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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1507/76

of 24 June 1976

establishing ceilings and Community supervision for imports of certain products
originating in Algeria, Morocco and Tunisia (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreements between the European Economic Community of the one part and the People's Democratic Republic of Algeria, the Kingdom of Morocco and the Republic of Tunisia of the other part each stipulate in Article 9 that products originating in these countries shall be imported into the Community free of customs duties; whereas, by way of derogation therefrom, Article 12 of each of these Agreements provides that the reduction of duties shall apply to imports of the products listed therein only up to ceilings above which the customs duties applicable to third countries may be reimposed;

Whereas, pending the entry into force of these Agreements, the Interim Agreements ⁽¹⁾ on trade in goods between the Community and Algeria, Morocco and Tunisia provide for the advance application of these tariff measures probably with effect from 1 July 1976; whereas the *pro rata temporis* clause shall apply; whereas the ceilings to be applied in the second half of 1976 should therefore be determined; whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should therefore be made subject to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on setting off imports of the products in question against the ceilings at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for consumption; whereas this administrative procedure must make provision for the reintroduction of customs tariff duties as soon as the ceilings have been reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of amounts set off against the ceilings and keep the Member States informed; whereas this cooperation must be all the closer in that the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings is reached.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July to 31 December 1976 imports of the products originating in Algeria, Morocco and Tunisia which are listed in Annexes I, II and III respectively shall be subject to annual ceilings and Community supervision.

The description of the products referred to in the first paragraph, their tariff headings and statistical numbers and the levels of the ceilings are given in Annexes I, II and III.

⁽¹⁾ OJ No L 141, 28. 5. 1976.

2. Amounts shall be set off against the ceilings as and when products are submitted to the customs authorities under cover of a declaration that they have been made available for consumption and accompanied by a movement certificate conforming to the rules contained in the Protocols on rules of origin annexed to the Cooperation and Interim Agreements between the Community of the one part and Algeria, Morocco and Tunisia of the other part. However, in the case of products falling within Chapter 27, a certificate of origin may be substituted for the movement certificate.

Goods shall be set off against the ceiling only if the movement certificate or, in the case of goods falling within Chapter 27, the certificate of origin has been submitted before the date on which customs duties are reimposed.

The reaching of a ceiling shall be determined at Community level on the basis of imports set off against it as defined in the preceding subparagraphs.

Member States shall inform the Commission at the intervals and within the time limits specified in para-

graph 4 of imports effected in accordance with the above rules.

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

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the amounts set off during the preceding month. They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days from the expiry of the preceding 10-day period.

Article 2

For the implementation of this Regulation the Commission shall take all necessary measures in close cooperation with the Member States.

Article 3

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

ANNEX I

List of products originating in Algeria subject to import ceilings in 1976

Order No	CCT heading No	Description	Nimexe Code	Level of ceiling (metric tons)
1	2	3	4	5
I DZ 1	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		550 000
		A. Light oils:		
		III. For other purposes	27.10—15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10—34, 38, 39	
		C. Heavy oils:		
		I. Gas oils:		
		c) For other purposes	27.10—59	
		II. Fuel oils:		
		c) For other purposes	27.10—69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10—75	
		d) For other purposes	27.10—79	
I DZ 1	27.11	Petroleum gases and other gaseous hydrocarbons:		550 000
		A. Propane of a purity not less than 99 % :		
		I. For use as power or heating fuel	27.11—03	
		B. Other:		
		I. Commercial propane and commercial butane:		
		c) For other purposes	27.11—19	
I DZ 1	27.12	Petroleum jelly		550 000
		A. Crude:		
		III. For other purposes	27.12—19	
		B. Other	27.12—90	
I DZ 1	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		550 000
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13—89	
		II. Other	27.13—90	

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	Nimexe Code	Level of ceiling (metric tons)
1	2	3	4	5
I DZ 1 (<i>cont'd</i>)	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14—99	
I DZ 2	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	45.02 all Nos	25
I DZ 3	45.03	Articles of natural cork	45.03 all Nos	75
I DZ 4	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	45.04 all Nos	1 000

ANNEX II

List of products originating in Morocco subject to import ceilings in 1976

Order No	CCT heading No	Description	Nimexe Code	Level of ceiling (metric tons)
1	2	3	4	5
I MA 1	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		
		A. Light oils:		
		III. For other purposes	27.10—15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10—34, 38, 39	
		C. Heavy oils:		
		I. Gas oils:		
		c) For other purposes	27.10—59	
		II. Fuel oils:		
		c) For other purposes	27.10—69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10—75	
		d) For other purposes	27.10—79	
	27.11	Petroleum gases and other gaseous hydrocarbons:		87 500
		A. Propane of a purity not less than 99 %:		
		I. For use as power or heating fuel	27.11—03	
		B. Other:		
	27.12	Petroleum jelly:		
		A. Crude:		
		III. For other purposes	27.12—19	
		B. Other	27.12—90	
	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13—89	
		II. Other	27.13—90	

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	Nimexe Code	Level of ceiling (metric tons)
1	2	3	4	5
I MA 1 (<i>cont'd</i>)	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14—99	
I MA 2	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	45.02 all Nos	25
I MA 3	45.03	Articles of natural cork	45.03 all Nos	300
I MA 4	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	45.04 all Nos	1 000

ANNEX III

List of products originating in Tunisia subject to import ceilings in 1976

Order No	CCT heading No	Description	Nimexe Code	Level of ceiling (metric tons)
1	2	3	4	5
I TN 1	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		87 500
		A. Light oils:		
		III. For other purposes	27.10—15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10—34, 38, 39	
		C. Heavy oils:		
		I. Gas oils:		
		c) For other purposes	27.10—59	
		II. Fuel oils:		
		c) For other purposes	27.10—69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10—75	
		d) For other purposes	27.10—79	
I TN 1	27.11	Petroleum gases and other gaseous hydrocarbons:		87 500
		A. Propane of a purity not less than 99 %:		
		I. For use as power or heating fuel	27.11—03	
		B. Other:		
		I. Commercial propane and commercial butane:		
		c) For other purposes	27.11—19	
I TN 1	27.12	Petroleum jelly:		87 500
		A. Crude:		
		III. For other purposes	27.12—19	
		B. Other	27.12—90	
I TN 1	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		87 500
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13—89	
		II. Other	27.13—90	

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	Nimexe Code	Level of ceiling (metric tons)
1	2	3	4	5
I TN 1 (<i>cont'd</i>)	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14—99	
I TN 2	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	45.02 all Nos	25
I TN 3	45.03	Articles of natural cork	45.03 all Nos	25
I TN 4	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	45.04 all Nos	400

COUNCIL REGULATION (EEC) No 1508/76

of 24 June 1976

on imports of olive oil originating in Tunisia

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 the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement relating to trade in goods were signed on 25 April 1976;

Whereas Articles 16 and 17 of the Cooperation Agreement and Annex B thereto and Articles 9 and 10 of the Interim Agreement and Annex B thereto provide for special arrangements for imports of olive oil falling within subheading 15.07 A of the Common Customs Tariff, wholly obtained in Tunisia and transported direct from that country to the Community; whereas the implementation of these arrangements requires that implementing rules be adopted, particularly as regards oil falling within subheading 15.07 A II;

