Malta<sup>(1)</sup>, including the Protocol laying down certain provisions relating to that Agreement and the additional Protocol thereto, expired on 31 December 1980 and continue to be applied unilaterally by Council Regulation (EEC) No 3508/80 of 22 December 1980 extending the term of validity of the arrangements applicable to trade with Malta beyond 31 December 1980<sup>(2)</sup>, as last amended by Regulation (EEC) No 3681/85<sup>(3)</sup>;

Whereas in 1980, pending conclusion of the Protocol referred to in Article 118 of the Act of Accession of Greece, special arrangements for imports into Greece originating in Malta were adopted by Regulation (EEC) No 3555/80<sup>(4)</sup>; whereas consequently the other measures relating to imports into the Community of products originating in Malta concerned only the Community of Nine;

Whereas Malta has decided to apply in full in respect of Greece the provisions of the said Association Agreement; whereas consequently it is necessary to make provisions for the application in Greece of 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)<sup>(5)</sup> and Council Regulation (EEC) No 3394/85 of 18 November 1985 establishing ceilings and Community surveillance of imports of certain products originating in Malta (1986)<sup>(6)</sup>, and for the deletion from Regulation (EEC) No 3555/80 of the reference to products originating in Malta;

Whereas the provisions of the Association Agreement have been applied by Malta in respect of Greece with effect from 2 April 1986 and consequently provision should be made for this Regulation to apply from the same date;

Whereas in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal the Council adopted Regulation (EEC) No 449/86 of 24 February 1986 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries<sup>(7)</sup>; whereas accordingly the Association Agreement and Regulation (EEC) No 3508/80, (EEC) No 3394/85 and (EEC) No 3668/85 apply to the Community as constituted on 31 December 1985.

HAS ADOPTED THIS REGULATION:

*Article 1*

1. In Article 1 of Regulation (EEC) No 3555/80 the word 'Malta' is hereby deleted.
2. In the first subparagraph of Article 1 (1) of Regulation (EEC) No 3394/85 the expression 'Community of Nine' is hereby replaced by 'Community as constituted on 31 December 1985'.
3. In Article 1 (1) of Regulation (EEC) No 3668/85 the expression 'Community of Nine' is hereby replaced by 'Community as constituted on 31 December 1985'.

*Article 2*

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

It shall apply with effect from 2 April 1986.

(1) OJ No L 61, 14. 3. 1971, p. 2.  
(2) OJ No L 367, 31. 12. 1980, p. 86.  
(3) OJ No L 351, 28. 12. 1985, p. 8.  
(4) OJ No L 382, 31. 12. 1980, p. 1.  
(5) OJ No L 354, 30. 12. 1985, p. 12.  
(6) OJ No L 327, 6. 12. 1985, p. 29.

(7) OJ No L 50, 28. 2. 1986, p. 40.

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

Done at Brussels, 24 July 1986.

*For the Council*

*The President*

A. CLARK

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COUNCIL REGULATION (EEC) No 2458/86

of 7 July 1986

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta signed on 4 December 1985, should be approved.

HAS ADOPTED THIS REGULATION:

*Article 1*

The Protocol on financial and technical cooperation between

the European Economic Community and the Republic of Malta is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

*Article 2*

The President of the Council shall give the notification provided for in Article 21 (1) of the Protocol <sup>(3)</sup>.

*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, 7 July 1986.

*For the Council*

*The President*

N. LAWSON

<sup>(1)</sup> OJ No C 274, 25. 10. 1985, p. 7.

<sup>(2)</sup> OJ No C 176, 14. 7. 1986.

<sup>(3)</sup> The date of entry into force of the Financial Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

PROTOCOL

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF MALTA,

of the other part,

CONSCIOUS of the need to promote the accelerated development of the Maltese economy with a view to facilitating the pursuit of the objectives of the Agreement establishing an association between the European Economic Community and Malta,

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Josef WEYLAND,

Ambassador Extraordinary and Plenipotentiary,

Permanent Representative of Luxembourg,

Chairman of the Permanent Representatives Committee;

Jean DURIEUX,

Special Adviser in the Directorate-General for External Relations of the Commission of the European Communities;

THE GOVERNMENT OF THE REPUBLIC OF MALTA:

Dr Paul FARRUGIA,

Ambassador Extraordinary and Plenipotentiary,

Permanent Delegate of the Republic of Malta to the European Economic Community;

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

HAVE AGREED AS FOLLOWS:

Article 1

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

Article 2

For the purpose specified in Article 1 and for a period expiring on 31 October 1988 an aggregate amount of 29,5 million ECU may be committed as follows:

- (a) 16 million ECU in the form of loans from the European Investment Bank, hereinafter referred to as 'the Bank', made from its own resources;

- (b) 13,5 million ECU from the Community's budgetary resources, composed of:

- 3 million ECU in the form of loans on special terms,
- 10,5 million ECU in the form of grants.

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

Article 3

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

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying the

economic structure of Malta and especially at promoting its industrialization and modernizing its agriculture,

— technical cooperation schemes that are a preliminary or a complement to capital projects drawn up by Malta,

— technical cooperation in the field of training.

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

#### Article 4

1. Capital projects shall be eligible for financing either by loans from the Bank, or by loans on special terms, or by grants, or by a combination of these three means.

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

#### Article 5

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

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

#### Article 6

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

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

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

#### Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Malta, take the form of co-financing in which, in particular, credit and development bodies and institutions of Malta, of Member States or of third States or international finance organizations would take part.

#### Article 8

The following shall be eligible for financial and technical cooperation:

(a) in general:

— the State of Malta,

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

— Maltese official development agencies,

— private agencies working in Malta for economic and social developments,

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

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

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

#### Article 9

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

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

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

*Article 10*

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

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

*Article 11*

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

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

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

*Article 12*

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

*Article 13*

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

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

*Article 14*

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

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

*Article 15*

Malta shall take the necessary measures to ensure that interest and all other payments due to the Community in respect of loans granted under this Protocol are exempted from any national or local tax or levy.

*Article 16*

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

*Article 17*

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

*Article 18*

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

*Article 19*

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

*Article 20*

This Protocol shall be annexed to the Agreement establishing an association between the European Economic Community and Malta.

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

*Article 21*

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

*Article 22*

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

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Protokol.

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

Εις πίστωση των ανωτέρω, οι υπογεγραμμένοι πληρεξούσιοι έθεσαν τις υπογραφές τους στο παρόν πρωτόκολλο.

In witness whereof the undersigned Plenipotentiaries have signed this Protocol.

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

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

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

Udfærdiget i Bruxelles, den fjerde december nitten hundrede og femogfirs.

Geschehen zu Brüssel am vierten Dezember neunzehnhundertfünfundachtzig.

Έγινε στις Βρυξέλλες, στις τέσσερις Δεκεμβρίου χίλια εννιακόσια ογδόντα πέντε.

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

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

Fatto a Bruxelles, addì quattro dicembre millenovecentootantacinque.

Gedaan te Brussel, de vierde december negentienhonderd vijftientachtig.

For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

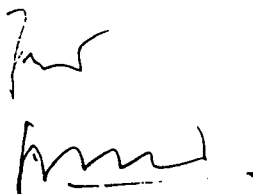
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

A handwritten signature in black ink, consisting of a stylized 'P' followed by several loops and a horizontal line at the end.

For republikken Malta regering

Für die Regierung der Republik Malta

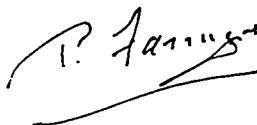
Για την Κυβέρνηση της Δημοκρατίας της Μάλτας

For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta

A handwritten signature in black ink, starting with a large 'P' and 'T' followed by several loops and a horizontal line at the end.



**Information concerning the date of entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta signed in Brussels on 4 December 1985 (1)**

As the instruments of notification of the completion of the procedures necessary for the entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta signed in Brussels on 4 December 1985 were exchanged on 29 August 1986, the Protocol will enter into force in accordance with Article 21 (2) thereof, on 1 October 1986.

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(1) OJ No L 216, 5. 8. 1986, p. 2.

COUNCIL REGULATION (EEC) No 3973/86  
of 22 December 1986

concerning the application of the Protocols on financial and technical cooperation concluded between the Community and Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan, Syria, Malta and Cyprus

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 209 and 235 thereof,

Having regard to the Regulations concerning the conclusion of the Protocols on financial and technical cooperation between the European Economic Community and Algeria<sup>(1)</sup>, Morocco<sup>(2)</sup>, Tunisia<sup>(3)</sup>, Egypt<sup>(4)</sup>, Lebanon<sup>(5)</sup>, Jordan<sup>(6)</sup>, Syria<sup>(7)</sup>, Malta<sup>(8)</sup> and Cyprus<sup>(9)</sup>, hereinafter referred to as 'Protocols',

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Court of Auditors<sup>(10)</sup>,

Whereas these Protocols lay down the amount of Community aid granted to each of these countries and contain specific points for each particular case; whereas, however, common implementing rules should be established;

Whereas detailed rules for the administration of aid not covered by the own resources of the European Investment Bank, hereinafter referred to as 'the Bank', must be laid down;

Whereas the rules for the administration of financial cooperation should be determined, the procedure for laying down guidelines for aid and for examining and approving it should be established, and the detailed rules for supervising the use of that aid should be defined;

Whereas the Treaty has not provided the powers necessary for this purpose other than those under Article 235;

Whereas a committee of representatives of the Government of the Member States should be set up at the Commission;

Whereas it should be stipulated that the draft financing decisions drawn up by the Bank for operations not

covered by its own resources should be submitted for opinion to a committee of representatives of the Governments of the Member States;

Whereas work by the Commission and the Bank to apply the Protocols should be harmonized;

Whereas on 16 July 1974 the Council adopted a resolution on the harmonization and coordination of Member States' cooperation policies,

HAS ADOPTED THIS REGULATION:

Article 1

1. In implementing aid to Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan and Syria, the Commission shall be responsible for applying the overall Mediterranean policy and the development cooperation policy defined by the Council and the general guidelines for financial and technical cooperation defined pursuant to the Agreements concluded with these countries and the Protocols.

