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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3289/74 OF THE COUNCIL

of 19 December 1974

opening, allocating and providing for the administration of a Community tariff quota for Jerez wines falling within subheading ex 22.05 of the Common Customs Tariff, originating in Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas on the signing of the Agreement ⁽¹⁾ between the European Economic Community and Spain, at Luxembourg on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of certain wines originating in Spain, in particular Jerez wines; whereas:

- a 60% reduction in the Common Customs Tariff duties applicable to Jerez wines originating in Spain and imported in containers holding two litres or less should be granted for 1975 up to a Community tariff quota of 40 000 hectolitres; and
- a 50% reduction in the Common Customs Tariff duties applicable to Jerez wines originating in Spain and imported in containers holding more than two litres should be granted for 1975 up to a Community tariff quota of 210 000 hectolitres;

Whereas the Community tariff quotas in question should be opened for the year 1975, and whereas, however, because of the possibility of implementing other preferential arrangements as a result of a new

Agreement between the European Economic Community and Spain, it is necessary to confine the period of validity of these tariff quotas to such period as is not covered by the new Agreement;

Whereas these wines remain subject to the provisions governing the common organization of the market in vine products; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and a certificate, issued by the recognized Spanish authorities and endorsed by the Spanish customs, stating the recognized designation of the origin of these wines, within the framework of the methods of administrative cooperation existing between the Community and Spain;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the principles mentioned above, the Community nature of the quotas 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 concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of Jerez wines on the markets; whereas, however, Spanish statistics for exports of these products to the Community during

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

the past few years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Spain of the products concerned:

	1971	1972	1973
Jerez wines:			
— in containers holding two litres or less:			
Germany	18.5	14.8	14.6
Benelux	67.9	76.8	77.3
France	1.6	1.0	0.9
Italy	12.0	7.4	7.2
— in containers holding more than two litres:			
Germany	7.0	5.5	9.2
Benelux	92.7	94.3	90.6
France	0.2	0.1	0.1
Italy	0.1	0.1	0.1

Whereas, in view of these sectors and of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

	Jerez wines in containers holding:	
	two litres or less	more than two litres
Germany	17.0	7.8
Benelux	74.0	92.0
France	1.0	0.1
Italy	8.0	0.1

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of the quota amounts should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming

a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quotas should be determined at a level which, under present circumstances, may be 80% of each of the quota amounts;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial, and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of one or other of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the above-mentioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1975 until the date of entry into force of a new Agreement between the European Economic Community and Spain but not later than 31 December 1975, the Common Customs Tariff duties in respect of the following Jerez wines originating in Spain shall be partially suspended at the levels or within the limits of the Community tariff quotas indicated for each of them:

CCT heading No	Description	Rates (in u.a./hl)	Quota Volume (in hl)
ex 22.05 C III a) 1	Wines from Jerez	5.4	} 40 000
ex 22.05 C IV a) 1	Wines from Jerez	5.8	
ex 22.05 C III b) 1	Wines from Jerez	5.5	} 210 000
ex 22.05 C IV b) 1	Wines from Jerez	6.0	

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

3. The inclusion of these wines in the Community tariff quota referred to in paragraph 1 shall be conditional upon the observance of the reference price applying to them and to production of a certificate corresponding to one of the specimens annexed hereto, issued by the recognized Spanish authorities, stating the recognized designation of these wines; this certificate shall be endorsed by the Spanish customs authorities under the same conditions as movement certificate A.E.1.

Article 2

1. The quotas laid down in Article 1 shall be divided into two tranches.

2. The first tranche shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until the end of the period specified in Article 1 shall be as follows:

(in hectolitres)		
	Jerez wines under subheadings	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Germany	5 440	13 100
Benelux	23 680	154 560
France	320	170
Italy	2 560	170
Total	32 000	168 000

3. The second tranche of each quota, that is 8 000 hectolitres and 42 000 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares have been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1 to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after one or other of its second shares have been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

If, by 15 September 1975, a Member State has not used up its initial shares, it shall, not later than

10 October 1975, return to the reserve the unused portion of these shares in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected up to 15 September 1975 inclusive, and charged against the Community quotas and, where appropriate, the proportion of their initial shares that is being returned to each reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in each reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are

drawn pursuant to Article 3, it is possible for charges to be made, without interruption, against their accumulated shares of the Community quotas.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

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

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

Article 8

Member States shall inform the Commission at regular intervals 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 observed.

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

ANNEX

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

No

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICATE OF DESIGNATION OF ORIGIN

I, the undersigned,
of the Consejo Regulador of the designation of origin
certify:

1. that

declares on his own responsibility that he is exporting the following wines:

Packages		Description of goods	Litres	Weight	
Marks and numbers	Number			gross	net

Place of departure shipped by

to at

2. that according to the documents produced and those in the possession of this council, the abovementioned wines were produced in the region of '.....' and are entitled to use the registered designation of origin '.....'.

Endorsement of the Customs
office of export:

....., 19.....
(Place) (Date)

For the Consejo Regulador

(Seal)

ANNEXE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

N°

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICAT DE L'APPELLATION D'ORIGINE

Le soussigné,
du Consejo Regulador de l'appellation d'origine
certifie :

1. que

déclare sous sa responsabilité qu'il exporte les vins ci-après :

Colis		Désignation des marchandises	Litres	Poids	
Marques et numéros	Nombre			brut	net

Lieu de départ expédié par

à la destination de à

2. qu'au vu des documents présentés et de ceux en possession de ce conseil, les vins susmentionnés ont été produits dans la région de « » et ont le droit d'utiliser l'appellation contrôlée d'origine « ».

Visa du bureau de douane
d'exportation :

....., le 19.....
(Lieu) (Date)

Pour le Consejo Regulador

(Sceau)

ANHANG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

Nr.

BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG

Der Unterzeichnete

vom Consejo Regulador für Ursprungsbezeichnung

bestätigt:

1. daß

in eigener Verantwortung erklärt, daß er die nachstehenden Weine ausführt:

Packstücke		Warenbezeichnung	Liter	Gewicht	
Zeichen und Nummern	Anzahl			brutto	netto

Verladeort Verladen auf

bestimmt für in

2. daß gemäß den vorgelegten und den dem Rat schon vorliegenden Dokumenten die vorstehend aufgeführten Weine im Gebiet „.....“ erzeugt wurden und Anspruch auf die Ursprungsbezeichnung „.....“ haben.

Sichtvermerk des Ausfuhrzollamtes:

....., den 19.....
(Ort) (Datum)

Für den Consejo Regulador

(Siegel)

ALLEGATO

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

N.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICATO DI DENOMINAZIONE DI ORIGINE

Il sottoscritto,

del Consejo Regulador della denominazione di origine

attesta:

1. che

dichiara sotto la sua responsabilità che esporta i vini qui appresso indicati:

Marche e numeri	Collo		Designazione delle merci	Litri	Peso	
	Numero				lordo	netto

Luogo di partenza spedito da

a destinazione di a

2. che, secondo i documenti presentati e quelli in possesso di questo consiglio, i vini di cui sopra sono stati prodotti nella regione di «.....» e hanno il diritto di utilizzare la denominazione controllata di origine «.....».

Visto dell'ufficio di dogana di
esportazione:

....., addì 19.....
(Luogo) (Data)

Per il Consejo Regulador

.....
(Timbro)

BIJLAGE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICAAT VAN BENAMING VAN OORSPRONG

Ondergetekende,

van de Consejo Regulador voor de benaming van oorsprong

bevestigt:

1. dat

onder eigen verantwoordelijkheid verklaart dat hij de hierna volgende wijnen uitvoert:

Collis		Omschrijving	Liter	Gewicht	
Merken en nummers	Aantal			bruto	netto

Plaats van inlading verzonden door

bestemd voor in

2. dat volgens de ingediende en bij deze raad voorgelegde documenten de voornoemde wijnen geproduceerd zijn in de streek „.....” en gerechtigd zijn de benaming van oorsprong „.....” te voeren.