Whereas provided that Tunisia levies a special charge on exports of oil falling within subheading 15.07 A II, the said special arrangements provide for a standard abatement of 0.50 unit of account per 100 kilogrammes of the levy applicable to such oil and a reduction of the said levy by an amount equal to the special charge, but not exceeding:

— 10 units of account per 100 kilogrammes, representing the reduction provided for in Article 16 (1) (b) of the Cooperation Agreement or Article 9 of the Interim Agreement,

— 10 units of account per 100 kilogrammes, representing the additional amount provided for in Annex B to the Cooperation Agreement or to the Interim Agreement;

Whereas in accordance with the Cooperation Agreement and the Interim Agreement, the special charge on exports should be reflected in the price of the oil upon importation into the Community; whereas, in order to ensure the correct application of the arrangements in question, the necessary measures should be adopted to ensure that the special charge on exports is paid at the latest when the oil is imported,

HAS ADOPTED THIS REGULATION:

Article 1

Where Tunisia levies the special charge on exports of olive oil other than olive oil which has undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, wholly obtained in Tunisia and transported direct from that country to the Community, the levy applicable to imports of the said oil into the Community shall be the levy calculated in accordance with Article 13 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽³⁾, as last amended by Regulation (EEC) No 1707/73 ⁽⁴⁾, less:

- (a) 0.50 unit of account per 100 kilogrammes, and
- (b) an amount equal to the special charge levied by Tunisia on exports of the said oil but not exceeding 10 units of account per 100 kilogrammes, such amount being increased until 31 October 1977 by 10 units of account per 100 kilogrammes.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 195.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁴⁾ OJ No L 175, 29. 6. 1973, p. 5.

Article 2

The arrangements provided for in Article 1 shall apply to any import transaction in respect of which the importer furnishes proof, when importing the olive oil, that the special charge on exports referred to in Article 1 has been reflected in the import price.

Article 3

Where Tunisia does not apply the special charge on exports, the levy charged on imports into the Community of the oil defined in Article 1 shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC less 0.50 unit of account per 100 kilogrammes.

Article 4

Without prejudice to the charging of the variable component of the levy determined in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component of the said levy shall not be charged on imports into the Community of olive oil which has undergone a refining process, falling within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Tunisia and transported direct from that country to the Community.

Article 5

The levy referred to in Article 4 shall be fixed by the Commission.

Article 6

The detailed rules for the application of this Regulation and, in particular, of Article 2 shall be adopted in accordance with the procedure provided for in Article 38 of Regulation No 136/66/EEC.

Article 7

Council Regulation (EEC) No 1912/74 of 22 July 1974 on imports of olive oil from Tunisia ⁽¹⁾ is hereby repealed.

Article 8

The arrangements provided for in this Regulation shall apply from the date of entry into force of the Interim Agreement between the European Economic Community and the Republic of Tunisia.

Article 9

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

⁽¹⁾ OJ No L 202, 24. 7. 1974, p. 6.

COUNCIL REGULATION (EEC) No 1509/76

of 24 June 1976

on imports into the Community of prepared and preserved sardines originating in Tunisia

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 ⁽¹⁾,

Whereas Council Regulation (EEC) No 112/76 of 19 January 1976 concerning imports into the Community of fishery products originating in Tunisia ⁽²⁾ established transitional arrangements for imports of carp, trout and preserved sardines and tunny originating in that country;

Whereas these arrangements apply until the entry into force of a new Agreement between the Community and Tunisia;

Whereas a Cooperation Agreement and an Interim Agreement ⁽³⁾ between the European Economic Community and the Republic of Tunisia were signed on 25 April 1976;

Whereas, therefore, from the time of entry into force of the Cooperation Agreement or the Interim Agreement on the advance implementation of certain provisions relating to trade in goods, the transitional arrangements referred to above shall no longer apply;

Whereas the Cooperation Agreement and the Interim Agreement contain provisions relating to imports of the fishery products in question, which will not, however, apply to imports of prepared and preserved sardines until an exchange of letters has been concluded;

Whereas, in order to avoid any interruption in trade in the said products between the Community and Tunisia pending the conclusion of that exchange of letters, the arrangements laid down by Regulation (EEC) No 112/76 should continue to apply on a transitional basis to prepared and preserved sardines,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States shall maintain in force the import arrangements applied on 31 January 1972 to prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff originating in Tunisia.
2. However, Member States which open tariff quotas under the arrangements referred to in paragraph 1 may increase the quantity of such quotas by not more than 30%.
3. The import arrangements applied to the products specified in paragraph 1 originating in Tunisia shall in no case be less favourable than those applied to like products originating in third countries.

Article 2

1. This Regulation shall apply until the entry into force of the arrangements laid down in the exchange of letters referred to in Article 11 (4) of the Interim Agreement and Article 18 (4) of the Cooperation Agreement between the Community and Tunisia or until 31 December 1976, whichever is the earlier.

2. This Regulation shall enter into force on 1 July 1976.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 20, 28. 1. 1976, p. 53.

⁽³⁾ OJ No L 141, 28. 5. 1976, p. 195.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1510/76

of 24 June 1976

concluding the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia was signed on 25 April 1976;

Whereas the Interim Agreement ⁽¹⁾ on the advance implementation of the trade provisions of the Cooperation Agreement signed on the same day enters into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia concerning the import into the Community of fruit salads originating in Tunisia should be concluded,

Article 1

The Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community ⁽²⁾.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council
The President
G. THORN

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 195.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of fruit salads originating in Tunisia

Sir,

With a view to implementing the 55 % reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 July to 31 December 1976 do not exceed 50 metric tons.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Office de Commerce de Tunisie' (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

‘With a view to implementing the 55% reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and in Article 12 of the Interim Agreement and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 July to 31 December 1976 do not exceed 50 metric tons.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the “Office de Commerce de Tunisie” (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures, agreed between the Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.’

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55% reduction in the Common Customs Tariff will apply from 1 July to 31 December 1976 to the quantities of fruit salads originating in Tunisia referred to in your letter.

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

COUNCIL REGULATION (EEC) No 1511/76

of 24 June 1976

on the opening, allocation and administration of a Community tariff quota for apricot pulp, falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Tunisia (1976)

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 the Cooperation Agreement between the European Economic Community and the Republic of Tunisia, signed on 25 April 1976, provides in Article 21 for the opening by the Community of an annual Community tariff quota of 4 300 metric tons of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff originating in Tunisia; whereas the customs duties applicable to the quota are equal to 70% of the customs duties actually applied to non-member countries; whereas, pending the entry into force of this Agreement, the Interim Agreement between the European Economic Community and the Republic of Tunisia ⁽²⁾ provides for the advance application of this tariff measure, probably with effect from 1 July 1976; whereas the *pro rata temporis* clause shall apply; whereas the Community tariff quota in question should therefore be opened for the second half of 1976;

Whereas it is in particular necessary to ensure equal and uninterrupted access for all importers in the Member States to the quota and uninterrupted application of the rate laid down for that quota to all imports of the product in question into all Member States until the said quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the tariff quota among the Member States; whereas,

to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports of the said product from Tunisia over a representative reference period and to the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports of each Member State represent the following percentages of imports into the Community from Tunisia of the products concerned:

	(in %)		
	1972	1973	1974
Benelux	4.9	15.8	3.4
Denmark	—	—	—
Germany	10.5	10.2	2.5
France	84.6	74.0	94.1
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas both these percentages and the estimates from certain Member States should be taken into account as well as the need to ensure that, in the circumstances, the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas the approximate percentages of the initial quota shares may therefore be fixed as follows:

Benelux	10%,
Denmark	5%,
Germany	10%,
France	61%,
Ireland	4%,
Italy	5%,
United Kingdom	5%;

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 195.