2. In implementing aid to Malta and Cyprus, the Commission shall be responsible for applying the overall Mediterranean policy and the development cooperation policy defined by the Council and the general guidelines for financial and technical cooperation defined pursuant to the Agreement establishing an association between the European Economic Community and Malta<sup>(11)</sup>, the Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus<sup>(12)</sup> and the Protocols on financial and technical cooperation concluded with these countries.

Article 2

1. The appropriations for the financing of aid not covered by the Bank's own resources shall be administered by the Commission, in accordance with the Financial Regulation applicable to the general budget of the European Communities, subject in particular to Articles 9, 10 and 11 of this Regulation and without prejudice to the Bank's powers in administering certain forms of aid.

(1) OJ No L 337, 29. 11. 1982, p. 1.  
(2) OJ No L 337, 29. 11. 1982, p. 29.  
(3) OJ No L 337, 29. 11. 1982, p. 43.  
(4) OJ No L 337, 29. 11. 1982, p. 8.  
(5) OJ No L 337, 29. 11. 1982, p. 22.  
(6) OJ No L 337, 29. 11. 1982, p. 15.  
(7) OJ No L 337, 29. 11. 1982, p. 36.  
(8) OJ No L 216, 5. 8. 1986, p. 1.  
(9) OJ No L 85, 28. 3. 1984, p. 37.  
(10) OJ No C 302, 27. 11. 1986, p. 6.

(11) OJ No L 111, 28. 4. 1986, 1976, p. 3.  
(12) OJ No L 339, 28. 12. 1977, p. 2.

2. However, the detailed rules for administering the appropriations referred to in paragraph 1, particularly with regard to the appointment of financial implementation bodies and the conditions guaranteeing equal competition, in so far as such rules are necessary for the purpose of implementing the Protocols, shall be adopted by common agreement between the Community and each recipient country.

#### *Article 3*

1. As regards Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan and Syria, a general mandate shall be given to the Bank by the Commission on behalf of the Community, after consultation of the representatives of the Member States, to administer interest-rate subsidies for loans from its own resources, risk-capital operations and special loans in the industrial, energy, mining, tourism and economic infrastructure sectors.

The Commission shall itself administer grants for technical assistance programmes or schemes, in whatever sector, and special loans in sectors other than those mentioned in the general mandate given to the Bank and specified in the first subparagraph.

2. As regards Malta and Cyprus, a general mandate from the Community shall be given to the Bank by the Commission, after consultation of the representatives of the Member States, to administer interest-rate subsidies for loans from its own resources and risk-capital operations and special loans.

The Commission shall itself administer grants for technical assistance programmes or schemes.

3. The mandates given to the Bank in accordance with paragraphs 1 and 2, and in particular the provisions concerning movements of funds and the remuneration for executing the mandate, shall be the subject of an agreement between the Commission and the Bank after consulting the representatives of the Member States. This agreement shall include the provisions set out in Articles 9, 10 and 11.

Operations covered by the mandates established pursuant to paragraphs 1 and 2 and concerning special loans and risk capital shall be undertaken by the Bank on behalf of, and at the risk of, the Community.

The Bank shall act in accordance with the procedures laid down in its Statute and with the rules laid down in the agreement referred to in the first subparagraph.

#### *Article 4*

The Commission shall communicate to the Member States at least once a year the information obtained from the recipient countries on the content and prospects of their development plans, the objectives they have set themselves and the projects already known which are likely to attain these objectives.

The Commission shall compile this information in collaboration with the Bank.

The Member States shall at the same time inform the Commission, which shall in turn inform the other Member States, of any bilateral aid to the recipient countries which has been decided on.

Furthermore, the Commission shall forward to the committee referred to in Article 6 any information available on other bilateral or multilateral aid for the recipient countries.

To this end, and to enable the Member States to be informed, the Commission shall obtain all relevant information on aid provided to the recipient countries.

#### *Article 5*

1. The position to be taken by the Community for the purposes of defining the specific objectives of financial and technical cooperation in the Cooperation or Association Councils shall be adopted by the Council acting on a proposal from the Commission, drawn up, in close collaboration with the Bank, on the basis of the information obtained in accordance with Article 4. In the event of disagreement, the Bank shall make its position known to the Council.

2. For the purposes of implementing financial and technical cooperation on the basis of the specific objectives referred to in paragraph 1, the Council shall hold an annual policy debate on the future course of financial cooperation. In so doing, it shall see that due account is taken in particular of the mutual complementarity of the interests involved.

For that policy debate the Commission shall submit to the Council a report drawn up in liaison with the Bank, where the latter is concerned, on the implementation of financial cooperation during the last financial year. The Commission and the Bank shall also notify the Council of the information obtained from the recipient countries on the financing sought and of the operations which the Commission and the Bank intend to submit for opinions to the committees provided for in Articles 6 and 9, in accordance with Articles 7 and 10.

In addition, the Commission and the Bank shall undertake, each for those projects concerning it, an evaluation of the main projects completed in major sectors to establish whether the objectives defined in the appraisal of those projects have been met and to provide guidelines for improving the effectiveness of future aid activities. These evaluation reports shall be made available to all Member States.

#### *Article 6*

1. A committee, hereinafter to be as the 'Article 6 Committee', consisting of representatives of the Governments of the Member States, shall be set up at the Commission.

The Article 6 Committee shall be chaired by a representative of the Commission and its secretarial services shall be provided by the Commission.

A representative of the Bank shall take part in its proceedings.

2. The Council, acting unanimously on a proposal from the Commission, shall adopt the rules of procedure of the Article 6 Committee.

3. The Article 6 Committee shall act by a qualified majority in accordance with Article 148 (2) of the Treaty.

4. Within the Article 6 Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

#### *Article 7*

1. The Article 6 Committee shall give its opinion on draft project or scheme financing decisions submitted to it by the Commission.

2. The draft project or scheme financing decisions shall, in particular, explain the relevance of the projects or schemes concerned to the development prospects of the recipient country or countries and shall assess the effectiveness of each project or scheme by setting the effects it is expected to produce against the resources to be invested in it. Where appropriate, they shall indicate the extent to which the aid already agreed to by the Community for the project or similar projects in that or those countries has been utilized as well as the various external sources helping to finance such projects.

They shall include, in particular, measures aimed at promoting, in accordance with the Protocols, participation by undertakings belonging to recipient countries in carrying out the projects.

#### *Article 8*

The Commission shall adopt decisions which shall apply immediately. However, if the Article 6 Committee has not delivered a favourable opinion, these decisions shall forthwith be communicated by the Commission to the Council. In that event the Commission shall defer application of the decisions which it has adopted for not more than three months from the date of such communication.

The Council, acting by a qualified majority, may take a different decision with three months.

#### *Article 9*

1. A Committee consisting of representatives of the Governments of the Member States, hereinafter referred to as the 'Article 9 Committee', shall be set up at the Bank.

The Article 9 Committee shall be chaired by the representative of the Government of the Member State currently holding the Presidency of the Board of Governors of the Bank; its secretariat shall be provided by the Bank.

A representative of the Commission shall take part in its proceedings.

2. The Council, acting unanimously, shall adopt the rules of procedure of the Article 9 Committee.

3. The Article 9 Committee shall act by a qualified majority in accordance with Article 148 (2) of the Treaty.

4. Within the Article 9 Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

#### *Article 10*

1. The Article 9 Committee shall give its opinion on the draft financing decisions drawn up by the Bank pursuant to Article 3.

The Commission representative shall state the Commission's position on these draft decisions.

The Commission's position shall cover the conformity of the draft decisions with the objectives of financial and technical cooperation laid down in the Agreements or the Protocols and with the general guidelines adopted by the Cooperation or Association Councils.

2. In addition, the Bank shall inform the Article 9 Committee of any loans without interest-rate subsidies which it intends to grant from its own resources.

#### *Article 11*

1. The document in which the Bank submits a draft financing decision to the Article 9 Committee shall, in particular, explain the relevance of the projects concerned to the development prospects of the recipient country or countries and, where appropriate, indicate the extent to which loans agreed to by the Bank have been utilized.

2. Where the Article 9 Committee delivers a favourable opinion and the Commission expresses a favourable view in respect of a draft financing decision involving a special loan or risk capital, the draft decision shall be submitted for decision to the Board of Directors of the Bank, which shall act in accordance with the Bank's Statute.

In the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable view being expressed by the Commission, the Bank shall either withdraw the draft decision or request the Member State holding the Chair of the Article 9 Committee to refer the matter to the Council as soon as possible.

3. Where, in the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable view being expressed by the Commission, the matter is brought before the Council in accordance with the second subparagraph of paragraph 2, the Bank's draft decision shall be submitted to the Council together with the reasoned opinion of the Article 9 Committee or the Commission's view.

The Council shall take its decision by a qualified majority.

If the Council decides to confirm the position taken by the Article 9 Committee or by the Commission, the Bank shall withdraw its proposal.

If, however, the Council is in agreement with the Bank's proposal, the Bank shall implement the procedures laid down in its Statute.

4. The Commission and the Bank shall jointly identify the branches of activity likely to benefit from a loan with an interest-rate subsidy.

Where the Article 9 Committee delivers a favourable opinion in respect of an application for a loan with an interest-rate subsidy, the application shall be submitted for decision to the Board of Directors of the Bank, which shall act in accordance with the Bank's Statute.

In the absence of a favourable opinion from the Article 9 Committee, the Bank shall either withdraw the application or decide to maintain it. In the latter event, the application, together with the reasoned opinion of the Committee, shall be submitted for decision to the Board of Directors of the Bank, which shall act in accordance with the Bank's Statute.