Visum van het douanekantoor
van uitvoer:

.....
(plaats).....
(datum)

Voor de Consejo Regulador

.....
(zegel)

BILAG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFIKAT FOR OPRINDELSBETEGNELSE

Undertegnede

af Consejo Regulador for oprindelsesbetegnelse

bekræfter:

1. at

erklærer under ansvar at han eksporterer følgende vine:

Antal pakker		Varebetegnelse	Liter	Vægt	
Mærker og numre	Antal			brutto	netto

Afskibningssted afskibet af

bestemmelsessted i

2. at i følge de foreviste og de allerede i Rådets besiddelse værende dokumenter er de ovenfor nævnte vine fremstillet i distriktet ».....« og har tilladelse til at bruge oprindelsesnavnet ».....«.

Eksporttoldkontorets stempel:

....., den 19.....
(Sted) (Dato)

For Consejo Regulador

(Segl)

ANNEXE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nº

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICADO DE LA DENOMINACIÓN DE ORIGEN

El que suscribe,
del Consejo Regulador de la Denominación de Origen
certifica:

1. Que

declaran ante él y bajo su responsabilidad que expiden la siguiente partida de vinos:

Bultos		Denominación	Litros	Pesos	
Marcas y numeros	Numeros			bruto	neto

Lugar de salida enviado por

con destino a de

2. Que de acuerdo con los documentos que me exhiben y antecedentes que obran en poder de este consejo, los vinos cuya relación antecede fueron producidos en la Zona «.....» y pueden en derecho utilizar esta denominación de origen «.....».

Visado de la Aduana de salida :

.....
(Lugar)

.....
(Fecha)

19.....

Por el Consejo Regulador

.....
(Selos)

REGULATION (EEC) No 3290/74 OF THE COUNCIL

of 19 December 1974

opening, allocating and providing for the administration of a Community tariff quota for Malaga wines falling within subheading ex 22.05 of the Common Customs Tariff, originating in Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas on the signing of the Agreement ⁽¹⁾ between the European Economic Community and Spain at Luxembourg on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of certain wines originating in Spain, in particular Malaga wines; whereas a 50% reduction in the Common Customs Tariff duties applicable to Malaga wines originating in Spain and imported in containers holding two litres or less should be granted for 1975 up to a Community tariff quota of 15 000 hectolitres;

Whereas the Community tariff quota in question should be opened for the year 1975, and whereas, however, because of the possibility of the entry into force during 1975 of a new Agreement in this regard between the European Economic Community and Spain, it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new Agreement;

Whereas these wines remain subject to the provisions governing the common organization of the market in vine products, especially as regards observance of the reference price; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and of a certificate, issued by the recognized Spanish authorities and endorsed by the Spanish customs, stating the recognized designation of origin of these wines, within the framework of the methods of administrative cooperation existing between the Community and Spain;

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, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of Malaga wines on the markets; whereas, however, Spanish statistics for exports of these products to the Community during the last few years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States during the past three years represent the following percentages of the imports into the Community from Spain of the products concerned:

	1971	1972	1973
Germany	16.7	54.1	64.4
Benelux	25.9	30.6	21.6
France	21.3	4.1	4.0
Italy	36.1	11.2	10.0

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

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

Germany	58
Benelux	21
France	4
Italy	17

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States

and the Commission, which must, in particular be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance of the initial share remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1975 until the date of entry into force of a new Agreement between the European Economic Community and Spain but not later than 31 December 1975, the Common Customs Tariff duties in respect of Malaga wines originating in Spain shall be partially suspended at the levels shown below within the limits of a total Community tariff quota of 15 000 hectolitres:

CCT heading No	Description of goods	Rates (in u.a./hl)
ex 22.05 C III a) 2	Wine from Malaga	8.50
ex 22.05 C IV a) 2	Wine from Malaga	9.50

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

Spanish customs authorities under the same conditions as movement certificate A.E.1.

Article 2

3. The inclusion of Malaga wines in the Community tariff quota referred to in paragraph 1 shall be conditional upon observance of the reference price applying to them and to production of a certificate corresponding to one of the specimens annexed hereto, issued by the recognized Spanish authorities, stating the recognized designation of origin of these wines; this certificate shall be endorsed by the

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

2. A first tranche, amounting to 12 000 hectolitres, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until the end of the period specified in Article 1 shall be as follows:

Germany	6 960 hl,
Benelux	2 520 hl,
France	480 hl,
Italy	2 040 hl.

3. The second tranche of 3 000 hectolitres shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

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

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period specified in Article 1.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than

10 October 1975, return the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the share opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

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

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

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

ANNEX

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

No

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICATE OF DESIGNATION OF ORIGIN

I, the undersigned,
of the Consejo Regulador of the designation of origin
certify:

1. that

declares on his own responsibility that he is exporting the following wines:

Packages		Description of goods	Litres	Weight	
Marks and numbers	Number			gross	net

Place of departure shipped by
to at

2. that according to the documents produced and those in the possession of this council, the abovementioned wines were produced in the region of '.....' and are entitled to use the registered designation of origin '.....'.

Endorsement of the Customs
office of export:

....., 19.....
(Place) (Date)

For the Consejo Regulador

(Seal)

ANNEXE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nº

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICAT DE L'APPELLATION D'ORIGINE

Le soussigné,

du Consejo Regulador de l'appellation d'origine

certifie :

1. que

déclare sous sa responsabilité qu'il exporte les vins ci-après :

Marques et numéros	Colis	Désignation des marchandises	Litres	Poids	
	Nombre			brut	net

Lieu de départ expédié par

à la destination de à

2. qu'au vu des documents présentés et de ceux en possession de ce conseil, les vins susmentionnés ont été produits dans la région de « » et ont le droit d'utiliser l'appellation contrôlée d'origine « ».

Visa du bureau de douane
d'exportation :

....., le 19.....
(Lieu) (Date)

Pour le Consejo Regulador

.....
(Sceau)

ANHANG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG

Der Unterzeichnete

vom Consejo Regulador für Ursprungsbezeichnung

bestätigt:

1. daß

in eigener Verantwortung erklärt, daß er die nachstehenden Weine ausführt:

Packstücke		Warenbezeichnung	Liter	Gewicht	
Zeichen und Nummern	Anzahl			brutto	netto

Verladeort Verladen auf

bestimmt für in

2. daß gemäß den vorgelegten und den dem Rat schon vorliegenden Dokumenten die vorstehend aufgeführten Weine im Gebiet „.....“ erzeugt wurden und Anspruch auf die Ursprungsbezeichnung „.....“ haben.

Sichtvermerk des Ausfuhrzollamtes:

....., den 19.....
(Ort) (Datum)

Für den Consejo Regulador

(Siegel)

ALLEGATO

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

N.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICATO DI DENOMINAZIONE DI ORIGINE

Il sottoscritto,

del Consejo Regulador della denominazione di origine

attesta:

1. che

dichiara sotto la sua responsabilità che esporta i vini qui appresso indicati:

Marche e numeri	Collo	Designazione delle merci	Litri	Peso	
	Numero			lordo	netto

Luogo di partenza spedito da

a destinazione di a

2. che, secondo i documenti presentati e quelli in possesso di questo consiglio, i vini di cui sopra sono stati prodotti nella regione di «.....» e hanno il diritto di utilizzare la denominazione controllata di origine «.....».

Visto dell'ufficio di dogana di
esportazione:

....., addì 19.....
(Luogo) (Data)

Per il Consejo Regulador

(Timbro)

BIJLAGE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICAAT VAN BENAMING VAN OORSPRONG

Ondergetekende,

van de Consejo Regulador voor de benaming van oorsprong

bevestigt:

1. dat

onder eigen verantwoordelijkheid verklaart dat hij de hierna volgende wijnen uitvoert:

Collis		Omschrijving	Liter	Gewicht	
Merken en nummers	Aantal			bruto	netto

Plaats van inlading verzonden door

bestemd voor in

2. dat volgens de ingediende en bij deze raad voorgelegde documenten de voornoemde wijnen geproduceerd zijn in de streek „.....” en gerechtigd zijn de benaming van oorsprong „.....” te voeren.