Whereas, in order to take account of future trends in imports into the various Member States of the product concerned, the quota should be divided into two instalments; the first to be allocated among all the Member States and the second to form a reserve intended to cover any subsequent requirements of Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community tariff quota should be set at 66% of the quota;

Whereas Member States may use up their initial shares at different rates; whereas, to provide for this eventuality and to avoid disruption of supplies, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this should be done by each Member State when each of its additional shares has been almost used up, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between Member States and the Commission, and the Commission must be in a position to keep a record of the extent to which the quota has been used up and to inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 31 December 1976 a Community tariff quota of 2 150 metric tons shall be opened in the Community for apricot pulp, falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Tunisia.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at a rate of 11.9%.

3. Within the limits of this tariff quota the new Member States shall apply duties calculated in accordance with the Agreement between the Community and Tunisia and the Act of Accession.

Article 2

1. A first instalment of 1 420 metric tons of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1976, shall be as follows:

Benelux	140 metric tons,
Denmark	70 metric tons,
Germany	140 metric tons,
France	880 metric tons,
Ireland	50 metric tons,
Italy	70 metric tons,
United Kingdom	70 metric tons.

2. The second instalment of 730 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of any Member State's initial share as fixed in Article 2 (1), or 90% of that share less any portion returned to the reserve, where Article 5 has been applied, has been used up that Member State shall forthwith by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next whole number, to the extent that the reserve so permits.

2. If after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share.

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

This procedure shall apply until the reserve is used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those specified therein if there are grounds for believing that those specified may not be used in full. 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 1976.

Article 5

Member States shall return to the reserve, not later than 15 November 1976, the unused portions of their initial shares which, on 1 November 1976, are in excess of 20% of the initial amounts. They may return a greater portion if there are grounds for believing that such portions may not be used in full.

Member States shall notify the Commission, not later than 15 November 1976, of the total quantity of the product in question imported up to and including 1 November 1976 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 20 November 1976, of the state of the reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and to this end shall specify the amount thereof to the Member State making the final drawing.

Article 7

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

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

3. Member States shall charge imports of the said products against their shares as and when the product in question is 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

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1512/76

of 24 June 1976

concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia was signed on 25 April 1976;

Whereas the Interim Agreement ⁽¹⁾ on the advance implementation of the trade provisions of the Cooperation Agreement signed on the same day enters into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia should be concluded,

Article 1

The Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community ⁽²⁾.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 195.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia

Sir,

I have the honour to inform you as follows:

For the implementation of Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia it is agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Tunisia shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, less the amount specified in paragraph 3 below.
2. Paragraph 1 shall apply provided that Tunisia levies on exports of the products referred to a special charge which is equal to the amount by which the variable component of the levy is reduced and is reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question was fixed.

The amount shall be fixed by the Commission not later than the tenth day of the month preceding the quarter during which the amount shall apply.

'Quarter' shall mean a period of three months beginning on 1 February, 1 May, 1 August or 1 November in each year.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under 'Remarks' on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée
Saerlig udførselsafgift opkrævet
Sonderausfuhrabgabe erhoben
Special export charge collected
Applicata tassa speciale all'esportazione
Bijzondere uitvoerheffing voldaan
(signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.

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

Sir,

In your letter of today's date you inform me as follows:

'For the implementation of Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia it is agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Tunisia shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, less the amount specified in paragraph 3 below.
2. Paragraph 1 shall apply provided that Tunisia levies on exports of the products referred to a special charge which is equal to the amount by which the variable component of the levy is reduced and is reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question was fixed.

The amount shall be fixed by the Commission not later than the tenth day of the month preceding the quarter during which the amount shall apply.

"Quarter" shall mean a period of three months beginning on 1 February, 1 May, 1 August or 1 November in each year.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under "Remarks" on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée
Saerlig udførselsafgift opkrævet
Sonderausfuhrabgabe erhoben
Special export charge collected
Applicata tassa speciale all'esportazione
Bijzondere uitvoerheffing voldaan
(signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.'

I have the honour to acknowledge receipt of your letter and to confirm the agreement of my Government with its contents.

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

COUNCIL REGULATION (EEC) No 1513/76

of 24 June 1976

concerning imports of bran, sharps and other residues derived from the sifting, milling or other working of certain cereals originating in Tunisia

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 the Cooperation Agreement between the European Economic Community and the Republic of Tunisia and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement were signed on 25 April 1976;

Whereas, under Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement, provided that Tunisia levies a special charge on exports of bran, sharps and residues derived from sifting, milling or other working of cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff, the variable component of the import levy shall be reduced by an amount equivalent to 60% of the average of the variable components of the levies on the product in question for the three months preceding the month in which such an amount is fixed and the fixed component shall not be imposed;

Whereas this special charge on exports must be reflected in the import price of these products in the Community;

Whereas, in order to ensure that these Agreements are correctly applied, measures should be adopted requiring the importer, at the time when the bran,

sharps and other residues are imported, to furnish proof that the special charge on exports has been collected by Tunisia;

Whereas, pursuant *inter alia* to the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia concerning the import into the Community of bran and sharps originating in Tunisia ⁽³⁾, these Agreements require detailed rules for their application,

HAS ADOPTED THIS REGULATION:

Article 1

The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff originating in Tunisia shall be that calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export for products processed from cereals and from rice ⁽⁴⁾, less an amount equivalent to 60% of the average of the variable components of the levies on the product in question for the three months preceding the month in which such an amount is fixed.

Article 2

Article 1 shall apply to all imports in respect of which the importer can furnish proof that the special charge on exports has been collected by Tunisia in

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 195.

⁽³⁾ See page 20 of this Official Journal.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

accordance with Article 22 of the Cooperation Agreement or with Article 15 of the Interim Agreement.

Article 3

Detailed rules for the application of this Regulation, in particular as regards the fixing of the amount by which the levy is to be reduced, shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC.

Article 4

The fixed component of the levy on imports into the Community of bran, sharps and other residues

derived from the sifting, milling or other working of cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff originating in Tunisia shall not be imposed.