*Article 12*

1. The Commission shall ensure that the mandates provided for in Article 3 are carried out and that the aid administered directly by it is implemented and as certain

how the projects being implemented and financed by such aid are implemented by the recipient countries or by any other recipients referred to in each of the Protocols concluded with these countries.

2. It shall also ascertain, in close collaboration with the responsible authorities of the recipient country or countries, how projects financed with Community aid are used by the recipients.

3. When conducting the examinations carried out pursuant to paragraphs 1 and 2, the Commission shall examine jointly with the Bank to what extent the objectives defined pursuant to the provisions of the Cooperation Agreements with Algeria, Morocco, Tunisia, Egypt, Lebanon, Jordan and Syria, of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, of the Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus, and the Protocols concluded with all the aforementioned countries, have been attained.

4. The Commission shall report to the European Parliament and the Council at their request, and at least once a year, on compliance with the terms of paragraphs 1, 2 and 3.

*Article 13*

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

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

**COMMISSION REGULATION (EEC) No 3981/86  
of 22 December 1986**

**extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 and amending Regulation (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating 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>, amended by Regulation (EEC) No 1243/86<sup>(2)</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>(3)</sup>, the period of validity of which was last amended by Regulation (EEC) No 3980/86<sup>(4)</sup>, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulation (EEC) No 3044/79<sup>(5)</sup>, the Commission established Community surveillance of imports of certain textile products originating in Malta;

Whereas, by Regulation (EEC) No 1782/80<sup>(6)</sup>, the Commission established Community surveillance of imports of certain textile products originating in Egypt;

Whereas, by Regulations (EEC) No 2295/82<sup>(7)</sup>, as last amended by Regulations (EEC) No 1241/86<sup>(8)</sup>, (EEC) No 3652/85<sup>(9)</sup>, (EEC) No 1769/86<sup>(10)</sup> and (EEC) No 1971/86<sup>(11)</sup> the Commission established Community surveillance of imports of certain textile products originating in Turkey;

Whereas those Regulations expire on 31 December 1986;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regula-

tions should therefore be extended for an additional period;

Whereas the provisions of Regulation (EEC) No 1782/80 should be defined as applying to cotton yarn (category 1) originating in Egypt,

HAS ADOPTED THIS REGULATION:

*Article 1*

Community surveillance of imports of certain textile products established by Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 is hereby extended until 31 December 1987.

*Article 2*

Regulation (EEC) No 1782/80 is hereby amended as follows:

- 1. Article 1 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 Annex I only on presentation of an export licence issued and endorsed by the competent Egyptian authorities (Cotton Textile Consolidation Fund) and corresponding to the specimen shown in Annex II'.

- 2. The Annex is replaced by the Annexes I and II to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 January 1987.

It shall apply until 31 December 1987.

<sup>(1)</sup> OJ No L 35, 9. 2. 1982, p. 1.  
<sup>(2)</sup> OJ No L 113, 30. 4. 1986, p. 1.  
<sup>(3)</sup> OJ No L 320, 15. 12. 1979, p. 9.  
<sup>(4)</sup> See page 21 of this Official Journal.  
<sup>(5)</sup> OJ No L 343, 31. 12. 1979, p. 8.  
<sup>(6)</sup> OJ No L 174, 9. 7. 1980, p. 16.  
<sup>(7)</sup> OJ No L 245, 20. 8. 1982, p. 25.  
<sup>(8)</sup> OJ No L 129, 15. 5. 1985, p. 6.  
<sup>(9)</sup> OJ No L 328, 24. 12. 1985, p. 19.  
<sup>(10)</sup> OJ No L 153, 7. 6. 1986, p. 26.  
<sup>(11)</sup> OJ No L 170, 27. 6. 1986, p. 27.

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

Done at Brussels, 22 December 1986.

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

ANNEX I

Category	CCT heading No	NIMEXE code (1987)	Description	Units	Third countries
1	55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	tonnes	Egypt

**COTTON TEXTILE CONSOLIDATION FUND — EGYPT**

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>	2	No
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie <span style="float: right;">01</span>	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE                  for Egyptian cotton yarn</b> <hr/> <b>LICENCE D'EXPORTATION                  pour les fils de coton égyptiens</b>		
6 Country of origin Pays d'origine		7 Country of destination Pays de destination	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity (t) Quantité (t)	12 FOB Value (t) Valeur fob (t)
13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community. Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté économique européenne			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At - À _____, on - le _____	
		(Signature)	(Stamo - Cachet)

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight. — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
 (2) In the currency of the sale contract. — Dans la monnaie du contrat de vente.



COUNCIL REGULATION (EEC) No 4010/86

of 16 December 1986

establishing ceilings and Community surveillance of imports of certain products originating in Malta (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas, pending the entry into force of a new Protocol, it is necessary to extend, for 1987, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas, the Council adopted Regulation (EEC) No 2357/86 determining the arrangements to be applied with regard to imports into Greece of certain products originating in Malta (2);

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas this Regulation applies, therefore, to the Community as constituted on 31 December 1985;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be re-established; whereas the ceilings to be applied in 1987 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the

products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being re-established as soon as the ceilings are reached at Community level;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January to 31 December 1987 imports into the Community, as constituted on 31 December 1985, of the products listed in the Annex and 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 (3).

(1) OJ No L 304, 29. 11. 1977, p. 2.

(2) OJ No L 205, 29. 7. 1986, p. 9.

(3) OJ No L 111, 28. 4. 1976, p. 3.

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 have been reached, the Commission may adopt a Regulation re-establishing 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 1987.

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

Done at Brussels, 16 December 1986.

*For the Council*

*The President*

G. HOWE

ANNEX

List of products subject to import ceilings in 1987

Serial No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
11.0010	55.05	Cotton yarn, not put up for retail sale	55.05-all numbers	Ceiling delayed
11.0020	55.09	Other woven fabrics of cotton	55.09-all numbers	Ceiling delayed
11.0030	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all numbers	Ceiling delayed
11.0040	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05-all numbers	Ceiling delayed
11.0050	61.01	Men's and boys' outer garments	61.01-all numbers	1 326

COUNCIL REGULATION (EEC) No 4111/86

of 22 December 1986

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 (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products<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 1987 and at the levels indicated for each of them;

Whereas, the Council adopted Regulation (EEC) No 2357/86 determining the arrangements to be applied with regard to imports of certain products into Greece originating in Malta<sup>(3)</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 as constituted on 31 December 1985,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January to 31 December 1987 the products originating in Malta listed in the Annex shall be admitted for import into the Community as constituted on 31 December 1985 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.

<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 205, 29. 7. 1986, p. 9.

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 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

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ANNEX

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
16.0001	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
16.0003	02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons	5 %
16.0005		ex B. Furred game	Free
16.0007		C. Other: ex I. Frogs' legs	Free
16.0009		II. Other	Free
16.0011	04.06	Natural honey	25 %
16.0013	05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
16.0023	05.03	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	7 %
16.0025		— Other cut flowers	15 %
16.0027	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> )	13 %
16.0029		T. Other: ex III. Other: — Okra ( <i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (Drumsticks)	Free
16.0031	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 %
16.0033	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

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
	07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared:	
		ex B. Other:	
16.0035		— Horse-radish ( <i>Cochlearia armoracia</i> )	Free
16.0037		— Okra ( <i>Hibiscus esculentus</i> L., or <i>Abelmoschus esculentus</i> (L.) Moench)	11 %
	08.08	Berries, fresh:	
		F. Other:	
16.0039		II. Other	5 %
	15.10	Fatty acids, acid oils from refining; fatty alcohols:	
16.0041		C. Other fatty acids; acid oils from refining	Free
	16.02	Other prepared or preserved meat or meat offal:	
		A. Liver:	
16.0043		I. Goose or duck liver	14 %
		B. Other:	
		II. Game or rabbit meat or offal:	
16.0045		— Game	8 %
16.0047		— Rabbit	14 %
		III. Other:	
		b) Other:	
		1. Containing bovine meat or offal:	
		ex bb) Other:	
16.0049		— Prepared or preserved bovine tongue	17 %
		III. b) 2. Other:	
		aa) Of sheep or goats:	
16.0051		— Sheep	18 %
16.0053		— Goats	16 %
16.0055		bb) Other	16 %
	20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:	
16.0057		B. Truffles	14 %
16.0059		D. Asparagus	20 %
16.0061		E. Sauerkraut	15 %
16.0063		ex F. Capers	12 %
		ex H. Other, including mixtures:	
16.0065		— <i>Moringa oleifera</i> (drumsticks)	Free
	20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:	
		A. Of a density exceeding 1,33 g/cm <sup>3</sup> at 20 °C	

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
	20.07 (cont'd)	A. III. Other:	
16.0067		ex a) Of a value exceeding 30 ECU per 100 kg net weight:	
16.0069		— Fruits falling within suheading 08.01 A	Free
		— Fruit falling within heading Nos 08.01 B to H, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0071		ex b) Other:	
		— Fruit falling within heading 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 % + (L)
		B. Of a density of 1,33 g/cm <sup>3</sup> or less at 20 °C:	
		II. Other:	
16.0073		a) Of a value exceeding 30 ECU per 100 kg net weight:	
		2. Grapefruit juice	8 %
		3. Lemon juice and other citrus fruit juices:	
16.0075		ex aa) Containing added sugar:	
		— Excluding lemon juices	13 %
16.0077		ex bb) Other:	
		— Excluding lemon juices	13 %
		6. Other fruit and vegetable juices, excluding apricot and peach juices:	
16.0079		ex aa) Containing added sugar:	
		— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0081		— Other, excluding apricot and peach juices	17 %
16.0083		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 %
16.0085		— Other, excluding apricot and peach juices	18 %
		7. Mixtures:	
16.0087		ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:	
16.0089		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	
16.0091		aa) With an added sugar content exceeding 30 % by weight	8 % + (L)
16.0093		bb) Other	8 %
		4. Other citrus fruit juices:	
16.0095		aa) With an added sugar content exceeding 30 % by weight	14 % + (L)
16.0097		bb) With an added sugar content of 30 % or less by weight	14 %
16.0099		cc) Not containing added sugar	15 %



Order No	CCT heading No	Description	Rate of duty
1	2	3	4
	20.07 (cont'd)	B. II. b) 7. Other fruit and vegetable juices:	
16.0101		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)
16.0103		— Other, excluding apricot and peach juices	17 % + (L)
16.0105		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 %
15.0107		— Other, excluding apricot and peach juices	17 %
16.0109		ex cc) Not containing added sugar: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0111		— Other, excluding apricot and peach juices	18 %
		8. Mixtures:	
16.0113		ex bb) Other, excluding mixtures containing either, separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice	
16.0115		11. With an added sugar content exceeding 30 % by weight	17 % + (L)
16.0117		22. With an added sugar content of 30 % or less by weight	17 %
		33. Not containing added sugar	18 %
	21.06	Natural yeasts (active or inactive); prepared baking powders:	
		A. Active natural yeast:	
		II. Baker's yeast:	
16.0119		a) Dried	4 % + vc
16.0121		b) Other	4 % + vc
	23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves:	
16.0123		B. Flours and meals of fish, crustaceans of molluscs	Free

Abbreviations:

(L) = levy.

vc = variable component.