Visum van het douanekantoor
van uitvoer:

.....
(plaats) (datum)

Voor de Consejo Regulador

.....
(zegel)

BILAG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFIKAT FOR OPRINDELSESBETEGNELSE

Undertegnede

af Consejo Regulador for oprindelsesbetegnelse

bekræfter:

1. at

erklærer under ansvar at han eksporterer følgende vine:

Antal pakker		Varebetegnelse	Liter	Vægt	
Mærker og numre	Antal			brutto	netto

Afskibningssted afskibet af

bestemmelsessted i

2. at i følge de foreviste og de allerede i Rådets besiddelse værende dokumenter er de ovenfor nævnte vine fremstillet i distriktet ».....« og har tilladelse til at bruge oprindelsesnavnet ».....«.

Eksporttoldkontorets stempel:

....., den 19.....
(Sted) (Dato)

For Consejo Regulador

.....

(Segl)

ANNEXE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nº

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICADO DE LA DENOMINACIÓN DE ORIGEN

El que suscribe,

del Consejo Regulador de la Denominación de Origen

certifica:

1. Que

declaran ante él y bajo su responsabilidad que expiden la siguiente partida de vinos:

Bultos		Denominación	Litros	Pesos	
Marcas y numeros	Numeros			bruto	neto

Lugar de salida enviado por

con destino a de

2. Que de acuerdo con los documentos que me exhiben y antecedentes que obran en poder de este consejo, los vinos cuya relación antecede fueron producidos en la Zona «.....» y pueden en derecho utilizar esta denominación de origen «.....».

Visado de la Aduana de salida :

....., 19.....

(Lugar)

(Fecha)

Por el Consejo Regulador

(Selos)

REGULATION (EEC) No 3291/74 OF THE COUNCIL

of 19 December 1974

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Priorato, Rioja and Valdepeñas falling within subheading ex 22.05 of the Common Customs Tariff, originating in Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas on the signing of the Agreement ⁽¹⁾ between the European Economic Community and Spain at Luxembourg on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of certain wines originating in Spain, in particular wines from Jumilla, Priorato, Rioja and Valdepeñas; whereas a 30% reduction in the Common Customs Tariff duties applicable to wines from Jumilla, Priorato, Rioja and Valdepeñas, originating in Spain and imported in containers holding two litres or less, should be granted for 1975 up to a Community tariff quota of 15 000 hectolitres;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of the entry into force during 1975 of a new Agreement in this regard between the European Economic Community and Spain it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new Agreement;

Whereas these wines remain subject to the provisions governing the common organization of the market in vine products, especially as regards observance of the reference price; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and a certificate, issued by the recognized Spanish authorities and endorsed by the Spanish customs, stating the

recognized designation of origin of these wines, within the framework of the methods of administrative cooperation existing between the Community and Spain;

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, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of wines from Jumilla, Priorato, Rioja and Valdepeñas on the markets; whereas, however, Spanish statistics for exports of these products to the Community during the past few years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Spain of the products concerned:

	1971	1972	1973
Germany	8.4	6.4	21.0
Benelux	24.0	24.0	33.9
France	3.0	4.2	10.4
Italy	64.6	65.5	34.7

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

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

Germany	16
Benelux	33
France	4
Italy	47

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be approximately 80% of the quota amount.

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial shares should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the

quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas, if at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the above-mentioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1974 until the date of entry into force of a new Agreement between the European Economic Community and Spain but not later than 31 December 1975, the Common Customs Tariff duties in respect of the following products originating in Spain shall be partially suspended at the levels shown below within the limits of a Community tariff quota of 15 000 hectolitres:

CCT heading No	Description	Rates (in u.a./hl)
ex 22.05 C I a)	Wines from Jumilla, Priorato, Rioja and Valdepeñas	8.4
ex 22.05 C II a)	Wines from Jumilla, Priorato, Rioja and Valdepeñas	9.8
ex 22.05 C III a) 2	Wines from Jumilla, Priorato, Rioja and Valdepeñas	11.9

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

3. The inclusion of these wines in this Community tariff quota shall be conditional upon observance of

the reference price applying to them and production of a certificate corresponding to one of the specimens annexed hereto, issued by the recognized Spanish authorities and stating the recognized designation of origin of these wines; this certificate shall be endorsed by the Spanish customs authorities under the same conditions as movement certificate A.E.1.

Article 2

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

2. The first tranche, amounting to 11 730 hectolitres, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until the end of the period specified in Article 1, shall be as follows:

Germany	1 920 hl,
Benelux	3 840 hl,
France	450 hl,
Italy	5 520 hl.

3. The second tranche, amounting to 3 270 hectolitres, shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

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

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

Each Member State shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

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

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

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

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

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

ANNEX

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

No

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICATE OF DESIGNATION OF ORIGIN

I, the undersigned,
of the Consejo Regulador of the designation of origin
certify:

1. that

declares on his own responsibility that he is exporting the following wines:

Packages		Description of goods	Litres	Weight	
Marks and numbers	Number			gross	net

Place of departure shipped by
to at

2. that according to the documents produced and those in the possession of this council, the abovementioned wines were produced in the region of '.....' and are entitled to use the registered designation of origin '.....'.

Endorsement of the Customs
office of export:

.....
(Place).....
(Date)

19.....

For the Consejo Regulador

(Seal)

ANNEXE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

N°

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICAT DE L'APPELLATION D'ORIGINE

Le soussigné,
du Consejo Regulador de l'appellation d'origine
certifie :

1. que
déclare sous sa responsabilité qu'il exporte les vins ci-après :

Colis		Désignation des marchandises	Litres	Poids	
Marques et numéros	Nombre			brut	net

Lieu de départ expédié par
à la destination de à

2. qu'au vu des documents présentés et de ceux en possession de ce conseil, les vins susmentionnés ont été produits dans la région de « » et ont le droit d'utiliser l'appellation contrôlée d'origine « ».

Visa du bureau de douane
d'exportation :

....., le 19.....
(Lieu) (Date)

Pour le Consejo Regulador

(Sceau)

ANHANG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG

Der Unterzeichnete

vom Consejo Regulador für Ursprungsbezeichnung

bestätigt:

1. daß

in eigener Verantwortung erklärt, daß er die nachstehenden Weine ausführt:

Packstücke		Warenbezeichnung	Liter	Gewicht	
Zeichen und Nummern	Anzahl			brutto	netto

Verladeort Verladen auf

bestimmt für in

2. daß gemäß den vorgelegten und den dem Rat schon vorliegenden Dokumenten die vorstehend aufgeführten Weine im Gebiet „.....“ erzeugt wurden und Anspruch auf die Ursprungsbezeichnung „.....“ haben.

Sichtvermerk des Ausfuhrzollamtes:

....., den 19.....
(Ort) (Datum)

Für den Consejo Regulador

(Siegel)

ALLEGATO

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

N.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICATO DI DENOMINAZIONE DI ORIGINE

Il sottoscritto,

del Consejo Regulador della denominazione di origine

attesta:

1. che

dichiara sotto la sua responsabilità che esporta i vini qui appresso indicati:

Marche e numeri	Collo		Designazione delle merci	Litri	Peso	
	Numero				lordo	netto

Luogo di partenza spedito da

a destinazione di a

2. che, secondo i documenti presentati e quelli in possesso di questo consiglio, i vini di cui sopra sono stati prodotti nella regione di «.....» e hanno il diritto di utilizzare la denominazione controllata di origine «.....».