Article 5

This Regulation shall enter into force on the day of the entry into force of the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia concerning the import into the Community of bran and sharps originating in Tunisia.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1514/76

of 24 June 1976

on imports of olive oil originating in Algeria

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 the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement relating to trade in goods were signed on 26 April 1976;

Whereas Articles 16 and 17 of the Cooperation Agreement and Annex B thereto and Articles 9 and 10 of the Interim Agreement and Annex B thereto provide for special arrangements for imports of olive oil falling within subheading 15.07 A of the Common Customs Tariff, wholly obtained in Algeria and transported direct from that country to the Community; whereas the implementation of these arrangements requires that implementing rules be adopted, particularly as regards oil falling within subheading 15.07 A II;

Whereas, provided that Algeria levies a special charge on exports of oil falling within subheading 15.07 A II, the said special arrangements provide for a standard abatement of 0.50 unit of account per 100 kilogrammes of the levy applicable to such oil and a reduction of the said levy by an amount equal to the special charge, but not exceeding:

- 10 units of account per 100 kilogrammes, representing the reduction provided for in Article 16 (1) (b) of the Cooperation Agreement or in Article 9 of the Interim Agreement;

- 10 units of account per 100 kilogrammes, representing the additional amount provided for in Annex B to the Cooperation Agreement or to the Interim Agreement;

Whereas, in accordance with the Cooperation Agreement and the Interim Agreement, the special charge on exports should be reflected in the price of the oil upon importation into the Community; whereas in order to ensure the correct application of the arrangements in question, the necessary measures should be adopted to ensure that the special charge on exports is paid at the latest when the oil is imported,

HAS ADOPTED THIS REGULATION:

Article 1

Where Algeria levies the special charge on exports of olive oil other than olive oil which has undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, wholly obtained in Algeria and transported direct from that country to the Community, the levy applicable to imports of the said oil into the Community shall be the levy calculated in accordance with Article 13 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽³⁾, as last amended by Regulation (EEC) No 1707/73 ⁽⁴⁾, less:

- (a) 0.50 unit of account per 100 kilogrammes, and
- (b) an amount equal to the special charge levied by Algeria on exports of the said oil but not exceeding 10 units of account per 100 kilogrammes, this amount being increased until 31 October 1977 by 10 units of account per 100 kilogrammes.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁴⁾ OJ No L 175, 29. 6. 1973, p. 5.

Article 2

The arrangements provided for in Article 1 shall apply to any import transaction in respect of which the importer furnishes proof, when importing the olive oil, that the special charge on exports referred to in Article 1 has been reflected in the import price.

Article 3

Where Algeria does not apply the special charge on exports, the levy charged on imports into the Community of the oil defined in Article 1 shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC less 0.50 unit of account per 100 kilogrammes.

Article 4

Without prejudice to the charging of the variable component of the levy determined in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component of the said levy shall not be charged on imports into the Community of olive oil which has undergone a refining process, falling within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Algeria and transported direct from that country to the Community.

Article 5

The levy referred to in Article 4 shall be fixed by the Commission.

Article 6

The detailed rules for the application of this Regulation and in particular of Article 2 shall be adopted in accordance with the procedure provided for in Article 38 of Regulation No 136/66/EEC.

Article 7

The arrangements provided for in this Regulation shall apply from the date of entry into force of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria.

Article 8

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1515/76

of 24 June 1976

concluding the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria was signed on 26 April 1976;

Whereas the Interim Agreement ⁽¹⁾ on the advance implementation of the trade provisions of the Cooperation Agreement signed on the same day enters into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of fruit salads originating in Algeria should be concluded,

The Agreement in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community ⁽²⁾.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an exchange of letters relating to Article 19 of the Cooperation Agreement and Article 12 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of fruit salads originating in Algeria

Sir,

With a view to implementing the 55% reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 July to 31 December 1976 do not exceed 50 metric tons.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Société de gestion et de développement des industries alimentaires (SOGEDIA)' (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Society for the Administration and Development of the Foodstuffs Industries and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

‘With a view to implementing the 55% reduction in the Common Customs Tariff provided for in Article 19 of the Cooperation Agreement between the European Economic Community and the People’s Democratic Republic of Algeria and in Article 12 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 July to 31 December 1976 do not exceed 50 metric tons.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the “Société de gestion et de développement des industries alimentaires (SOGEDIA)” (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Society for the Administration and Development of the Foodstuffs Industries and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.’

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55% reduction in the Common Customs Tariff will apply from 1 July to 31 December 1976 to the quantities of fruit salads originating in Algeria referred to in your letter.

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

COUNCIL REGULATION (EEC) No 1516/76

of 24 June 1976

on imports of wine of fresh grapes, intended to be fortified for distillation, originating in Algeria

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 the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement were signed on 26 April 1976;

Whereas Article 20 (2) (b) of the Cooperation Agreement and Article 13 (2) (b) of the Interim Agreement lay down that, for four years and within the limits of an annual quota of 500 000 hectolitres, the tariff concession consisting of an 80% reduction in the customs duties on imports of wine of fresh grapes, intended for fortifying, falling within subheadings 22.05 C I ex b) and C II ex b) of the Common Customs Tariff and originating in Algeria, will be subject to the observance of a special price; whereas a procedure should be laid down for the adoption of the detailed rules for the application of these arrangements;

Whereas the observance of a special price for the wine in question within the quota established also confers exemption from the countervailing charge provided for in Article 9 of Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine ⁽³⁾, as last amended by Regulation (EEC) No 1932/75 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries ⁽⁵⁾ established a system for checking that the reference price is observed in the case of imports of wine originating in third countries which have undertaken to observe that price, either under the second subparagraph of Article 9 (3) of Regulation (EEC) No 816/70 or under the agreements providing for preferential tariff concessions; whereas it is necessary, for the purpose of this Regulation, to indicate the free-at-frontier reference price within the quota for Algerian wine intended for fortifying,

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from the second subparagraph of Article 9 (3) of Regulation (EEC) No 816/70, the countervailing charge shall not be levied in respect of imports of wine of fresh grapes, intended for fortifying, falling within subheadings 22.05 C I ex b) and C II ex b) of the Common Customs Tariff originating in Algeria, where their free-at-frontier offer price is equal to or higher than the reference price referred to in Article 9 of the said Regulation, less the customs duties actually levied and:

- 30% of the difference between the reference price and the guide price during the first year of application of this Regulation;
- 22.5% of the difference between the reference price and the guide price during the second year of application of this Regulation;
- 15% of the difference between the reference price and the guide price during the third year of application of this Regulation;

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽³⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽⁴⁾ OJ No L 198, 29. 7. 1975, p. 19.

⁽⁵⁾ OJ No L 256, 2. 10. 1975, p. 2.

- 7.5% of the difference between the reference price and the guide price during the fourth year of application of this Regulation.

For the purposes of the preceding paragraph:

- 'guide price' shall mean the RI type guide price as regards red wine and the AI type guide price as regards white wine, as established by the Community and in force at any given time during the period concerned;
- 'reference price' shall mean the reference price applicable to the wine in question, as established by the Community and in force at any given time during the period concerned.

2. Paragraph 1 shall apply to wine within a quota of 500 000 hectolitres for each year of application.

Article 2

By way of derogation from Article 1 of Regulation (EEC) No 2506/75, the free-at-frontier reference price for the wine referred to in Article 1 shall be the price resulting from the application of the latter Article.

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

Done at Brussels, 24 June 1976.

Article 3

1. The Council, acting by a qualified majority on a proposal from the Commission, shall allocate the quota referred to in Article 1 (2).

2. The detailed rules for the application of this Regulation and in particular for the application of the provisions concerning the supervision of the use to which the wine in question is put shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 ⁽¹⁾.

Article 4

The arrangements provided for in this Regulation shall apply from the date of the entry into force of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria.

Article 5

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

For the Council

The President

G. THORN

⁽¹⁾ OJ No 30, 20. 4. 1962, p. 989/62.