EEC-TURKEY Association

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

## GENERAL MATTERS

1. Association Agreement and related texts



**Information regarding the date of entry into force of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey and the Supplementary Protocol on products within the province of the European Coal and Steel Community, signed on 30 June 1973 (1)**

The exchange of instruments of ratification by the signatory States together with formal notification of the conclusion by the Council of the European Communities relating to the Supplementary Protocol to the Association Agreement between the EEC and Turkey, consequent on the accession of new Member States to the Community and to the Supplementary Protocol on products within the province of the ECSC, took place in Brussels on 17 February 1986. Thus, pursuant to Article 17 (2) of the EEC-Turkey Supplementary Protocol and Article 5 (2) of the ECSC-Turkey Supplementary Protocol, both Protocols will enter into force on 1 March 1986.

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(1) OJ No L 361, 31. 12. 1977, p. 1.

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 1985 to 28 February 1986

*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 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 1985 to 28 February 1986.

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 1985 to 28 February 1986.

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

I confirm the agreement of my Government to the foregoing.

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

*For the Government  
of the Republic of Turkey*



GENERAL MATTERS

2. Provisions within the Community  
relating to the Association Agreement



COUNCIL REGULATION (EEC) No 442/86

of 17 February 1986

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 1985 to 28 February 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 Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community, and in particular Annex IV thereto,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an Exchange of Letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1985 to 28 February 1986,

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

Done at Luxembourg, 17 February 1986.

HAS ADOPTED THIS REGULATION:

*Article 1*

The Agreement in the form of an Exchange of Letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1985 to 28 February 1986 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

*Article 2*

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

*Article 3*

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

*For the Council*

*The President*

H. van den BROEK



PROVISIONS WITHIN THE EEC



COUNCIL REGULATION (EEC) No 415/86  
of 17 February 1986  
amending Regulation (EEC) No 1180/77 on imports into the Community of  
certain agricultural products originating in Turkey (1985/86)

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<sup>(1)</sup>,

Whereas Annex IV to Council Decision No 1/77 of the EEC-Turkey Association Council on new concessions for imports of Turkish agricultural products into the Community stipulates that the additional amount, if any, to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A 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<sup>(2)</sup>, as last amended by Regulation (EEC) No 435/85<sup>(3)</sup> implemented the abovementioned Decision, in particular as regards olive oil;

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 1985 to 28 February 1986;

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 1985 to 28 February 1986 by 10,88 ECU per 100 kilograms'.

*Article 2*

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

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

Done at Luxembourg, 17 February 1986.

*For the Council*

*The President*

H. van den BROEK

<sup>(1)</sup> OJ No C 72, 18. 3. 1985, p. 122.

<sup>(2)</sup> OJ No L 142, 9. 6. 1977, p. 10.

<sup>(3)</sup> OJ No L 52, 22. 2. 1985, p. 1.

## COUNCIL AND COMMISSION

### DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL, AND THE COMMISSION

of 24 February 1986

determining the arrangements to be applied with regard to imports into Spain and Portugal, originating in Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey and Yugoslavia of products falling within the ECSC Treaty

(86/69/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL, AND THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Whereas Protocols to determine the transitional measures and adaptations needed to take account of the accession of Spain and Portugal have not been concluded in respect of the Agreements between the Member States of the European Coal and Steel Community and that Community, of the one part, and Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey and Yugoslavia respectively, of the other part; whereas Decision 86/3/ECSC<sup>(1)</sup> of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, and of the Commission of the European Communities, has determined until 28 February 1986 the arrangements to be applied with regard to imports into Spain and Portugal, originating in the abovementioned countries, of products falling within the ECSC Treaty; whereas it is therefore necessary to take measures to deal with this situation from 1 March 1986; whereas to that end and pending the conclusion of protocols to the abovementioned agreements, imports into Spain and Portugal of products falling within the ECSC Treaty originating in the abovementioned countries should be made subject to the general rules applicable to imports into Spain and Portugal of products originating in third countries,

HAVE DECIDED AS FOLLOWS:

#### *Article 1*

As from 1 March 1986, imports into Spain and Portugal of products falling within the ECSC Treaty and originating in Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey and Yugoslavia, shall be subject to the provisions governing imports into Spain and Portugal of products originating in third countries in accordance with the Act of Accession of Spain and Portugal.

<sup>(1)</sup> OJ No L 12, 16. 1. 1986, p. 27.



*Article 2*

The Member States and the Commission shall take the measures necessary to implement this Decision.

Done at Brussels, 24 February 1986.

*For the Commission*

*The President*

Jacques DELORS

*For the Governments of the Member States*

*The President*

G. BRAKS

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**COMMISSION REGULATION (EEC) No 1667/86**

**of 29 May 1986**

**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 the Act of Accession of Spain and Portugal,

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 1351/86<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 985/86 of 4 April 1986 fixing the reference price for tomatoes for the 1986 marketing year<sup>(3)</sup> fixed the reference price for products of class I for May 1986 at 136,76 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 Regulation (EEC) No 3811/85<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 second indent of Article 1(2)(a) of Regulation (EEC) No 985/86;

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 18 % should be reintroduced for these tomatoes, with a minimum charge of 3,50 ECU per 100 kilograms net;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85<sup>(8)</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,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A countervailing charge of 29,32 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.

(1) OJ No L 118, 20. 5. 1972, p. 1.  
(2) OJ No L 119, 8. 5. 1986, p. 46.  
(3) OJ No L 90, 5. 4. 1986, p. 25.  
(4) OJ No L 220, 10. 8. 1974, p. 20.  
(5) OJ No L 368, 31. 12. 1985, p. 1.

(6) OJ No L 367, 23. 12. 1981, p. 3.  
(7) OJ No L 150, 6. 6. 1984, p. 4.  
(8) OJ No L 164, 24. 6. 1985, p. 1.

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

*Article 2*

This Regulation shall enter into force on 31 May 1986.

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

Done at Brussels, 29 May 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 1755/86  
of 5 June 1986

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 the Act of Accession of Spain and  
Portugal,

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 1351/86<sup>(2)</sup>, and in particular the  
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1667/86 of  
29 May 1986<sup>(3)</sup> introduced a countervailing charge on  
tomatoes originating in Turkey and suspended the preferential  
customs duty on imports of these products;

Whereas the present trend of prices for Turkish products  
on the representative markets referred to in Regulation  
(EEC) No 2118/74<sup>(4)</sup>, as last amended by Regulation  
(EEC) No 3811/85<sup>(5)</sup>, recorded or calculated in accordance  
with the provisions of Article 5 of that Regulation,  
indicated that entry prices have been at least equal to the  
reference price for two consecutive market days; whereas

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

Whereas, in accordance with Article 2 of Council Regulation  
(EEC) No 3671/81 of 15 December 1981 on imports  
into the Community of certain agricultural products originating  
in Turkey<sup>(6)</sup>, as amended by Regulation (EEC) No  
1555/84<sup>(7)</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 1667/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 6 June 1986.

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

Done at Brussels, 5 June 1986.

*For the Commission*

FRANS ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 119, 3. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 30.  
<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.  
<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(6)</sup> OJ No L 367, 23. 12. 1981, p. 9.  
<sup>(7)</sup> OJ No L 150, 6. 6. 1984, p. 4.

COMMISSION REGULATION (EEC) No 1769/86

of 6 June 1986

amending Regulation (EEC) No 2819/79 as regards certain textile products  
(categories 4, 5, 6, 7, 8, 12, 13, 20, 39 and 83) 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 1697/86 <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 I only on presentation of an export information document corresponding to the specimen shown in Annex II or, where appropriate, of an export information document relating to cottage industry and folklore products corresponding to the specimen shown in Annex III.

The said export information documents shall be issued by the Istanbul, Izmir (Smyrna) and Cukurova ready-made garment 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 9 June 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, 6 June 1986.

*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 146, 31. 5. 1986, p. 62.