Visto dell'ufficio di dogana di
esportazione:

....., addì 19.....
(Luogo) (Data)

Per il Consejo Regulador

.....
(Timbro)

BIJLAGE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICAAT VAN BENAMING VAN OORSPRONG

Ondergetekende,

van de Consejo Regulador voor de benaming van oorsprong

bevestigt:

1. dat

onder eigen verantwoordelijkheid verklaart dat hij de hierna volgende wijnen uitvoert:

Collis		Omschrijving	Liter	Gewicht	
Merken en nummers	Aantal			bruto	netto

Plaats van inlading verzonden door

bestemd voor in

2. dat volgens de ingediende en bij deze raad voorgelegde documenten de voornoemde wijnen geproduceerd zijn in de streek „.....” en gerechtigd zijn de benaming van oorsprong „.....” te voeren.

Visum van het douanekantoor
van uitvoer:

.....
(plaats).....
(datum)

Voor de Consejo Regulador

.....
(zegel)

BILAG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nr.

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFIKAT FOR OPRINDELSBETEGNELSE

Undertegnede

af Consejo Regulador for oprindelsesbetegnelse

bekræfter:

1. at

erklærer under ansvar at han eksporterer følgende vine:

Antal pakker		Varebetegnelse	Liter	Vægt	
Mærker og numre	Antal			brutto	netto

Afskibningssted afskibet af

bestemmelsessted i

2. at i følge de foreviste og de allerede i Rådets besiddelse værende dokumenter er de ovenfor nævnte vine fremstillet i distriktet ».....« og har tilladelse til at bruge oprindelsesnavnet ».....«.

Eksporttoldkontorets stempel:

....., den 19.....
(Sted) (Dato)

For Consejo Regulador

(Segl)

ANNEXE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

Nº

(Málaga/Jerez/Valdepeñas/
Priorata/Rioja/Jumilla)

CERTIFICADO DE LA DENOMINACIÓN DE ORIGEN

El que suscribe,
del Consejo Regulador de la Denominación de Origen
certifica:

1. Que

declaran ante él y bajo su responsabilidad que expiden la siguiente partida de vinos:

Marcas y numeros	Bultos		Denominación	Litros	Pesos	
	Numeros				bruto	neto

Lugar de salida enviado por

con destino a de

2. Que de acuerdo con los documentos que me exhiben y antecedentes que obran en poder de este consejo, los vinos cuya relación antecede fueron producidos en la Zona «.....» y pueden en derecho utilizar esta denominación de origen «.....».

Visado de la Aduana de salida :

....., 19.....
(Lugar) (Fecha)

Por el Consejo Regulador

(Selos)

REGULATION (EEC) No 3292/74 OF THE COUNCIL

of 19 December 1974

opening, allocating and providing for the administration of a Community tariff quota for dried figs falling within subheading ex 08.03 B of the Common Customs Tariff, originating in Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Agreement between the European Economic Community and Spain, signed at Luxembourg on 29 June 1970, provides in Article 2 (1) together with Article 9 of Annex I for the opening by the Community of an annual Community tariff quota of 200 metric tons of dried figs falling within subheading ex 08.03 B of the Common Customs Tariff, originating in Spain and imported in immediate packings of a net capacity of 15 kg or less; whereas, pursuant to Article 9 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of implementing other preferential arrangements as a result of a new Agreement between the European Economic Community and Spain, it is necessary to limit the quota period to the date on which the new Agreement enters into force;

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 rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such

allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas, during the past 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 Spain of the products concerned:

	1971	1972	1973
Germany	—	—	—
Benelux	100 = five metric tons	—	—
France	—	—	—
Italy	—	—	—

Whereas, in view of these factors and of the estimates submitted by certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States, initial quota shares may be fixed approximately at the following percentages:

Germany	25
Benelux	25
France	25
Italy	25

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 80% of the quota amount;

Whereas, the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period, whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1975 until the date of entry into force of a new Agreement between the European Economic Community and Spain but not later than 31 December 1975, the Common Customs Tariff duty in respect of dried figs falling within subheading ex 08.03 B, originating in Spain and imported in immediate packings of a net capacity not exceeding 15 kg shall be partially suspended at 3% within the limits of a Community tariff quota of 200 metric tons.

Article 2

1. A first tranche, amounting to 160 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid from 1 January until the end of the period specified in Article 1, shall be as follows:

Germany	40 metric tons,
Benelux	40 metric tons,
France	40 metric tons,
Italy	40 metric tons.

2. The second tranche of 40 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed without delay, in accordance with the conditions laid down in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

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

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than

10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are

drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the product concerned against their shares as and when the goods are entered for home use.

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

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

REGULATION (EEC) No 3293/74 OF THE COUNCIL

of 19 December 1974

opening, allocating and providing for the administration of a Community tariff quota for dried grapes falling within subheading ex 08.04 B I of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Agreement between the European Economic Community and Spain, signed at Luxembourg on 29 June 1970, provides in Article 2 (1) together with Article 9 of Annex I for the opening by the Community of an annual duty-free Community tariff quota of 1 700 metric tons of dried grapes falling within subheading ex 08.04 B I of the Common Customs Tariff, originating in Spain and imported in immediate containers of a net capacity of 15 kg or less; whereas therefore a duty-free Community tariff quota of 1 700 metric tons should be opened for the product concerned for 1975;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of implementing other preferential arrangements as a result of a new Agreement between the European Economic Community and Spain, it is necessary to limit the quota period to the date on which the new Agreement enters into force;

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 rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of

the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas, during the past 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 Spain of the products concerned:

	1971	1972	1973
Germany	2.1	4.5	2.3
Benelux	18.6	13.5	11.1
France	66.5	61.7	70.2
Italy	12.8	20.3	16.4

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

Germany	2
Benelux	13
France	72
Italy	13

Whereas, in order to take into account import trends for the product concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid

any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas, this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1975 until the date of entry into force of a new Agreement between the European Economic Community and Spain but not later than 31 December 1975, the Common Customs Tariff duty in respect of dried grapes falling within subheading ex 08.04 B I, originating in Spain and imported in immediate containers of a net capacity not exceeding 15 kg shall be entirely suspended within the limits of a Community tariff quota of 1 700 metric tons.

Article 2

1. A first tranche, amounting to 1 360 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until the end of the period specified in Article 1, shall be as follows:

Germany	27 metric tons,
Benelux	177 metric tons,
France	980 metric tons,
Italy	176 metric tons.

2. The second tranche of 340 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed without delay, in accordance with the conditions laid down in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

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

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraph 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than

10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the share opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all measures appropriate to ensure that, when additional shares

are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

3. The Member States shall charge imports of the product concerned against their shares as and when the goods are entered for home use.

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

Member States shall inform the Commission at regular intervals of imports actually charged against their quota shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

REGULATION (EEC) No 3294/74 OF THE COUNCIL

of 19 December 1974

on the opening, allocation and administration of a Community tariff quota for hazelnuts falling within subheading ex 08.05 G of the Common Customs Tariff, originating in Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Whereas under Article 1 of Council Regulation (EEC) No 3375/73 ⁽²⁾ of 10 December 1973 concerning the importation into the Community of certain agricultural products originating in Turkey, the Community must reduce by 37.5% the duty applied to the import of fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, within the limit of a Community tariff quota of 21 700 metric tons; whereas the Community tariff quota concerned should therefore be opened for 1975; whereas the application of a 37.5% reduction to the Common Customs Tariff duty would result in a quota duty of 2.5% for the Community as originally constituted; whereas, as regards the new Member States, it should be noted that Article 2 (1) and (3) of the Interim Agreement bringing into force certain provisions of the Supplementary Protocol provides that the reductions of customs duties pursuant to the Association Agreement shall be applied by the new Member States from the entry into force of the Interim Agreement in the proportions and according to the time limits laid down, that the rates on which the new Member States shall base those reductions

shall be those which they apply at any given moment to non-member countries and that the rates fixed as a result of the reductions regarding the products listed, in particular, in Annex 6 to the Additional Protocol — and which include hazelnuts — may in no case be lower than those applied by the new Member States with reference to the Community as originally constituted; whereas the reduction to be applied by the new Member States within the framework of the tariff quota under consideration must therefore, in certain cases, be limited to 40%;

Whereas it is in particular necessary to ensure to all importers of the Member States equal and uninterrupted access to the said 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, to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics relating to imports from Turkey over a representative period, and to the economic outlook for the quota period concerned;

Whereas, on the basis of the statistics at present available, imports into the Member States in 1971, 1972 and 1973 of the product concerned originating in Turkey have developed as follows and represent the following percentages of total imports into the Community:

⁽¹⁾ OJ No C 140, 13. 11. 1974, p. 9.