COUNCIL REGULATION (EEC) No 1517/76

of 24 June 1976

opening, allocating and providing for the administration of Community tariff quotas for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Algeria (1976/77)

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 the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria signed on 26 April 1976 stipulates in Article 20 that certain wines having a registered designation of origin falling within subheading ex 22.05 C of the Common Customs Tariff originating in Algeria shall be imported into the Community free of customs duties within the limits of an annual Community tariff quota; whereas the volume for the first quota period is 250 000 hectolitres consisting of 190 000 hectolitres of wine in bulk, and 60 000 hectolitres of wine in bottles; whereas wine in bulk must be put up in accordance with certain conditions; whereas wine in bottles must be in containers holding a maximum of two litres; whereas the import prices for the wines must at any given moment be not less than the Community reference prices for them; whereas these wines must be accompanied by a certificate of designation of origin in accordance with the model given in Annex D to the Agreement in question;

Whereas pending the entry into force of the Cooperation Agreement, the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽²⁾

hereinafter called the 'Interim Agreement' provides in Article 13 for the advance application of this tariff measure, probably with effect from 1 July 1976; whereas the Community tariff quotas in question should therefore be opened for an initial period from 1 July 1976 until 30 June 1977;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries ⁽³⁾, introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quotas, and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into the Member States until the quotas have been used up; whereas, having regard to the above principles, the Community nature of the quotas can be respected by allocating the Community tariff quotas among the Member States; whereas, in order to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports of the said products from Algeria over a representative reference period and to the economic outlook for the quota period concerned;

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

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽³⁾ OJ No L 256, 2. 10. 1975, p. 2.

Whereas, to take into account import trends for the products concerned in the various Member States, each of the quota amounts should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quotas should be fixed at a level which could, in the present circumstances, be 50% of each of the quota volumes;

Whereas the initial shares of the Member States may not be used up at the same rate; whereas in order to take this into account and avoid disruption, any Member State which has used up almost all of one of its initial shares should draw a supplementary share from the relevant reserve; whereas this should be done by each Member State each time one of its supplementary shares is almost used up, and so on as many times as the reserve allows; whereas the initial and supplementary shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volumes have been used up and inform the Member States thereof;

Whereas, if at a given date in the quota period a Member State has a considerable quantity of one of its initial shares left over, it is essential that it should return a significant proportion thereof to the relevant reserve, to prevent 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 the shares allocated to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 July 1976 to 30 June 1977 Community tariff quotas shall be opened for the following products originating in Algeria, within the limits set out below:

CCT heading No	Description	Quota volume
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: — Wines entitled to one of the following designations of origin: Ain Bessem-Bouira, Medea, Coteaux du Zaccar, Dahra, Coteaux de Mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength not exceeding 15°: — In containers holding two litres or less — In containers holding more than two litres	 60 000 hl 190 000 hl

2. Within these tariff quotas the Common Customs Tariff duties applicable to these wines shall be totally suspended. The new Member States shall apply duties calculated in accordance with the relevant provisions of the Interim Agreement on trade in goods between the European Economic Community and Algeria and of the Act of Accession.

3. The wines in question shall benefit from these tariff quotas on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 and subsequent texts which apply to such prices.

4. Wine in containers holding more than two litres must be put up in accordance with the following requirements:

- (a) the containers must be suitable for transporting wine and be used solely for that purpose;
- (b) the containers must be completely filled;
- (c) the means of closing the containers must be such that they cannot be tampered with and must ensure that they cannot be the subject of operations during transportation or storage other than those carried out under the supervision of the authorities of Algeria or of the Member States;
- (d) each container must be labelled in such a way as to permit identification of the quality wine it contains;
- (e) the wine in question may be transported only in containers of a capacity not exceeding 25 hectolitres.

5. Each of these wines, when imported, shall be accompanied by a certificate of designation of origin, issued by the relevant Algerian authority, in accordance with the model annexed to this Regulation.

Article 2

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

2. A first instalment of each quota shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid up to 30 June 1977, shall be as follows:

(in hectolitres)

Member States	Wines having a registered designation of origin in containers holding:	
	two litres or less	more than two litres
Benelux	5 000	15 000
Denmark	3 000	10 000
Germany	6 000	20 000
France	6 000	20 000
Ireland	2 000	5 000
Italy	3 000	10 000
United Kingdom	5 000	15 000
Total	30 000	95 000

3. The second instalment of each quota, amounting to 30 000 and 95 000 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90% or more of one of a Member State's initial shares, as specified in Article 2 (2), or of that share less the portion returned to the relevant reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after one or other of its initial shares has been used up, 90% or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1 draw a third share equal to 7.5% of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

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

This process shall continue to apply until the reserves are used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in these paragraphs if there is reason to believe that those fixed might not be used up. They shall inform

the Commission of their reasons for applying this paragraph.

Article 4

Each additional share drawn pursuant to Article 3 shall be valid until 30 June 1977.

Article 5

Member States shall return to the reserve, not later than 1 April 1977, the unused portion of their initial share which, on 15 March 1977, is in excess of 20% of the initial amount. They may return a greater portion if there are grounds for believing that such portion might not be used in full.

Member States shall notify the Commission, not later than 1 April 1977, of the total imports of the products concerned effected under the Community quotas up to and including 15 March 1977 and, where appropriate, the proportion of each of their initial shares that they are returning to each of the reserves.

Article 6

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

The Commission shall notify the Member States, not later than 5 April 1977, of the state of each reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that the drawing which uses up a reserve is limited to the balance available, and to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 7

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

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

3. Member States shall charge imports of the said goods against their shares as and when 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

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

ANNEX

1. المصدر - Eksportør - Ausführer - Exporter - Exportateur - Esportatore - Exporteur:	2. الرقم - Nummer - Nummer - Number - Numéro - Numero - Nummer	00000	
	3. (Name of authority guaranteeing the designation of origin)		
4. المرسل اليه - Modtager - Empfänger - Consignee - Destinataire - Destinatario - Geadresseerde:	5. شهادة التسمية الاصلية CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG		
6. وسيلة النقل - Transportmiddel - Beförderungsmittel - Means of transport - Moyen de transport - Mezzo di trasporto - Vervoermiddel:	7. (Designation of origin)		
8. مكان الافراغ - Losningssted - Entladungsort - Place of unloading - Lieu de déchargement - Luogo di sbarco - Plaats van lossing:			
9. الانواع والارقام ، عدد ونوع الطرود Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura dei colli Merken en nummers, aantal en soort der colli	10. الوزن الخام Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht	11. لترات Liter Liter Litres Litres Litri Liter	
12. لترات (بالحروف) - Liter (i bogstaver) - Liter (in Buchstaben) - Litres (in words) - Litres (en lettres) - Litri (in lettere) - Liter (voluit):			
13. تأشيرة الهيئة المرسلة - Påtegning fra udstedende organ - Bescheinigung der erteilenden Stelle - Certificate of the issuing authority - Visa de l'organisme émetteur - Visto dell'organismo emittente - Visum van de instantie van afgifte:			
14. تأشيرة الجمارك - Toldstedets attest - Sichtvermerk der Zollstelle - Customs stamp - Visa de la douane - Visto della dogana - Visum van de douane	(Oversættelse se nr. 15 - Übersetzung siehe Nr. 15 - see the translation under No 15 - Voir traduction au n° 15 - Vedi traduzione al n. 15 - Zie voor vertaling nr. 15)		

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i området og ifølge algerisk lovgivning er berettiget til oprindelsesbetegnelse: ».....«.

Alkohol tilsat denne vin er alkohol fremstillet af vin.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk gewonnen wurde und ihm nach algerischem Gesetz die Ursprungsbezeichnung „.....“ zuerkannt wird.