ANNEX I

Category	CCT heading No	NIMEXE code (1986)	Description	Units
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ee) d) 1 aa) dd) 2 dd)	60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89	Under garments, knitted or crocheted, not elastic or rubberized:  Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, 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	1 000 pieces
5	60.05 A I a) II b) 4 bb) 11 aaa) bbb) ccc) ddd) eee) 22 bbb) ccc) ddd) eee) fff)	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, waistcoats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	1 000 pieces
6	61.01 B V d) 1 2 3 e) 1 2 3  61.02 B II e) 6 aa) bb) cc)	61.01-62, 64, 66, 72, 74, 76       61.02-66, 68, 72	Men's and boys' outer garments:       Women's, girls' and infants' outer garments:  B. Other:  Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	1 000 pieces
7	60.05 A II b) 4 aa) 22 33 44 55  61.02 B II e) 7 bb) cc) dd)	60.05-22, 23, 24, 25       61.02-78, 82, 84	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:  Blouses and shirt-blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	1 000 pieces

Category	CCT heading No	NIMEXE code (1986)	Description	Units
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	1 000 pieces
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	1 000 pairs
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	1 000 pieces
20	62.02 B I a) c)	62.02-12, 13, 19	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles:  B. Other:  Bed linen, woven	Tonnes
39	62.02 B II a) c) III a) 2 c)	62.02-40, 42, 44, 46, 51, 59, 65, 72, 74, 77	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles:  B. Other:  Woven table linen, toilet and kitchen linen, other than of cotton terry fabric	Tonnes
83	60.05 A II a) b) 4 hh) 11 22 33 44 ijij) 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	Tonnes

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No		
	3 Management year: Année de gestion :		4 Category number: Numéro de catégorie :		
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)		<b>EXPORT INFORMATION DOCUMENT (Textile products) DOCUMENT INFORMATION D'EXPORTATION (Produits textiles)</b>			
To be sent to the importer. Copie à envoyer à l'importateur.		6 Country of origin Pays d'origine	7 Country of destination Pays de destination		
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport		9 Supplementary details Données supplémentaires			
10 Merks and numbers — Number and kind of packages DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis DÉSIGNATION DES MARCHANDISES		11 Common Customs Tariff Heading Position du tarif dousanier commun NIMEXE Codes : Codes NIMEXE :	12 Quantity (1) Quantité	13 Value (1) fob Turkey Valeur fob Turquie	
This document must be presented to the competent authorities in the importer member country within one month of its date of issue. Le présent document doit être présenté aux autorités compétentes du pays membre importateur dans un délai d'un mois à compter de la date de sa délivrance.					
14 CERTIFICATION BY THE TURKISH AUTHORITY — VISA DE L'ASSOCIATION EXPORTRICE TURQUE :					
I, the undersigned, certify the authenticity of the above information. Je soussigné certifie l'authenticité des informations données ci-dessus.					
At-À ..... On-Le .....					
15 COMPETENT ASSOCIATION (Name, full address, country) ASSOCIATION COMPÉTENTE (Nom, adresse complète, pays)		Signature		Stamp-Cachet	

(\*) In the currency of the sale contract. — Dans la monnaie du contrat de vente.

(\*) Show net weight (kg) and also quantity in the unit prescribed for category.  
Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie.



1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)		ORIGINAL		2 No	
		<b>EXPORT INFORMATION DOCUMENT</b> in regard to handlooms, textile handicrafts and traditional textile products of the cottage industry  <b>DOCUMENT INFORMATION D'EXPORTATION</b> relatif aux tissus tissés sur métiers à main, aux produits textiles faits à la main, et aux produits textiles relevant du folklore traditionnel, de fabrication artisanale			
3 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)		4 Country of origin Pays d'origine		5 Country of destination Pays de destination	
To be sent to the importer. Copie à envoyer à l'importateur.					
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport		7 Supplementary details Données supplémentaires			
8 Marks and numbers — Number and kind of packages DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis DÉSIGNATION DES MARCHANDISES		9 Common Customs Tariff Heading Position du tarif douanier commun NIMEXE Codes : Codes NIMEXE :	10 Quantity (†) Quantité	11 Value (†) fob Turkey Valeur fob Turquie	
This document must be presented to the competent authorities in the importer member country within one month of its date of issue. Le présent document doit être présenté aux autorités compétentes du pays membre importateur dans un délai d'un mois à compter de la date de sa délivrance.					
12 CERTIFICATION BY THE TURKISH EXPORTING ASSOCIATION - VISA DE L'ASSOCIATION EXPORTEUR TURQUE :  I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box No 4 a) fabrics woven on looms operated solely by hand or foot (handlooms) (†) b) garments or other textile articles obtained manually from the fabrics described under a) and sewn solely by hand without the aid of any machine (handicrafts) (†) c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Economic Community and the Associations shown in box No 13  Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants relevant de la fabrication artisanale du pays figurant dans la case 4 a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) (†) b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits sous a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) (†) c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté écono- mique européenne et les associations indiquées dans la case 13.					
At-À ..... On-Le .....					
13 COMPETENT ASSOCIATION (Name, full address, country) ASSOCIATION COMPÉTENTE (Nom, adresse complète, pays)		Signature		Stamp-Cachet	

(†) In the currency of the sale contract — Dans la monnaie du contrat de vente  
 (†) Declare as appropriate — Biffer la (les) mention(s) inutile(s)

(†) Show net weight (kg) and also quantity in the unit prescribed for category — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie

COMMISSION REGULATION (EEC) No 1770/86

of 6 June 1986

repealing Regulation (EEC) No 2662/85 making the importation of certain textile products originating in Turkey subject to quantitative limitation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1842/71 of 21 June 1971 on protective measures provided for in the Additional Protocol to the Association Agreement between the EEC and Turkey and to the Interim Agreement between the EEC and Turkey<sup>(1)</sup>, and in particular Article 1 thereof,

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

Whereas Commission Regulation (EEC) No 2662/85<sup>(2)</sup> made the importation of certain textile products originating in Turkey subject to quantitative limitation until 31 July 1986;

Whereas Turkey has given assurances concerning the orderly development of its exports of these products to

the European Economic Community and administrative cooperation has been established between the European Economic Community and Turkey aimed at providing up-to-date information on the trend of trade flows for these products;

Whereas Regulation (EEC) No 2662/85 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2662/85 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 9 June 1986.

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

Done at Brussels, 6 June 1986.

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

<sup>(1)</sup> OJ No L 192, 26. 8. 1971, p. 14.

<sup>(2)</sup> OJ No L 252, 21. 9. 1985, p. 15.

**COUNCIL REGULATION (EEC) No 1910/86**

of 16 June 1986

**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 (1) 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 1986 by Regulation (EEC) No 1528/85 (2); whereas the tariff quota in question should therefore be opened for the abovementioned volume for the period 1 July 1986 to 30 June 1987;

Whereas, since a Protocol as provided for in Article 118 (1) of the 1979 Act of Accession and in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community adopted the measures envisaged respectively in Article 119 and in Articles 180 and 367 of those Acts, in Regulations (EEC) No 3555/80 (3) and (EEC) No 449/86 (4), determining the arrangements to be applied to imports into Greece and Spain and Portugal respectively, originating in particular in Turkey; whereas the quota concerned will, therefore, apply to the Community of Nine;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to 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, however, since the quota is to cover requirements which cannot be determined with sufficient accuracy, it should not be allocated 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 a procedure to be determined; 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 July 1986 to 30 June 1987, 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 suspended at a rate of 2,3 %.
3. 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 its requirements to the extent that the available balance of the reserve so permits.
4. The shares drawn pursuant to paragraph 3 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 (3) 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 product concerned have access to the quota for such time as the residual balance of the quota volume so permits.

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

(2) OJ No L 150, 8. 6. 1985, p. 41.

(3) OJ No L 382, 31. 12. 1980, p. 1.

(4) OJ No L 50, 28. 2. 1986, p. 40.

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

*Article 4*

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.

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 of the product concerned actually charged against the quota.

*Article 5*

This Regulation shall enter into force on 1 July 1986.

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

Done at Luxembourg, 16 June 1986.

*For the Council*

*The President*

H. van den BROEK

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**COMMISSION REGULATION (EEC) No 1971/86**  
**of 26 June 1986**  
**amending Regulation (EEC) No 2819/79 as regards certain textile products**  
**(category 73) 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 1769/86<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 Annex I only on presentation of an export information document corresponding to the specimen shown in Annex II or, where appropriate, of an export information document relating to cottage industry and folklore products corresponding to the specimen shown in Annex III.

The said export information documents shall be issued by the Istanbul, Izmir (Smyrna) and Cukurova ready-made garment 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 July 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, 26 June 1986.

*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 153, 7. 6. 1986, p. 26.

ANNEX I

Category	CCT heading No	NIMEXE code (1986)	Description	Units	Third countries
73	60.05 A II b) 3	60.05-16, 17, 19	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: II. Other: Track suits of knitted or crocheted fabric, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	1 000 pieces	Turkey

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No	
	3 Management year: Année de gestion:		4 Category number: Numéro de catégorie:	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT INFORMATION DOCUMENT (Textile products) DOCUMENT INFORMATION D'EXPORTATION (Produits textiles)</b>			
To be sent to the importer Copie à envoyer à l'importateur	6 Country of origin Pays d'origine		7 Country of destination Pays de destination	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires			
10 Marks and numbers — Number and kind of packages DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis DÉSIGNATION DES MARCHANDISES	11 Common Customs Tariff Heading Position du tarif douanier commun NIMEXE codes: Codes Nimexe:	12 Quantity (1) Quantité	13 Value (1) fob Turkey Valeur fob Turquie	
This document must be presented to the competent authorities in the importer member country within one month of its date of issue. Le présent document doit être présenté aux autorités compétentes du pays membre importateur dans un délai d'un mois à compter de la date de sa délivrance.				
14 CERTIFICATION BY THE TURKISH AUTHORITY — VISA DE L'ASSOCIATION EXPORTATRICE TURQUE:  I, the undersigned, certify the authenticity of the above information. Je soussigné certifie l'authenticité des informations données ci-dessus.  At-A ..... On-Le .....				
15 COMPETENT ASSOCIATION (name, full address, country) ASSOCIATION COMPÉTENTE (nom, adresse complète, pays)		Signature		Stamp-Cachet

(\*) In the currency of the sale contract. — Dans le monnaie du contrat de vente.

(\*) Show net weight (kg) and also quantity in the unit prescribed for category. Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie.