⁽²⁾ OJ No L 345, 15. 12. 1973, p. 1.

	1971		1972		1973	
	metric tons	in %	metric tons	in %	metric tons	in %
Germany	24 166	65.88	36 776	70.59	39 133	72.66
Benelux	4 557	12.42	5 220	10.02	3 323	6.17
France	3 581	9.76	4 906	9.42	6 170	11.45
Italy	148	0.40	197	0.38	150	0.28
Denmark	854	2.33	795	1.53	975	1.81
Ireland	177	0.48	424	0.81	201	0.37
United Kingdom	3 200	8.73	3 777	7.25	3 910	7.26
	36 683		52 095		53 862	

Whereas, taking into account these figures and the foreseeable development of the product concerned during 1975 and, in particular, the forecasts made by some Member States, the initial shares may be fixed approximately at the following percentages:

Germany	65.93
Benelux	10.14
France	8.20
Italy	0.25
Denmark	2.67
Ireland	1.66
United Kingdom	11.15

Whereas in order to take into account the import trends for the product concerned in the Member States, the quota volume should be divided into two instalments, the first instalment being allocated to the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States, should their initial share be used up; whereas, in order to ensure a certain degree of security to importers, the first instalment of the Community quota should be determined at a relatively high level, which under present circumstances could be approximately 80% of the quota volume;

Whereas the initial shares may be used up sooner or later; whereas, in order to take this fact into account and to avoid any break in continuity, it is important that any Member State which has used up almost all its initial share should draw an additional share from the reserve; whereas this must be done as and when each of its additional shares in the quota is almost entirely used up, and repeated as often as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between

the Member States and the Commission, which must in particular be able to observe the extent to which the quota volume is used up and inform the Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in any Member State, it is essential that the Member State should return a certain proportion thereof to the reserve, in order to avoid part of the Community quota remaining unused in one Member State when it could be used in others; whereas, taking into account the seasonal nature of imports, it seems appropriate to fix the transfer limit of 40% of the initial share;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of the shares granted to the abovementioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period from 1 January to 31 December 1975 a Community tariff quota of 21 700 metric tons shall be opened in the Community for fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G, of the Common Customs Tariff, originating in Turkey.
2. Within this tariff quota, the Common Customs Tariff duty is suspended at 2.5%.

3. The new Member States shall apply within this Community tariff quota, the customs duties calculated in accordance with the relevant provisions of the Act of Accession, in the Interim Agreement and in Regulation (EEC) No 3375/73.

4. This tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

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

2. The first instalment, amounting to 17 700 metric tons, shall be shared amongst the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1975 shall be as follows:

Germany	11 669 metric tons,
Benelux	1 795 metric tons,
France	1 451 metric tons,
Italy	45 metric tons,
Denmark	472 metric tons,
Ireland	294 metric tons,
United Kingdom	1 974 metric tons.

3. The second instalment, amounting to 4 000 metric tons, shall constitute the reserve.

Article 3

1. If 90% or more of any Member State's initial share, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where Article 5 has been applied has been exhausted, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If after its initial share has been exhausted 90% or more of the second share drawn by a Member State has been used, that Member State shall, in the manner provided for in paragraph 1, draw a third share equal to 7.5% of its initial share.

3. If after its second share has been exhausted 90% or more of the third share drawn by that Member State has been used, it shall, in the manner provided for in paragraph 1, draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 October 1975, a Member State has not used up its initial share, it shall, not later than 31 October 1975, return to the reserve the unused portion of this share in excess of 40% of the initial amount. It may return a larger quantity if there are reasons to consider that such quantity may not be used.

The Member States shall, not later than 31 October 1975, notify the Commission of the total imports of the products concerned effected under the Community quota up to 15 October 1975 inclusive and, where appropriate, the proportion of their initial shares that they are returning to the reserve.

Article 6

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

The Commission shall, not later than 5 November 1975, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that supplementary shares drawn

pursuant to Article 3 are opened in such a way that changes may be made without interruption against their accumulative shares of the Community quota.

2. The Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them or drawn from the reserve.

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

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

Article 8

Member States shall regularly inform the Commission of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure the correct application of this Regulation.

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

REGULATION (EEC) No 3295/74 OF THE COUNCIL

of 19 December 1974

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69 ⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Council Regulation (EEC) No 1491/73 ⁽²⁾, and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas under Annex 6 of the Additional Protocol laying down the conditions, procedures and time-tables for implementing the transitional phase pursuant to Article 4 of the Agreement establishing an association between the European Economic Community and Turkey, and under Article 1 of the Interim Agreement between the European Economic Community and Turkey on account of the accession of new Member States to the Community: the Community must totally or partially suspend the Common Customs Tariff or duties applicable to certain products; whereas it also appears necessary on a provisional basis to adjust or supplement some of these tariff advantages provided for the abovementioned Annex No 6; whereas the Community should as regards the products originating in Turkey, and contained in the list annexed to this Regulation, suspend from 1 January to 31 December 1975, at the levels indicated for each of them, either the fixed component of the charge applicable to the goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve in 1975 the application in the new Member States of customs duties higher than or very

close to those which are applied by the new Member States to non-member countries in general on the basis of the provisions of the Act of Accession; whereas in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting to Turkey the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1975, the products originating in Turkey listed in Annex A shall be admitted for import into the Community at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied to developing countries on 1 January 1972 and the Common Customs Tariff, by 40% in respect of the products mentioned in Annex B, and by 60% in respect of the other products given in Annex A.

However, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them.

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 151, 7. 6. 1973, p. 1.

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 ⁽¹⁾ of 29 December 1972 annexed to Regulation (EEC) No 428/73.

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 of 29 December 1972 annexed to Regulation (EEC) No 428/73, as amended by Association Council Decision No 2/73 of 17 December 1973 annexed to Regulation (EEC) No 3573/73 ⁽²⁾.

Article 2

When the imports of products benefiting from the arrangements provided for in Article 1 come into the Community in quantities or at prices which cause or threaten to cause serious loss to the Community producers of similar products or directly competitive products, the Common Customs Tariff duties may be partially or wholly reintroduced for the products in question. These measures may also be taken in the

event of serious loss or the threat of serious loss limited to a single region of the Community.

Article 3

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

2. If the action of the Commission was requested by a Member State, the Commission 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 remit to the Council the measure taken by the Commission 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 qualified majority modify or annul the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

For the Council

The President

J. P. FOURCADE

⁽¹⁾ OJ No L 59, 5. 3. 1973, p. 73.

⁽²⁾ OJ No L 359, 28. 12. 1973, p. 1.