Der diesem Wein zugefügte Alkohol ist aus Wein gewonnener Alkohol.

We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Algerian legislation as entitled to the designation of origin '.....'.

The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi algérienne, comme ayant droit à la dénomination d'origine « ».

L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di ed è riconosciuto, secondo la legge algerina come avente diritto alla denominazione di origine «.....».

L'alcole aggiunto a questo vino è alcole di origine vinica.

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van en dat volgens de Algerijnse wetgeving de benaming van oorsprong „.....“ erkend wordt.

De aan deze wijn toegevoegde alcohol is alcohol, uit wijn gewonnen.

16. (1)

يحتفظ بهذه الخانة لبيانات أخرى من الدولة المصدرة

(1) Rubrik forbeholdt eksportlandets andre angivelser.

(1) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.

(1) Space reserved for additional details given in the exporting country.

(1) Case réservée pour d'autres indications du pays exportateur.

(1) Spazio riservato per altre indicazioni del paese esportatore.

(1) Ruimte bestemd voor andere gegevens van het land van uitvoer.

COUNCIL REGULATION (EEC) No 1518/76

of 24 June 1976

concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria was signed on 26 April 1976;

Whereas the Interim Agreement ⁽¹⁾ on the advance implementation of the trade provisions of the Cooperation Agreement signed on the same day enters into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria should be concluded,

The Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community ⁽²⁾.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria

Sir,

I have the honour to inform you as follows:

For the implementation of Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria it is agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Algeria shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, less the amount specified in paragraph 3 below.
2. Paragraph 1 shall apply provided that Algeria levies on exports of the products referred to a special charge which is equal to the amount by which the variable component of the levy is reduced and is reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question was fixed.

The amount shall be fixed by the Commission not later than the tenth day of the month preceding the quarter during which the amount shall apply.

'Quarter' shall mean a period of three months beginning on 1 February, 1 May, 1 August or 1 November in each year.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under 'Remarks' on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée
Særlig udførselsafgift opkrævet
Sonderausfuhrabgabe erhoben
Special export charge collected
Applicata tassa speciale all'esportazione
Bijzondere uitvoerheffing voldaan
(signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.

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

Sir,

In your letter of today's date you inform me as follows:

'For the implementation of Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria it is agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Algeria shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, less the amount specified in paragraph 3 below.
2. Paragraph 1 shall apply provided that Algeria levies on exports of the products referred to a special charge which is equal to the amount by which the variable component of the levy is reduced and is reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question was fixed.

The amount shall be fixed by the Commission not later than the tenth day of the month preceding the quarter during which the amount shall apply.

"Quarter" shall mean a period of three months beginning on 1 February, 1 May, 1 August or 1 November in each year.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under "Remarks" on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée
Særlig udførselsafgift opkrævet
Sonderausfuhrabgabe erhoben
Special export charge collected
Applicata tassa speciale all'esportazione
Bijzondere uitvoerheffing voldaan
(signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.'

I have the honour to acknowledge receipt of your letter and to confirm the agreement of my Government with its contents.

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

COUNCIL REGULATION (EEC) No 1519/76

of 24 June 1976

concerning imports of bran, sharps and other residues derived from the sifting, milling or other working of certain cereals originating in Algeria

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 the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement were signed on 26 April 1976;

Whereas, under Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement, provided that Algeria levies a special charge on exports of bran, sharps and residues derived from the sifting, milling or other working of cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff, the variable component of the import levy shall be reduced by an amount equivalent to 60% of the average of the variable components of the levies on the product in question for the three months preceding the month in which such an amount is fixed and the fixed component shall not be imposed;

Whereas this special charge on exports must be reflected in the import price of these products in the Community;

Whereas, in order to ensure that these Agreements are correctly applied, measures should be adopted requiring the importer, at the time when the bran, sharps and other residues are imported, to furnish

proof that the special charge on exports has been collected by Algeria;

Whereas, pursuant *inter alia* to the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria ⁽³⁾, these Agreements require detailed rules for their application,

HAS ADOPTED THIS REGULATION:

Article 1

The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff originating in Algeria shall be that calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, less an amount equivalent to 60% of the average of the variable components of the levies on the product in question for the three months preceding the month in which such an amount is fixed.

Article 2

Article 1 shall apply to all imports in respect of which the importer can furnish proof that the special charge on exports has been collected by Algeria in accordance with Article 21 of the Cooperation Agreement or with Article 14 of the Interim Agreement.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 2.

⁽³⁾ See page 38 of this Official Journal.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

Article 3

Detailed rules for the application of this Regulation, in particular as regards the fixing of the amount by which the levy is to be reduced, shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC.

Article 4

The fixed component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of

cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff originating in Algeria shall not be imposed.

Article 5

This Regulation shall enter into force on the day of the entry into force of the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of bran and sharps originating in Algeria.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1520/76
of 24 June 1976
on imports of durum wheat originating in Morocco

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

Having regard to the proposal from the Commission,

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

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement relating to trade in goods were signed on 27 April 1976;

Whereas Article 16 of the Cooperation Agreement and Article 9 of the Interim Agreement provide for special arrangements for imports of durum wheat falling within subheading 10.01 B of the Common Customs Tariff originating in Morocco; whereas the implementation of these arrangements requires that implementing rules be adopted,

The levy applicable to imports into the Community of durum wheat falling within subheading 10.01 B of the Common Customs Tariff originating in Morocco and transported direct from Morocco to the Community shall be that fixed pursuant to Article 13 of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽³⁾, less 0.5 unit of account per metric ton.

Article 2

The arrangements provided for in this Regulation shall apply with effect from the date of the entry into force of the Interim Agreement between the European Economic Community and the Kingdom of Morocco.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 98.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

COUNCIL REGULATION (EEC) No 1521/76

of 24 June 1976

on imports of olive oil originating in Morocco

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 the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco and the Interim Agreement ⁽²⁾ on the advance implementation of certain provisions of the Cooperation Agreement relating to trade in goods were signed on 27 April 1976;

Whereas Articles 17 and 18 of the Cooperation Agreement and Annex B thereto and Articles 10 and 11 of the Interim Agreement and Annex B thereto provide for special arrangements for imports of olive oil falling within subheading 15.07 A of the Common Customs Tariff, wholly obtained in Morocco and transported direct from that country to the Community; whereas the implementation of these arrangements requires that implementing rules be adopted, particularly as regards oil falling within subheading 15.07 A II;

Whereas, provided that Morocco levies a special charge on exports of oil falling within subheading 15.07 A II, the said special arrangements provide for a standard abatement of 0.50 unit of account per 100 kilogrammes of the levy applicable to such oil and a reduction of the said levy by an amount equal to the special charge, but not exceeding:

- 10 units of account per 100 kilogrammes, representing the reduction provided for in Article 17 (1) (b) of the Cooperation Agreement or Article 10 (1) (b) of the Interim Agreement;

- 10 units of account per 100 kilogrammes, representing the additional amount provided for in Annex B to the Cooperation Agreement or the Interim Agreement;

Whereas, in accordance with the Cooperation Agreement and the Interim Agreement, the special charge on exports should be reflected in the price of the oil upon importation into the Community; whereas in order to ensure the correct application of the arrangements in question, the necessary measures should be adopted to ensure that the special charge on exports is paid at the latest when the oil is imported,

HAS ADOPTED THIS REGULATION:

Article 1

Where Morocco levies the special charge on exports of olive oil other than olive oil which has undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, wholly obtained in Morocco and transported direct from that country to the Community, the levy applicable to imports of the said oil into the Community shall be the levy calculated in accordance with Article 13 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽³⁾, as last amended by Regulation (EEC) No 1707/73 ⁽⁴⁾, less:

- (a) 0.50 unit of account per 100 kilogrammes, and
- (b) an amount equal to the special charge levied by Morocco on exports of the said oil but not exceeding 10 units of account per 100 kilogrammes, such amount being increased until 31 October 1977 by 10 units of account per 100 kilogrammes.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 98.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁴⁾ OJ No L 175, 29. 6. 1973, p. 5.