(\*) In the currency of the sale contract. — Dans le monnaie du contrat de vente  
 (†) Delete as appropriate — Biffer la (les) mention(s) inutile(s)

(1) Show net weight (kg) and also quantity in the unit prescribed for category.  
 Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No
3 Cons gnee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT INFORMATION DOCUMENT</b> in regard to handlooms, textile handicrafts and traditional textile products of the cottage industry <b>DOCUMENT INFORMATION D'EXPORTATION</b> relatif aux tissus tissés sur métiers à main, aux produits textiles faits à la main, et aux produits textiles relevant du folklore traditionnel, de fabrication artisanale		
To be sent to the importer Copie à envoyer à l'importateur	4 Country of origin Pays d'origine	5 Country of destination Pays de destination	
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	7 Supplementary details Données supplémentaires		
8 Marks and numbers — Number and kind of packages DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis DESIGNATION DES MARCHANDISES	9 Common Customs Tariff Heading Position du tarif douanier commun NIMEXE codes: Codes Nimexe:	10 Quantity (1) Quantité	11 Value (1) fob Turkey Valeur fob Turquie
This document must be presented to the competent authorities in the importer member country within one month of its date of issue. Le présent document doit être présenté aux autorités compétentes du pays membre importateur dans un délai d'un mois à compter de la date de sa délivrance			
12 CERTIFICATION BY THE TURKISH EXPORTING ASSOCIATION — VISA DE L'ASSOCIATION EXPORTATRICE TURQUE:			
I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box No 4			
a) fabrics woven on looms operated solely by hand or foot (handlooms) (†) b) garments or other textile articles obtained manually from the fabrics described under a) and sewn solely by hand without the aid of any machine (handicrafts) (†) c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Economic Community and the Associations shown in box No 13			
Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants, relevant de la fabrication artisanale du pays figurant dans la case 4			
a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) (†) b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits au point a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) (†) c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté économique européenne et les associations indiquées dans la case 13.			
At-A ..... On-Le .....			
13 COMPETENT ASSOCIATION (name, full address, country) ASSOCIATION COMPÉTENTE (nom, adresse complète, pays)	Signature ..... Stamp-Cachet .....		



COMMISSION REGULATION (EEC) No 2138/86  
of 8 July 1986

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 the Act of Accession of Spain and  
Portugal,

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 1351/86<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 coun-  
tervailing charge must be introduced in respect of the  
exporting country concerned, save in exceptional circum-  
stances; 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 985/86 of 4  
April 1986 fixing the reference price for tomatoes for the  
1986 marketing year<sup>(3)</sup> fixed the reference price for  
products of class I for the period 1 June to 10 July 1986  
at 99,96 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 Regulation  
(EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consid-  
eration 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 third indent of Article 1 (2) (a) of Regulation (EEC)  
No 985/86;

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 coun-  
tervailing charge on imports of tomatoes originating in  
Turkey, at the same time it reintroduces for the product  
in question the conventional rate of customs duty;  
whereas, therefore, a rate of customs duty of 18 % should  
be reintroduced for these tomatoes, with a minimum  
charge of 3,50 ECU per 100 kilograms net;

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

- in the case of currencies which are maintained in rela-  
tion 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 the  
last paragraph of Article 3 (1) of Council Regulation  
(EEC) No 1676/85<sup>(8)</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 rela-  
tion to the Community currencies referred to in the  
previous indent and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A countervailing charge of 23,82 ECU per 100 kilo-  
grams net is applied on imports of tomatoes falling  
within subheading 07.01 M of the Common Customs  
Tariff originating in Turkey.

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 90, 5. 4. 1986, p. 25.

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

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<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 164, 24. 6. 1985, p. 1.

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

*Article 2*

This Regulation shall enter into force on 10 July 1986.

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

Done at Brussels, 8 July 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 2254/86

of 17 July 1986

**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 the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2138/86 of 8 July 1986<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 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 2138/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 18 July 1986.

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

Done at Brussels, 17 July 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 187, 9. 7. 1986, p. 34.

<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 2592/86

of 19 August 1986

introducing a countervailing charge on table grapes originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<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 1128/86 of 18 April 1986 fixing for the 1986 marketing year the reference prices for table grapes<sup>(3)</sup> fixed the reference price for products of class I for the period from 21 July to 31 August 1986 at 50,91 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all 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 Commission Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by

Regulation (EEC) No 3811/85<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 table grapes originating in Turkey 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 table grapes;

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 corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(6)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of 6,67 ECU per 100 kilograms net is applied to table grapes (subheading 08.04 A I of the Common Customs Tariff) originating in Turkey.

*Article 2*

This Regulation shall enter into force on 21 August 1986.

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 103, 19. 4. 1986, p. 20.

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

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 19 August 1986.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

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**COMMISSION REGULATION (EEC) No 2676/86  
of 28 August 1986**

**introducing a countervailing charge on table grapes originating in Turkey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2592/86<sup>(3)</sup>, introduced a countervailing charge on table grapes originating in Turkey;

Whereas for table grapes 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 table grapes originating in Turkey can be abolished,

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EEC) No 2592/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 29 August 1986.

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

Done at Brussels, 28 August 1986.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 233, 20. 8. 1986, p. 5.

**COMMISSION REGULATION (EEC) No 2859/86**  
**of 16 September 1986**  
**introducing a countervailing charge and suspending the preferential customs**  
**duty on imports of lemons originating in Turkey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<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 1661/86 of 29 May 1986 fixing the reference price for lemons for the 1986 marketing year<sup>(3)</sup> fixed the reference price for products of class I for the month of September 1986 at 53,29 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 Regulation (EEC) No 3811/85<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 lemons originating in Turkey, 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 lemons;

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>, a rate of customs duty of 4 % should be reintroduced.

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 the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(8)</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,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A countervailing charge of 4,94 ECU per 100 kilograms net is applied on imports of lemons falling within subheading 08.02 C of the Common Customs Tariff originating in Turkey.
2. The rate of customs duty on imports of these products shall be 4 %.

*Article 2*

This Regulation shall enter into force on 18 September 1986.

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 39.

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

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<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 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 16 September 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 2924/86

of 23 September 1986

amending Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of 16 September 1986<sup>(3)</sup>, introduced a countervailing charge on lemons originating in Turkey;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1, paragraph 1, of Regulation (EEC) No 2859/86, '4,94 ECU' is hereby replaced by '14,82 ECU'.

*Article 2*

This Regulation shall enter into force on 24 September 1986.

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

Done at Brussels, 23 September 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 265, 17. 9. 1986, p. 7.

**COMMISSION REGULATION (EEC) No 2981/86**  
**of 29 September 1986**  
**amending for the second time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of 16 September 1986<sup>(3)</sup> as last amended by Regulation (EEC) No 2924/86<sup>(4)</sup> introduced a countervailing charge on lemons originating in Turkey;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1, paragraph 1, of Regulation (EEC) No 2859/86, '14,82 ECU' is hereby replaced by '29,18 ECU'.

*Article 2*

This Regulation shall enter into force on 30 September 1986.

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

Done at Brussels, 29 September 1986.

*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 119, 8. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 265, 17. 9. 1986, p. 7.  
<sup>(4)</sup> OJ No L 272, 24. 9. 1986, p. 19.

COMMISSION REGULATION (EEC) No 3048/86  
of 3 October 1986

amending for the third time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of 16 September 1986<sup>(3)</sup> as last amended by Regulation (EEC) No 2981/86<sup>(4)</sup>, introduced a countervailing charge on lemons originating in Turkey;

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

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

HAS ADOPTED THIS REGULATION :

*Article 1*

In Article 1, paragraph 1, of Regulation (EEC) No 2859/86, '29,18 ECU' is hereby replaced by '39,66 ECU'.

*Article 2*

This Regulation shall enter into force on 4 October 1986.

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

Done at Brussels, 3 October 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 265, 17. 9. 1986, p. 7.

<sup>(4)</sup> OJ No L 279, 30. 9. 1986, p. 23.

**COMMISSION REGULATION (EEC) No 3124/86**  
of 14 October 1986  
**amending for the fourth time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of 16 September 1986<sup>(3)</sup> as last amended by Regulation (EEC) No 3048/86<sup>(4)</sup>, introduced a countervailing charge on lemons originating in Turkey;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1, paragraph 1, of Regulation (EEC) No 2859/86, '39,66 ECU' is hereby replaced by '36,36 ECU'.

*Article 2*

This Regulation shall enter into force on 15 October 1986.

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

Done at Brussels, 14 October 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 265, 17. 9. 1986, p. 7.

<sup>(4)</sup> OJ No L 283, 4. 10. 1986, p. 19.

**COMMISSION REGULATION (EEC) No 3215/86**  
of 22 October 1986

amending for the fifth time Regulation (EEC) No 2859/86 introducing a countervailing charge and suspending the preferential customs duty on lemons originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of 16 September 1986<sup>(3)</sup> as last amended by Regulation (EEC) No 3124/86<sup>(4)</sup>, introduced a countervailing charge on lemons originating in Turkey;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1, paragraph 1, of Regulation (EEC) No 2859/86, '36,36 ECU' is hereby replaced by '23,54 ECU'.

*Article 2*

This Regulation shall enter into force on 23 October 1986.

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

Done at Brussels, 22 October 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 265, 17. 9. 1986, p. 7.

<sup>(4)</sup> OJ No L 291, 15. 10. 1986, p. 28.

COMMISSION REGULATION (EEC) No 3314/86  
of 30 October 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European  
Economic Community,

Having regard to the Act of Accession of Spain and  
Portugal,

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 1351/86<sup>(2)</sup>, and in particular the  
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of  
16 September 1986<sup>(3)</sup>, as last amended by Regulation  
(EEC) No 3215/86<sup>(4)</sup>, introduced a countervailing charge  
on lemons 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 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 lemons originating in Turkey can be  
abolished ;

Whereas, in accordance with Article 2 of Council Regula-  
tion (EEC) No 3671/81 of 15 December 1981 on imports  
into the Community of certain agricultural products  
originating in Turkey<sup>(5)</sup>, as amended by Regulation (EEC)  
No 1555/84<sup>(6)</sup>, the preferential rate of customs duty  
should be re-established at the same time as the counter-  
vailing charge is abolished,

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EEC) No 2859/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 31 October  
1986.