ANNEX A

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

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh chilled or frozen: ex B. Furred game, frozen C. Other: ex I. Frogs' legs	Free Free
04.06	Natural honey	26 %
04.07	Edible products of animal origin not specified or included elsewhere	7 %
05.15	Animal products not elsewhere specified or included; dead animals of Chapter 1 or Chapter 3 unfit for human consumption: A. Fish, crustaceans and molluscs: I. Fish of a length of 6 cm or less and shrimps and prawns, dried	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Mushrooms, dried, dehydrated or evaporated, excluding cultivated — Mushrooms; horse-radish (<i>Cochlearia armoracia</i>)	10 % 8 %
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: B. Other: ex I. Beans (of the species <i>Phaseolus</i>)	Free
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and margosteens, fresh or dried, shelled or not: ex E. Dehydrated coconut	Free

CCT heading No	Description	Rate of duty
1	2	3
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not:	
	D. Pistacios	Free
	E. Pecans	Free
	F. Areca (or betels) and cola	Free
	x G. Other, excluding hazelnuts	Free
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar:	
	ex A. Bilberries and blackberries	10 %
	ex B. Other:	
	— Quinces	12 %
	— Fruit falling within heading No 08.01, excluding pineapples, grapefruit and pomelos, whortleberries	10 %
	Fruit falling within heading No 08.09 excluding melons and watermelons	10 %
08.11	Fruits provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:	
	C. Papaws	Free
	D. Bilberries	5 %
	ex E. Other:	
	— Quinces	6 %
	— Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, whortleberries, blackberries	5 %
	— Fruit falling within heading No 08.09 excluding melons and water-melons	5 %
08.12	Fruit, dried (other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05):	
	E. Papaws	Free
	ex G. Other:	
	— Tamarind (pods, pulp)	Free
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free
09.02	Tea:	
	A. In immediate packings of a net capacity not exceeding 3 kg	Free

CCT heading No	Description	Rate of duty
1	2	3
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper: A. Neither crushed nor ground: III. Seeds of fennel, coriander, cumin, caraway and juniper: b) Other: 2. Other	Free
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered: B. Liquorice roots	Free
12.08	Locust beans, fresh or dried, whether or not kibbled or ground but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading: B. Locust bean seeds: I. Not decorticated, crushed or ground C. Apricot, peach and plum stones, and kernels thereof	Free Free
15.03	Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way: B. Tallow oil for industrial uses other than the manufacture of foodstuffs for human consumption (a)	Free
15.04	Fats and oils, of fish and marine mammals, whether or not refined: A. Fish-liver oil: I. Of a vitamin A content not exceeding 2 500 international units per gramme	Free
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: B. China-wood and oiticica oils, myrtle wax and Japan wax C. Castor oil: II. Other D. Other oils: I. For technical or industrial uses other than the manufacture of foodstuffs for human consumption: a) Crude (a) ex 3. Other, excluding linseed oil, cabbage palm oil, pea-nut oil, sunflower oil and rape seed oil	Free 6 % 2.5 %

(a) Inclusion in this subheading is subject to terms to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
1	2	3
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared:	
	A. In immediate packings of a net capacity of 1 kg or less ...	16 %
	B. Other	12 %
15.17	Residues resulting from the treatment of fatty substances or animal or vegetable waxes:	
	B. Other:	
	I. Oil foots and dregs; soapstocks	Free
	II. Other	Free
16.02	Other prepared or preserved meat or meat offal:	
	A. Liver:	
	I. Goose or duck liver	14 %
	B. Other:	
	II. Game or rabbit meat or offal:	
	Game	10 %
	Rabbit	14 %
	III. Other:	
	b) Other:	
	ex 1. Containing bovine meat or offal:	
	— Prepared or preserved bovine tongue ...	18 %
	2. Not specified:	
	aa) Bovine meat or offal	18 %
	bb) Other	18 %
16.04	Prepared or preserved fish, including caviar substitutes:	
	A. Caviar and caviar substitutes:	
	I. Caviar (sturgeon roe)	13 %
	II. Other	18 %
	B. Salmonidas	7 %
	ex F. Bonito and mackerel	21 %
	G. Other:	
	I. Fillet, raw, coated with batter or breadcrumbs, deep frozen	12 %
	II. Other	12 %
16.05	Crustaceans and molluscs, prepared or preserved:	
	A. Crabs	8 %
	ex B. Other, excluding shrimps of the 'Crangon' sp.p. type and whelks	7 %

CCT heading No	Description	Rate of duty
1	2	3
18.06	Chocolate and other food preparations containing cocoa: A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	6% + vc
ex 19.04	Tapioca and sago excluding tapioca and sago substitutes obtained from potato or other starches	7% + vc
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: ex B. Other, prepared or preserved by vinegar or acetic acid, with or without salt, spices or mustard but with sugar, except for gherkins, cucumbers, 'mixed pickle' or sweet peppers	18%
20.02	Vegetables prepared or preserved without vinegar or acetic acid: E. Sauerkraut	16%
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13% by weight: — Fruit falling within heading No 08.01, excluding pineapples	13% + (L)
	ex B. Other: — Fruit falling within heading No 08.01, excluding pineapples	13%
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13% by weight: — Fruit falling within heading No 08.01, excluding pineapples	12.5% + (L)
	ex II. Other: — Fruit falling within heading No 08.01, excluding pineapples	12.5%
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: ex I. With a sugar content exceeding 30% by weight, excluding orange jam and orange marmalade	19% + (L)
	ex II. With a sugar content exceeding 13% but not exceeding 30% by weight, excluding orange jam and orange marmalade	19% + (L)
	ex III. Other, excluding orange jam and orange marmalade	19%

CCT heading No	Description	Rate of duty
1	2	3
20.05 (cont'd)	C. Other: I. With a sugar content exceeding 30 % by weight: - ex b) Other: — Of fruit falling within heading No 08.01, excluding pineapple 18 % + (L) - ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight: — Of fruit falling within heading No 08.01, excluding pineapples 18 % + (L) - ex III. Other: — Of fruit falling within heading No 08.01, excluding pineapples and purée of figs 18 %	
20.06	Fruit prepared otherwise or preserved; whether or not con- taining added sugar or spirit: B. Other: I. Containing added spirit: a) Ginger 16 % b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg: - aa) With a sugar content exceeding 17 % by weight 16 % + (L) - bb) Other 16 % 2. Of 1 kg or less: - aa) With a sugar content exceeding 19 % by weight 16 % + (L) - bb) Other 16 % c) Grapes: 1. With a sugar content exceeding 13 % by weight 25 % + (L) 2. Other 25 % d) Peaches, pears and apricots, in immediate packings of a net capacity: 1. Of more than 1 kg: - aa) With a sugar content exceeding 13 % by weight 25 % + (L) - bb) Other 25 % 2. Of 1 kg or less: - aa) With a sugar content exceeding 15 % by weight 25 % + (L) - bb) Other 25 % e) Other fruits: - ex 1. With a sugar content exceeding 9 % by weight excluding cherries 25 % + (L) - ex 2. Other 25 %	

CCT heading No	Description	Rate of duty
1	2	3
20.06 (<i>cont'd</i>)	f) Mixtures of fruit: 1. With a sugar content exceeding 9 % by weight. 25 % + (L) 2. Other 25 % II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 2. Grapefruit segments 12 % + (L) 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids 19 % + (L) 4. Grapes 18 % + (L) ex 8. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples 11 % + (L) — Tamarinds, (pods, pulp) 11 % + (L) b) Containing added sugar, in immediate packings of a net capacity of not more than 1 kg: 2. Grapefruit segments 12 % + (L) 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids 20 % + (L) 4. Grapes 19 % + (L) ex 8. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples 12 % + (L) c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4.5 kg or more: ex dd) Other fruits: — Fruits falling within heading No 08.01, excluding pineapples 12 % 2. Of less than 4.5 kg: ex bb) Other fruits and mixtures of fruit: — Fruit falling within heading No 08.01, excluding pineapples 12 %	
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirits: A. Of a specific gravity exceeding 1.33 at 15° C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruits falling within heading No 08.01, excluding pineapples 21 %	