Article 2

The arrangements provided for in Article 1 shall apply to any import transaction in respect of which the importer furnishes proof, when importing the olive oil, that the special charge on exports referred to in Article 1 has been reflected in the import price.

Article 3

Where Morocco does not apply the special charge on exports, the levy charged on imports into the Community of the oil defined in Article 1 shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC less 0.50 unit of account per 100 kilogrammes.

Article 4

Without prejudice to the charging of the variable component of the levy determined in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component of the said levy shall not be charged on imports into the Community of olive oil which has undergone a refining process, falling within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Morocco and transported direct from that country to the Community.

Article 5

The levy referred to in Article 4 shall be fixed by the Commission.

Article 6

The detailed rules for the application of this Regulation, and in particular Article 2, shall be adopted in accordance with the procedure provided for in Article 38 of Regulation No 136/66/EEC.

Article 7

Council Regulation (EEC) No 303/74 of 4 February 1974 on imports of olive oil from Morocco ⁽¹⁾ is hereby repealed.

Article 8

The arrangements provided for in this Regulation shall apply from the date of entry into force of the Interim Agreement between the European Economic Community and the Kingdom of Morocco.

Article 9

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

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

⁽¹⁾ OJ No L 34, 7. 2. 1974, p. 4.

COUNCIL REGULATION (EEC) No 1522/76

of 24 June 1976

on imports into the Community of prepared and preserved sardines originating in Morocco

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 ⁽¹⁾,

Whereas Council Regulation (EEC) No 111/76 of 19 January 1976 concerning imports into the Community of fishery products originating in Morocco ⁽²⁾ established transitional arrangements for imports of carp, trout and preserved sardines and tunny originating in that country;

Whereas those arrangements apply until the entry into force of a new Agreement between the Community and Morocco;

Whereas a Cooperation Agreement and an Interim Agreement ⁽³⁾ between the European Economic Community and the Kingdom of Morocco were signed on 27 April 1976;

Whereas, therefore, from the time of entry into force of the Cooperation Agreement or the Interim Agreement on the advance implementation of certain provisions relating to trade in goods, the transitional arrangements referred to above shall no longer apply;

Whereas the Cooperation Agreement and the Interim Agreement contain provisions relating to imports of the fishery products in question, which will not, however, apply to imports of prepared and preserved

sardines until an exchange of letters has been concluded;

Whereas, in order to avoid any interruption in trade in the said products between the Community and Morocco pending the conclusion of that exchange of letters, the arrangements laid down by Regulation (EEC) No 111/76 should continue to apply on a transitional basis to prepared and preserved sardines,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States shall maintain in force the import arrangements applied on 31 January 1972 to prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff originating in Morocco.

2. However, Member States which open tariff quotas under the arrangements referred to in paragraph 1 may increase the quantity of such quotas by not more than 30%.

3. The import arrangements applied to the products specified in paragraph 1 originating in Morocco shall in no case be less favourable than those applied to like products originating in third countries.

Article 2

1. This Regulation shall apply until the arrangements laid down in the exchange of letters referred to in Article 12 (4) of the Interim Agreement and Article 19 (4) of the Cooperation Agreement between the Community and Morocco become applicable or until 31 December 1976, whichever is the earlier.

2. This Regulation shall enter into force on 1 July 1976.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 20, 28. 1. 1976, p. 51.

⁽³⁾ OJ No L 141, 28. 5. 1976, p. 98.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1523/76

of 24 June 1976

concluding the Agreement in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco was signed on 27 April 1976;

Whereas the Interim Agreement ⁽¹⁾ on the advance implementation of the trade provisions of the Cooperation Agreement signed on the same day enters into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of fruit salads originating in Morocco should be concluded,

The Agreement in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community ⁽²⁾.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council
The President
G. THORN

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 98.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an exchange of letters relating to Article 20 of the Cooperation Agreement and Article 13 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of fruit salads originating in Morocco

Sir,

With a view to implementing the 55% reduction in the Common Customs Tariff provided for in Article 20 of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco and in Article 13 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 July to 31 December 1976 do not exceed 50 metric tons.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Office de commercialisation et d'exportation (OCE)' (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

‘With a view to implementing the 55% reduction in the Common Customs Tariff provided for in Article 20 of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco and in Article 13 of the Interim Agreement, and following the clarifications exchanged concerning the conditions governing imports into the Community of fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 July to 31 December 1976 do not exceed 50 metric tons.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the “Office de commercialisation et d’exportation (OCE)” (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.’

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55% reduction in the Common Customs Tariff will apply from 1 July to 31 December 1976 to the quantities of fruit salads originating in Morocco referred to in your letter.

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

COUNCIL REGULATION (EEC) No 1524/76

of 24 June 1976

on the opening, allocation and administration of a Community tariff quota for apricot pulp, falling within subheading ex 20.06 B II c) I aa) of the Common Customs Tariff, originating in Morocco (1976)

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 the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco, signed on 27 April 1976, provides in Article 22 for the opening by the Community of an annual Community tariff quota of 8 250 metric tons of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff originating in Morocco; whereas the customs duties applicable to the quota are equal to 70% of the customs duties actually applied to non-member countries; whereas, pending the entry into force of this Agreement, the Interim Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾ provides for the advance application of this tariff measure, probably with effect from 1 July 1976; whereas the *pro rata temporis* clause shall apply; whereas the Community tariff quota in question should therefore be opened for the second half of 1976;

Whereas it is, in particular, necessary to ensure equal and uninterrupted access for all importers in the Member States to the quota and uninterrupted application of the rate laid down for that quota to all imports of the product in question into all Member States until the said quota has been used up; whereas having regard to the above principles the

Community nature of the quota can be respected by allocating the tariff quota among the Member States; whereas, to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports of the said product from Morocco over a representative reference period and to the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports of each Member State represent the following percentages of imports into the Community from Morocco of the products concerned:

(in percentages)			
	1972	1973	1974
Benelux	0.5	0.7	0.8
Denmark	0.2	0.6	0.3
Germany	20.0	46.2	45.5
France	79.3	50.7	51.3
Ireland	—	—	—
Italy	—	—	0.5
United Kingdom	—	1.8	1.6

Whereas, both these percentages and the estimates from certain Member States should be taken into account as well as the need to ensure that, in the circumstances, the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas the approximate percentages of the initial quota shares may therefore be fixed as follows:

Benelux	3%,
Denmark	3%,
Germany	36%,
France	41%,
Ireland	2%,
Italy	5%,
United Kingdom	10%;

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 98.