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

Done at Brussels, 30 October 1986.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 265, 17. 9. 1986, p. 7.  
<sup>(4)</sup> OJ No L 299, 23. 10. 1986, p. 27.

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

COMMISSION REGULATION (EEC) No 3687/86  
of 2 December 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

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 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1661/86 of 29 May 1986 fixing for the 1986/87 marketing year the reference prices for lemons<sup>(3)</sup> fixed the reference price for products of class I for the period from November 1986 to April 1987 at 45,00 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 Regulation (EEC) No 3811/85<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 lemons from Turkey the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas two of these entry prices are at least 0,6 ECU below the reference price; whereas a countervailing charge should therefore be introduced for lemons;

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 lemons originating in Turkey, at the same time it reintroduces for the product in question the rate of customs duty at the level which applied prior to 1 January 1981, whereas, therefore, a rate of customs duty of 4 % should be reintroduced for these lemons;

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 corrective factor provided for in Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(8)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid factor;

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

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 39.

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

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<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 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION:

2. The rate of customs duty on imports of these products shall be 4 %.

*Article 1*

1. A countervailing charge of 16,12 ECU per 100 kilograms net is applied on imports of lemons falling within subheading 08.02 C of the Common Customs Tariff originating in Turkey.

*Article 2*

This Regulation shall enter into force on 4 December 1986. Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 9 December 1986.

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

Done at Brussels, 2 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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COMMISSION REGULATION (EEC) No 3981/86  
of 22 December 1986

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 and amending Regulation (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating 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>, amended by Regulation (EEC) No 1243/86<sup>(2)</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>(3)</sup>, the period of validity of which was last amended by Regulation (EEC) No 3980/86<sup>(4)</sup>, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulation (EEC) No 3044/79<sup>(5)</sup>, the Commission established Community surveillance of imports of certain textile products originating in Malta;

Whereas, by Regulation (EEC) No 1782/80<sup>(6)</sup>, the Commission established Community surveillance of imports of certain textile products originating in Egypt;

Whereas, by Regulations (EEC) No 2295/82<sup>(7)</sup>, as last amended by Regulations (EEC) No 1241/86<sup>(8)</sup>, (EEC) No 3652/85<sup>(9)</sup>, (EEC) No 1769/86<sup>(10)</sup> and (EEC) No 1971/86<sup>(11)</sup> the Commission established Community surveillance of imports of certain textile products originating in Turkey;

Whereas those Regulations expire on 31 December 1986;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regula-

tions should therefore be extended for an additional period;

Whereas the provisions of Regulation (EEC) No 1782/80 should be defined as applying to cotton yarn (category 1) originating in Egypt,

HAS ADOPTED THIS REGULATION:

*Article 1*

Community surveillance of imports of certain textile products established by Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 is hereby extended until 31 December 1987.

*Article 2*

Regulation (EEC) No 1782/80 is hereby amended as follows:

1. Article 1 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 Annex I only on presentation of an export licence issued and endorsed by the competent Egyptian authorities (Cotton Textile Consolidation Fund) and corresponding to the specimen shown in Annex II'.

2. The Annex is replaced by the Annexes I and II to this Regulation.

*Article 3*

This Regulation shall enter into force on 1 January 1987.

It shall apply until 31 December 1987.

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

<sup>(2)</sup> OJ No L 113, 30. 4. 1986, p. 1.

<sup>(3)</sup> OJ No L 320, 15. 12. 1979, p. 9.

<sup>(4)</sup> See page 21 of this Official Journal.

<sup>(5)</sup> OJ No L 343, 31. 12. 1979, p. 8.

<sup>(6)</sup> OJ No L 174, 9. 7. 1980, p. 16.

<sup>(7)</sup> OJ No L 245, 20. 8. 1982, p. 25.

<sup>(8)</sup> OJ No L 129, 15. 5. 1985, p. 6.

<sup>(9)</sup> OJ No L 328, 24. 12. 1985, p. 19.

<sup>(10)</sup> OJ No L 153, 7. 6. 1986, p. 26.

<sup>(11)</sup> OJ No L 170, 27. 6. 1986, p. 27.

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

Done at Brussels, 22 December 1986.

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

ANNEX I

Category	CCT heading No	NIMEXE code (1987)	Description	Units	Third countries
1	55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	tonnes	Egypt

**COTTON TEXTILE CONSOLIDATION FUND — EGYPT**

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie 01	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE for Egyptian cotton yarn</b>		
	<b>LICENCE D'EXPORTATION pour les fils de coton égyptiens</b>		
6 Country of origin Pays d'origine	7 Country of destination Pays de destination		
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires		
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES		11 Quantity (?) Quantité (?)	12 FOB Value (?) Valeur fob (?)
<p>13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE</p> <p>I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community</p> <p>Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté économique européenne</p>			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At - À ..... on - le .....	
		(Signature) (Stamp - Cachet)	

(1) Show net weight (kg) and also quantity in the unit prescribed for category, where other than net weight - Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
 (2) In the currency of the sale contract - Dans la monnaie du contrat de vente

COUNCIL REGULATION (EEC) No 4115/86

of 22 December 1986

on import into the Community of agricultural products in Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, by its Decision No 1/80, the EEC-Turkey Association Council decided to abolish the customs duties will applicable to imports into the Community of agricultural products originating in Turkey which may not yet be imported into the Community free of customs duty;

Whereas in respect of such products:

- (a) duties equivalent to or less than 2 % are to be abolished from 1 January 1981;
- (b) duties of more than 2 % are to be abolished in four stages according to the following timetable:

Time table	Rate of reduction
As from 1 January 1981	30 %
As from 1 January 1983	60 %
As from 1 January 1985	80 %
As from 1 January 1987	100 %

- (c) duties reaching a level of 2 % or less during the process of tariff dismantling are to be abolished completely;

Whereas it is necessary to take measures for the fourth period beginning 1 January 1987;

Whereas, in the case of products for which Community rules require a certain import price to be observed, application of the tariff preference is subject to observance of that price;

Whereas, for certain products, detailed rules of application have been established as regards quantities of seasonal restrictions by the exchange of letters of 20 January 1981 between the Community and Turkey<sup>(1)</sup>, account having been taken of the interests of both parties;

Whereas the step-by-step elimination of the customs duties applied by the Community to imports originating in Turkey does not conflict with the principles and machinery of the common agricultural policy;

Whereas the elimination of customs duties by the Community, as provided for in Article 1 of this Regulation, is subject to the observance of normal conditions of competition by Turkey;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey<sup>(2)</sup>;

Whereas the adaptation protocols consequent on the enlargement of the Community have not yet been concluded between the Community and Turkey; whereas, in accordance with Articles 179 and 366 of the Act of Accession of Spain and Portugal, these Member States apply the most favoured nation treatment to Turkey;

Whereas this Regulation therefore applies to the Member States other than Greece, Spain and Portugal,

HAS ADOPTED THIS REGULATION:

Article 1

1. Products originating in Turkey which are listed in Annex II to the EEC Treaty, other than those listed in the Annex hereto, shall be put into free circulation in the Member States other than Greece, Spain and Portugal free of customs duty.
2. Products originating in Turkey which are listed in the Annex hereto shall be put into free circulation in the Member States other than Greece, Spain and Portugal at the levels of customs duty indicated in each case.

Article 2

1. In case of products for which Community rules require a certain import price to be observed, application of the preferential tariff shall be subject to observance of that price.

<sup>(1)</sup> OJ No L 65, 11. 3. 1981, p. 36.

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

In the case of fishery products for which a reference price is fixed, application of the preferential tariff shall be subject to observance of that reference price.

2. For the purposes of the application of this Regulation, originating products means products fulfilling the conditions laid down in Association Council Decision No 4/72 annexed to Regulation (EEC) No 428/73 <sup>(1)</sup>, as amended by Decision No 1/75 annexed to Regulation (EEC) No 1431/75 <sup>(2)</sup>.

3. The methods of administrative cooperation for ensuring that imports of the products referred to in Article 1 benefit from the reduced customs duties shall be those laid down in Association Council Decision No 5/72 annexed to Regulation (EEC) No 428/73, as last amended by Decision No 1/78 annexed to Regulation (EEC) No 2152/78 <sup>(3)</sup>.

*Article 3*

1. The reduction of customs duties by the Community as provided for in Article 1 shall be subject to observance by Turkey of the normal conditions of competition defined in Articles 43 to 47 of the Additional Protocol; if a given product is found to have been the subject of dumping, aids or measures incompatible with the principles set out in the Articles referred to, the Community may, without prejudice to the other provisions of those Articles, reimpose

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

Done at Brussels, 22 December 1986.

the full duty on imports of that product into the Community until such time as the dumping, aids or other measures have been discontinued.

2. The procedure applicable for implementing paragraph 1 shall be that stipulated in Council Regulation (EEC) No 1842/71 of 21 June 1971 on the protective measures provided for in the Additional Protocol to the Agreement of Association between the European Economic Community and Turkey and in the Interim Agreement between the European Economic Community and Turkey <sup>(4)</sup>, without prejudice to the procedures defined in the Articles mentioned in paragraph 1.

3. In the event of disturbances or the threat of disturbances on the Community market resulting either from quantities or prices of exports of products originating in Turkey for which customs duties have been removed, consultations shall be held in the Association Council as soon as possible, without prejudice to the application, in the event of an emergency, of measures provided for in Community legislation.

*Article 4*

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

It shall apply from 1 January 1987.

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

<sup>(1)</sup> OJ No L 59, 5. 3. 1973, p. 73.

<sup>(2)</sup> OJ No L 142, 4. 6. 1975, p. 1.