CCT heading No	Description	Rate of duty
1	2	3
20.07 <i>(cont'd)</i>	b) Of a value not exceeding 30 u.a. per 100 kg net weight:	
	ex 1. With an added sugar content exceeding 30 % by weight:	
	— Fruits falling within heading No 08.01, excluding pineapples	21 % + (L)
	ex 2. Other:	
	— Fruits falling within heading No 08.01, excluding pineapples	21 %
	B. Of a specific gravity of 1·33 or less at 15° C:	
	II. Other:	
	a) Of a value exceeding 30 u.a. per 100 kg net weight:	
	2. Grapefruit juice	10·5 %
	ex 3. Other citrus fruit juices:	
	aa) Containing added sugar	14 %
	bb) Other	15 %
	ex 6. Other fruit and vegetable juices, excluding apricot and peach juices:	
	aa) Containing added sugar	17 %
	bb) Other	18 %
	7. Mixtures:	
	ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:	
	11. Containing added sugar	17 %
	22. Other	18 %
	b) Of a value of 30 u.a. or less per 100 kg net weight:	
	2. Grapefruit juice:	
	aa) With an added sugar content exceeding 30 % by weight	10 % + (L)
	bb) Other	10 %
	4. Other citrus fruit juices:	
	aa) With added sugar content exceeding 30 % by weight	14 % + (L)
	bb) With an added sugar content of 30 % or less by weight	14 %
	cc) Not containing added sugar	15 %
	7. Other fruit and vegetable juices excluding apricot and peach juices:	
	ex aa) With an added sugar content exceeding 30 % by weight, except apricots and peaches	17 % + (L)
	ex bb) With an added sugar content of 30 % or less by weight, except apricots and peaches	17 %
	ex cc) Not containing added sugar, except apricots and peaches	18 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	8. Mixtures: ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot, or peach juice: 11. With an added sugar content exceeding 30 % weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	17 % + (L) 17 % 18 %
21.07	Food preparations not elsewhere stated or included: A. Cereals in grain or ear form, precooked or otherwise prepared	5 % + vc
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: B. Other	Free
23.07	Sweetened forage; other preparations of a kind used in animal feeding: A. Fish or marine mammal solubles	Free

ANNEX B

List of products in respect of which the difference between the lowest duties applied on 1 January 1972 to the developing countries by Denmark, Ireland and the United Kingdom and the Common Customs Tariff duties must be reduced by 40 % in accordance with Article 1 of this Regulation

CCT heading No	Description
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Mushrooms, dried dehydrated or evaporated, excluding cultivated mushrooms — Horse-radish (<i>Chochlearia armoracia</i>)
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: D. Pistachios E. Pecans ex G. Other (excluding hazelnuts)
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex A. Bilberries and blackberries ex B. Others: — Quinces — Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, whortleberries — Fruit falling within heading No 08.09, excluding melons and watermelons
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: C. Papaws D. Bilberries ex E. Other: — Quinces — Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, whortleberries, blackberries — Fruit falling within heading No 08.09 excluding melons and water melons
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: E. Papaws ex G. Other: — Tamarind (pods, pulp)

CCT heading No	Description
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions
16.02 (a)	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue 2. Other: aa) Of ovine meat and offal bb) Other
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: ex B. Other: — Prepared or preserved by vinegar or acetic acid, with sugar, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: E. Sauerkraut
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13 % by weight: — Fruit falling within heading No 08.01, excluding pineapples ex B. Other: — Fruit falling within heading No 08.01, excluding pineapples
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13 % by weight: — Fruit falling within heading No 08.01, excluding pineapples ex II. Other: — Fruit falling within heading No 08.01, excluding pineapples
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: ex I. With a sugar content exceeding 30 % by weight, excluding orange jam and orange marmalade ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight, excluding orange jam and orange marmalade ex III. Other, excluding orange jam and orange marmalade

(a) This position will be abolished from 1 April 1975

CCT heading No	Description
20.05 (<i>cont'd</i>)	C. Other: I. With a sugar content exceeding 30 % by weight: ex b) Other: — Of fruit falling within heading No 08.01, excluding pineapples ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight: — Of fruit falling within heading No 08.01, excluding pineapples ex III. Other: — Of fruit falling within heading No 08.01, excluding pineapples and purée of figs
20.06	Fruit, otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: I. Containing added spirit: a) Ginger b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg: aa) With a sugar content exceeding 17 % by weight bb) Other 2. Of 1 kg or less: aa) With a sugar content exceeding 19 % by weight bb) Other c) Grapes: 1. With a sugar content exceeding 13 % by weight 2. Other d) Peaches, pears and apricots, in immediate packings of a net capacity: 1. Of more than 1 kg: aa) With a sugar content exceeding 13 % by weight bb) Other 2. Of 1 kg or less: aa) With a sugar content exceeding 15 % by weight bb) Other e) Other fruits: ex 1. With a sugar content exceeding 9 % by weight, excluding cherries ex 2. Other f) Mixtures of fruit: 1. With a sugar content exceeding 9 % by weight 2. Other II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:

CCT heading No	Description
20.06 (cont'd)	2. Grapefruit segments 3. Mandarins (including tangerines and satsumas); clem- tines, wilkings and other similar citrus hybrids 4. Grapes - ex 8. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples — Tamarind (pods, pulp) b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: 2. Grapefruit segments 3. Mandarins (including tangerines and satsumas); clem- tines, wilkings and other similar citrus hybrids 4. Grapes - ex 8. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4.5 kg or more: - ex dd) Other fruits — Fruits falling within heading No 08.01, exclu- ding pineapples 2. Of less than 4.5 kg: - ex bb) Other fruits and mixtures of fruit: — Fruit falling within heading No 08.01, excluding pineapples
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 specific gravity exceeding 1.33 at 15° C: III. Other: - ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruits falling within heading No 08.01, excluding pineapples b) Of a value not exceeding 30 u.a. per 100 kg net weight: - ex 1. With an added sugar content exceeding 30 % by weight: — Fruits falling within heading No 08.01, excluding pineapples - ex 2. Other: — Fruits falling within heading No 08.01, excluding pineapples

CCT heading No	Description
20.07 (cont'd)	B. Of a specific gravity of 1.33 or less at 15° C: II. Other: a) Of a value exceeding 30 u.a. per 100 kg net weight: 2. Grapefruit juice ex 3. Other citrus fruit juices: aa) Containing added sugar bb) Other: ex 6. Other fruit and vegetable juices, excluding apricot and peach juice: aa) Containing added sugar bb) Other: 7. Mixtures: ex bb) Other, excluding mixtures containing, either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. Containing added sugar: 22. Other b) Of a value of 30 u.a. or less per 100 kg net weight: 2. Grapefruit juice: aa) With an added sugar content exceeding 30% by weight bb) Other 4. Other citrus fruit juices: aa) With an added sugar content exceeding 30% by weight bb) With an added sugar content of 30% or less by weight cc) Not containing added sugar 7. Other fruit and vegetable juices, excluding apricots and peaches: ex aa) With an added sugar content exceeding 30% by weight ex bb) With an added sugar content of 30% or less by weight ex cc) Not containing added sugar 8. Mixtures: ex bb) Other, excluding mixtures containing, either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. With an added sugar content exceeding 30% by weight 22. With an added sugar content of 30% or less by weight 33. Not containing added sugar

REGULATION (EEC) No 3296/74 OF THE COUNCIL

of 19 December 1974

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69 ⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No 1491/73 ⁽²⁾, and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, under Annex I to the Agreement ⁽³⁾ establishing an Association between the European Economic Community and Malta, 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 Annex A to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January to 31 December 1975 and at the levels indicated for each of them;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve the application in the new Member States in 1975 of customs duties higher than or very close to those applied by the new Member States to non-member countries in general on the basis of the Act of Accession; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them in accordance with the detailed rules based on

the principle of maintaining in the new Member States a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting Malta the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1975, the products originating in Malta listed in Annex A shall be admitted for import into the Community as originally constituted at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied on 1 January 1972 to the developing countries and the Common Customs Tariff, by 40% in respect of the products mentioned in Annex B, and by 60% in respect of the other products given in Annex A.

However, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than 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.

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 151, 7. 6. 1973, p. 1.

⁽³⁾ OJ No L 61, 14. 3. 1971, p. 3.

The rule whereby the condition requiring sufficient processing is waived in respect of products originating in the Community as originally constituted shall not, however, apply in the case of the above-mentioned products when they undergo in Malta only insufficient working or processing as defined in items 1 to 6 of list A annexed to the Protocol to the aforesaid Agreement.

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.

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

Done at Brussels, 19 December 1974.

Article 3

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

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

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

J. P. FOURCADE

ANNEX A

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04 fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex B. Furred game, frozen	Free
04.06	Natural honey	26 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal: — Game — Rabbit III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue .. 2. Other: aa) Ovine meat or offal bb) Other	14 % 10 % 14 % 18 % 18 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: E. Sauerkraut ex F. Capers	16 % 12 %

CCT heading No	Description	Rate of duty
1	2	3
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 specific gravity exceeding 1·33 at 15° C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruits falling within heading No 08.01, excluding pineapples 21 % b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30 % by weight: — Fruits falling within heading No 08.01, excluding pineapples 21 % + (L) ex 2. Other: — Fruits falling within heading No 08.01, excluding pineapples 21 % B. Of a specific gravity of 1·33 or less at 15° C: II. Other: a) Of a value exceeding 30 u.a. per 100 kg net weight: 2. Grapefruit juice 10·5 % ex 3. Other citrus fruit juices: aa) Containing added sugar 14 % bb) Other 15 % ex 6. Other fruit and vegetable juices, excluding apricot and peach juices: aa) Containing added sugar 17 % bb) Other 18 % 7. Mixtures: ex bb) Other, excluding mixtures containing separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. Containing added sugar 17 % 22. Other 18 % b) Of a value of 30 u.a. or less per 100 kg net weight: 2. Grapefruit juice: aa) With an added sugar content exceeding 30 % by weight 10 % + (L) bb) Other 10 % 4. Other citrus fruit juices: aa) With an added sugar content exceeding 30 % by weight 14 % + (L) bb) With an added sugar content of 30 % or less by weight 14 % cc) Not containing added sugar 15 %	

CCT heading No	Description	Rate of duty
1	2	3
20.07 (<i>cont'd</i>)	7. Other fruit and vegetable juices: ex aa) With an added sugar content exceeding 30 % by weight, excluding apricots and peaches ex bb) With an added sugar content of 30 % or less by weight, excluding apricots and peaches ex cc) Not containing added sugar, excluding apricots and peaches 8. Mixtures: ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, pear, tomato, apricot or peach juice: 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	17 % + (L) 17 % 18 % 17 % + (L) 17 % 18 %
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeast: II. Bakers' yeast: a) Dried b) Other	6 % + vc 6 % + vc
23 01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free

ANNEX B

List of the products in respect of which the difference between the lowest duties applied on 1 January 1972 to developing countries by Denmark, Ireland and the United Kingdom and the duties of the Common Customs Tariff must be reduced by 20 %, in accordance with Article 1

CCT heading No	Description
16.02 (a)	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: E. Sauerkraut
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 specific gravity exceeding 1.33 at 15° C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruits falling within heading No 08.01, excluding pineapple b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30 % by weight: — Fruits falling within heading No 08.01, excluding pineapples ex 2. Others: — Fruits falling within heading No 08.01, excluding pineapples B. Of a specific gravity of 1.33 or less at 15° C: II. Other: a) Of a value exceeding 30 u.a. per 100 kg net weight: 2. Grapefruit juice ex 3. Other citrus fruit juices: aa) Containing added sugar bb) Other ex 6. Other fruit and vegetable juices, excluding apricot and peach juices: aa) Containing added sugar bb) Other

(a) From 1 April 1975 this heading will be deleted from this Annex.

CCT heading No	Description
20.07 (cont'd)	7. Mixtures: ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. Containing added sugar 22. Other b) Of a value of 30 u.a. or less per 100 kg net weight: 2. Grapefruit juice: aa) With an added sugar content exceeding 30 % by weight bb) Other 4. Other citrus fruit juices: aa) With an added sugar content exceeding 30 % by weight bb) With an added sugar content of 30 % or less by weight cc) Not containing added sugar 7. Other fruit and vegetable juices: ex aa) With an added sugar content exceeding 30 % by weight, excluding apricots and peaches ex bb) With an added sugar content of 30 % or less by weight, excluding apricots and peaches ex cc) Not containing added sugar, excluding apricots and peaches 8. Mixtures: ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, pear, tomato, apricot or peach juice: 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar

REGULATION (EEC) No 3297/74 OF THE COUNCIL

of 19 December 1974

on the opening of a tariff quota for new potatoes falling within subheading 07.01 A II of the Common Customs Tariff for 1975, originating in Cyprus

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 proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Protocol laying down certain provisions relating to the Agreement ⁽¹⁾ establishing an association between the European Economic Community and the Republic of Cyprus consequent on the accession of new Member States to the European Economic Community, provides that during the period from 1 January 1974 to 30 June 1977 the Republic of Cyprus shall be entitled to annual tariff quotas, free of customs duties, in respect of imports into the United Kingdom of new potatoes falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus; whereas the annual tariff quota must take into account the traditional United Kingdom imports from Cyprus; whereas taking this element into account it is advisable to fix the tariff quota for the year 1975 at 110 000 long tons;

Whereas equal and continuous access to the quota should be ensured for all importers and quota duties should be applied consistently to all imports of the product in question until the quota is used up,

HAS ADOPTED THIS REGULATION:

Article 1

A duty free tariff quota of 110 000 long tons shall be opened in the United Kingdom for the period 1 January to 31 December 1975 in respect of new potatoes falling within subheading 07.01 A II of the Common Customs Tariff, originating in Cyprus.

Article 2

1. The United Kingdom shall ensure that importers of the product in question established in its territory have free access to the tariff quota.
2. The extent to which the tariff quota is used up shall be based on the quantities of the imported product in question entered for home use.

Article 3

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 19 December 1974.

*For the Council**The President*

J. P. FOURCADE

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 88.

REGULATION (EEC) No 3298/74 OF THE COUNCIL

of 19 December 1974

extending the period of validity of Regulation (EEC) No 3576/73 on imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Regulation (EEC) No 1253/73 ⁽¹⁾, as amended by Regulation (EEC) No 3576/73 ⁽²⁾, introduced arrangements for imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and provided for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom; whereas the arrangements in question are to apply only until 31 December 1974;

Whereas, by the exchange of letters referred to in Article 12 of the Protocol laying down certain provisions relating to the Agreement ⁽³⁾ establishing an association between the European Economic Community and the Republic of Cyprus following the accession of new Member States to the European Economic Community, the Community agreed to extend the arrangements in question to the marketing of wines of the 1974 harvest;

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

Done at Brussels, 19 December 1974.

Whereas on 31 August 1973 the Republic of Cyprus adopted new rules governing wine production; whereas those rules, following the amendments made to them on 21 December 1973, correspond to those of the Community;

Whereas the Republic of Cyprus has undertaken to make the new Regulations applicable from 1 January 1975;

Whereas under these circumstances and in view of these undertakings the arrangements provided for in Regulation (EEC) No 3576/73 should be extended to apply to the marketing of wines of the 1974 harvest; whereas, to enable that harvest to be marketed, the arrangements should remain applicable until 31 December 1975,

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 1 of Regulation (EEC) No 3576/73 the date '31 December 1975' shall be substituted for '31 December 1974'.

2. In Article 4 (1) of Regulation (EEC) No 3576/73 the date '31 December 1975' shall be substituted for '31 December 1974'.

Article 2

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

J. P. FOURCADE

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 115.

⁽²⁾ OJ No L 359, 28. 12. 1973, p. 33.

⁽³⁾ OJ No L 133, 21. 5. 1973, p. 94.