Whereas, in order to take account of future trends in imports into the various Member States of the product concerned, the quota should be divided into two instalments, the first to be allocated among all the Member States and the second to form a reserve intended to cover any subsequent requirements of Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community tariff quota should be set at 66% of the quota;

Whereas Member States may use up their initial shares at different rates; whereas, to provide for this eventuality and to avoid disruption of supplies, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this should be done by each Member State when each of its additional shares has been almost used up, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between Member States and the Commission, and the Commission must be in a position to keep a record of the extent to which the quota has been used up and to inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 31 December 1976 a Community tariff quota of 4 125 metric tons shall be opened in the Community for apricot pulp, falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Morocco.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at a rate of 11.9%.

3. Within the limits of this tariff quota the new Member States shall apply duties calculated in accordance with the Agreement between the Community and Morocco and the Act of Accession.

Article 2

1. A first instalment of 2 720 metric tons of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the shares, which subject to Article 5, shall be valid until 31 December 1976, shall be as follows:

Benelux	80 metric tons,
Denmark	80 metric tons,
Germany	980 metric tons,
France	1 100 metric tons,
Ireland	60 metric tons,
Italy	140 metric tons,
United Kingdom	280 metric tons.

2. The second instalment of 1 405 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of any Member State's initial share as fixed in Article 2 (1), or 90% of that share less any portion returned to the reserve, where Article 5 has been applied, has been used up that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next whole number, to the extent that the reserve so permits.

2. If after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5% of its initial share.

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

This procedure shall apply until the reserve is used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those specified therein if there are grounds for believing that those specified may not be used in full. 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 1976.

Article 5

Member States shall return to the reserve, not later than 15 November 1976, the unused portions of their initial shares which, on 1 November 1976, are in excess of 20% of the initial amounts. They may return a greater portion if there are grounds for believing that such portions may not be used in full.

Member States shall notify the Commission, not later than 15 November 1976, of the total quantity of the product in question imported up to and including 1 November 1976 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 20 November 1976, of the state of the reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and to this end shall specify the amount thereof to the Member State making the final drawing.

Article 7

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

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

3. Member States shall charge imports of the said products against their shares as and when the product in question is 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

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1525/76

of 24 June 1976

concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco was signed on 27 April 1976;

Whereas the Interim Agreement ⁽¹⁾ on the advance implementation of the trade provisions of the Cooperation Agreement signed on the same day enters into force on 1 July 1976;

Whereas the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco should be concluded,

The Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community ⁽²⁾.

Article 3

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

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

Done at Brussels, 24 June 1976.

For the Council
The President
G. THORN

⁽¹⁾ OJ No L 141, 28. 5. 1976, p. 98.

⁽²⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco

Sir,

I have the honour to inform you as follows:

For the implementation of Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco it is agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Morocco shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, less the amount specified in paragraph 3 below.
2. Paragraph 1 shall apply provided that Morocco levies on exports of the products referred to a special charge which is equal to the amount by which the variable component of the levy is reduced and is reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question was fixed.

The amount shall be fixed by the Commission not later than the tenth day of the month preceding the quarter during which the amount shall apply.

'Quarter' shall mean a period of three months beginning on 1 February, 1 May, 1 August or 1 November in each year.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under 'Remarks' on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée
Særlig udførselsafgift opkrævet
Sonderausfuhrabgabe erhoben
Special export charge collected
Applicata tassa speciale all'esportazione
Bijzondere uitvoerheffing voldaan
(signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.

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

Sir,

In your letter of today's date you inform me as follows:

'For the implementation of Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco it is agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Morocco shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, less the amount specified in paragraph 3 below.
2. Paragraph 1 shall apply provided that Morocco levies on exports of the products referred to a special charge which is equal to the amount by which the variable component of the levy is reduced and is reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question was fixed.

The amount shall be fixed by the Commission not later than the tenth day of the month preceding the quarter during which the amount shall apply.

"Quarter" shall mean a period of three month beginning on 1 February, 1 May, 1 August or 1 November in each year.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under "Remarks" on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée

Særlig udførselsafgift opkrævet

Sonderausfuhrabgabe erhoben

Special export charge collected

Applicata tassa speciale all'esportazione

Bijzondere uitvoerheffing voldaan

(signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.'

I have the honour to acknowledge receipt of your letter and to confirm the agreement of my Government with its contents.'

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

COUNCIL REGULATION (EEC) No 1526/76

of 24 June 1976

concerning imports of bran, sharps and other residues derived from the sifting,
milling or other working of certain cereals originating in Morocco

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 the Cooperation Agreement between the
European Economic Community and the Kingdom
of Morocco and the Interim Agreement ⁽²⁾ on the
advance implementation of certain provisions of the
Cooperation Agreement were signed on 27 April
1976;

Whereas, under Article 23 of the Cooperation
Agreement and Article 16 of the Interim Agreement,
provided that Morocco levies a special charge on
exports of bran, sharps and other residues derived
from the sifting, milling or other working of
cereals other than of maize or rice, falling within
subheading 23.02 A II of the Common Customs
Tariff, the variable component of the import levy
shall be reduced by an amount equivalent to 60%
of the average of the variable components of the
levies on the product in question for the three months
preceding the month in which such an amount is
fixed and the fixed component shall not be imposed;

Whereas this special charge on exports must be
reflected in the import price of these products in
the Community;

Whereas, in order to ensure that these Agreements
are correctly applied, measures should be adopted
requiring the importer, at the time when the bran,

sharps and other residues are imported, to furnish
proof that the special charge on exports has been
collected by Morocco;

Whereas, pursuant *inter alia* to the Agreement in the
form of an exchange of letters relating to Article 23
of the Cooperation Agreement and Article 16 of the
Interim Agreement between the European Economic
Community and the Kingdom of Morocco concerning
the import into the Community of bran and sharps
originating in Morocco ⁽³⁾, these Agreements require
detailed rules for their application,

HAS ADOPTED THIS REGULATION:

Article 1 .

The variable component of the levy on imports into
the Community of bran, sharps and other residues
derived from the sifting, milling or other working
of cereals, other than of maize or rice, falling within
subheading 23.02 A II of the Common Customs
Tariff originating in Morocco shall be that calculated
in accordance with Article 2 of Council Regulation
(EEC) No 2744/75 of 29 October 1975 on the import
and export system for products processed from
cereals and from rice ⁽⁴⁾, less an amount equivalent
to 60% of the average of the variable components
of the levies on the product in question for the three
months preceding the month in which such an
amount is fixed.

Article 2

Article 1 shall apply to all imports in respect of
which the importer can furnish proof that the special
charge on exports has been levied by Morocco in
accordance with Article 23 of the Cooperation
Agreement or with Article 16 of the Interim
Agreement.

⁽¹⁾ Opinion delivered on 18 June 1976 and not yet
published in the Official Journal.

⁽²⁾ OJ No L 141, 28. 5. 1976, p. 98.

⁽³⁾ See page 54 of this Official Journal.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

Article 3

Detailed rules for the application of this Regulation, in particular as regards the fixing of the amount by which the levy is to be reduced, shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC.

Article 4

The fixed component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of

cereals, other than of maize or rice, falling within subheading 23.02 A II of the Common Customs Tariff originating in Morocco shall not be imposed.

Article 5

This Regulation shall enter into force on the day of the entry into force of the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of bran and sharps originating in Morocco.

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

Done at Brussels, 24 June 1976.

For the Council

The President

G. THORN