<sup>(3)</sup> OJ No L 253, 15. 9. 1978, p. 1.

<sup>(4)</sup> OJ No L 192, 26. 8. 1971, p. 14.

## ANNEX

CCT heading No	Description	Rate of duty (%)
07.01	Vegetables, fresh or chilled:	
	A. Potatoes:	
	II. New potatoes:	
	a) From 1 January to 15 May:	Free
	— From 1 January to 31 March	15
	— From 1 April to 15 May	21
	b) From 16 May to 30 June	21
	F. Leguminous vegetables, shelled or unshelled:	
	II. Beans (of the species Phaseolus):	
	a) From 1 October to 30 June:	13
	— From 1 October bis 31 October	with a min. of 2 ECU per 100 kg net
	— From 1 November to 30 April	Free
	— From 1 May to 30 June	13
		with a min. of 2 ECU per 100 kg net
		17
		with a min. of 2 ECU per 100 kg net
	b) From 1 July to 30 September	
	III. Other:	
	— Broad beans ( <i>Vicia faba major</i> L.):	
	— From 1 May to 30 June	14
	— From 1 July to 30 April	Free
	— Other	Free
	H. Onions, shallots and garlic:	
	— Onions:	
	— From 16 May to 14 February	12
	— From 15 February to 15 May	Free
	— Shallots and garlic	Free
	T. Other:	
	I. Vegetable marrows (including courgettes):	
	— From 1 March to 30 November	16
	— From 1 December to end February	Free
	II. Aubergines:	
	— From 1 May to 14 January	16
	— From 15 January to 30 April	Free

CCT heading No	Description	Rate of duty (%)
07.01 (cont'd)	T. III. Other: — Celery sticks: — From 1 January to 30 April — From 1 May to 31 December — Pumpkins: — From 1 December to end February — From 1 March to 30 November — Other	Free 16 Free 16 Free
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes: a) From 1 November to 14 July: 2. Other: — From 1 November to 14 November — From 15 November to 30 April — From 1 May to 17 June — From 18 June to 14 July b) From 15 July to 31 October: — From 15 July to 17 July — From 18 July to 31 October	18 Free 18 Free Free Free 22
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: ex G. Other: — Hazelnuts	4 (a)
08.07	Stone fruit, fresh: D. Plums: I. From 1 July to 30 September II. From 1 October to 30 June: — From 1 October to 30 April — From 1 May to 15 June — From 16 June to 30 June	15 with a min. of 3 ECU per 100 kg net 8 Free 8
08.09	Other fruit, fresh: — Melons: — From 1 November to 31 May — From 1 June to 31 October — Water melons: — From 1 April to 15 June — From 16 June to 31 March — Other	Free 11 Free 11 Free

(a) Duty exemption within the limits of an annual Community tariff quota of 25 000 tonnes.

CCT heading No	Description	Rate of duty (%)
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: C. Tomatoes	Free (a)
20.06	Fruit, otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4,5 kg or more: aa) Apricots: — Pulp — Other	17 (b) Free

(a) Under the conditions which have been determined by an exchange of letters (OJ No L 65, 11. 3. 1981, p. 36 and OJ No C 325, 12. 12. 1981, p. 15).

(b) Free within the limits of an annual tariff quota of 90 tonnes.



COUNCIL REGULATION (EEC) No 4116/86

of 22 December 1986

on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products <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 referred to in Article 4 of the Agreement establishing an association between the European Economic Community and Turkey <sup>(2)</sup> and under Article 9 of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community <sup>(3)</sup>, which was signed in Ankara on 30 June 1973 and entered into force on 1 March 1986 <sup>(4)</sup>, 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 1987 either the fixed component of the charge applicable to the goods falling within 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 <sup>(5)</sup>, determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria,

Tunisia or Turkey <sup>(6)</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 Ten,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January until 31 December 1987 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 attached to Regulation (EEC) No 428/73 <sup>(6)</sup>, as amended by Decision No 1/75 attached to Regulation (EEC) No 1431/75 <sup>(7)</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 attached to Regulation (EEC) No 428/73, as last amended by Decision No 1/83, attached to Regulation (EEC) No 993/83 <sup>(8)</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.

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

<sup>(2)</sup> OJ No 217, 29. 12. 1964, p. 3683/64.

<sup>(3)</sup> OJ No L 361, 31. 12. 1977, p. 2.

<sup>(4)</sup> OJ No L 48, 26. 2. 1986, p. 36.

<sup>(5)</sup> OJ No L 382, 31. 12. 1980, p. 1.

<sup>(6)</sup> OJ No L 59, 5. 3. 1973, p. 73.

<sup>(7)</sup> OJ No L 142, 4. 6. 1975, p. 1.

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

*Article 3*

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

2. Where the Commission has been requested by a Member State to take action it shall take a decision within a maximum period of 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer the Commission's action to 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 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

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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

Order No	CCT heading No	Description	Rate of duty
	07.01	Vegetables, fresh or chilled:	
15.0001		T. Other: ex II. Aubergines, from 1 to 14 January	9 %
15.0003	ex 08.09	Other fruit, fresh: — Watermelons, from 1 November to 31 March	6,5 %
15.0005	18.06	Chocolate and other food preparations containing cocoa:	
15.0007		A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	3 % + vc
		C. Chocolate and chocolate goods, whether or not filled, sugar confectionery and substitutes theretor made from sugar substitution products, containing cocoa	9 % + vc with a max. of 27 % + ads
15.0009	19.02	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:	
		B. Other: ex II. Other: — Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
15.0011	21.07	Food preparations not elsewhere specified or included:	
15.0013		A. Cereals in grain or ear form, pre-cooked or otherwise prepared:	
15.0015		I. Maize	3 % + vc
		II. Rice	3 % + vc
		III. Other	2 % + vc
15.0017	ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	2 % + vc <sup>1</sup>

Abbreviations:

(L) = levy,  
vc = variable component,  
ads = additional duty on sugar.

COUNCIL REGULATION (EEC) No 4117/86

of 22 December 1986

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 (1987)

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 7 of the Supplementary Protocol to the Agreement on the association between the European Economic Community and Turkey consequent on the accession of new Member States to the Community <sup>(1)</sup>, which was signed in Ankara on 30 June 1973 and entered into force on 1 March 1986 <sup>(2)</sup>, provides for the total suspension of 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 those 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; whereas the import of these products should therefore be subject to a system of supervision;

Whereas this objective may be attained by means of an administrative procedure based on setting off imports of the products in question against the ceiling, at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for free circulation; whereas this administrative procedure must make provision for the reintroduction of the Common Customs Tariff duty as soon as the said ceiling has been reached at Community level;

Whereas this administrative procedure requires close and very rapid cooperation between the Member States and the Commission, which must be able to monitor the amounts set off against the ceiling and keep the Member States informed thereof; whereas this cooperation must be all the closer to enable the Commission to take adequate measures to reintroduce the Common Customs Tariff duty whenever the ceiling is reached,

HAS ADOPTED THIS REGULATION

*Article 1*

1. From 1 January to 31 December 1987 the Common Customs Tariff duties shall, subject to Article 2, be totally suspended in the Community of Nine for certain petroleum products referred to hereinafter and refined in Turkey, within the limits of a Community ceiling of 705 000 tonnes.

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

<sup>(1)</sup> OJ No L 361, 31. 12. 1977, p. 2.

<sup>(2)</sup> OJ No L 48, 26. 2. 1986, p. 36.

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

Order No	CCT heading No	Description
13.0010	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 rules referred to in this Article.

*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.

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

Done at Brussels, 22 December 1986.

*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 1987.

*For the Council*

*The President*

G. SHAW

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COUNCIL REGULATION (EEC) No 4126/86  
of 22 December 1986

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 (1987)

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 3721/84 of 18 December 1984 on imports into the Community of agricultural products originating in Turkey (\*) provides that fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey are admitted on importation into the Community at zero duty, within the limit of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1987;

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 (?);

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 1983, 1984 and 1985; whereas they represent the following percentage of the total imports into the Community from Turkey:

Member States	1983		1984		1985	
	Tonnes	%	Tonnes	%	Tonnes	%
Benelux	6 332	9,37	6 815	8,36	5 266	7,10
Denmark	1 249	1,85	999	1,23	792	1,07
Germany	45 649	67,58	53 831	66,06	47 224	63,65
France	7 786	11,53	9 013	11,06	9 416	12,69
Ireland	30	0,04	22	0,03	28	0,03
Italy	746	1,10	2 904	3,56	5 206	7,02
United Kingdom	5 760	8,53	7 901	9,70	6 264	8,44
Total	67 552		81 485		74 196	

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

(?) 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 1987 at approximately the following percentages:

Benelux	8,24
Denmark	1,60
Germany	65,60
France	17,19
Ireland	0,03
Italy	3,43
United Kingdom	8,91

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 approximately 81 % 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 1987, the Common Customs Tariff duty on the following product imported in the Community of Nine, shall be suspended at the level and within the limit of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amount of tariff quota (in tonnes)	Rate of duty (in %)
09.0201	ex 08.05 G	Fresh or dried hazelnuts, shelled or not, originating in Turkey	25 000	0

2. Imports of the product in question benefiting from the same customs duties under preferential arrangements shall not be charged against this tariff quota.

3. 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 24 000 tonnes shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1987, shall be as follows:

	<i>(tonnes)</i>
Benelux	1 680
Denmark	326
Germany	13 384
France	2 486
Ireland	6
Italy	700
United Kingdom	1 818



3. The second instalment amounting to 4 600 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 10 % 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 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 1987.

*Article 5*

Member States shall return to the reserve, not later than 1 October 1987, the unused portion of their initial shares which on 15 September 1987 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 1987, of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1987 and, where appropriate, the proportion of their initial share that they are returning to the reserve.

*Article 6*

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

It shall notify the Member States, not later than 5 October 1987, 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 1987.

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

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