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Contents

I Acts whose publication is obligatory

- * Council Regulation (EEC) No 2815/77 of 28 November 1977 establishing ceilings and Community supervision for imports of certain products originating in Egypt, Jordan, Lebanon and Syria (1978) 1
- * Council Regulation (EEC) No 2816/77 of 28 November 1977 establishing ceilings and Community supervision for imports of certain products originating in Malta (1978) 10
- * Council Regulation (EEC) No 2817/77 of 28 November 1977 establishing ceilings and Community supervision for imports of certain products originating in Algeria, Morocco and Tunisia (1978) 13
- * Council Regulation (EEC) No 2818/77 of 28 November 1977 establishing ceilings and Community supervision for imports of certain products originating in Israel (1978) 21
- * Council Regulation (EEC) No 2819/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for certain textile fibres falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus (1978) 27
- * Council Regulation (EEC) No 2820/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus (1978) 30
- * Council Regulation (EEC) No 2821/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Israel (1978) 33
- * Council Regulation (EEC) No 2822/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Morocco (1978)..... 36

Contents (continued)

- * Council Regulation (EEC) No 2823/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Tunisia (1978) 39
- * Council Regulation (EEC) No 2824/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, originating in Turkey (1978) 42
- * Council Regulation (EEC) No 2825/77 of 28 November 1977 opening, allocating and providing for the administration of a Community tariff quota for certain prepared or preserved bovine meat falling within heading No ex 16.02 of the Common Customs Tariff, originating in Malta (1978) 46

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2815/77

of 28 November 1977

establishing ceilings and Community supervision for imports of certain products
originating in Egypt, Jordan, Lebanon and Syria (1978)

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 Interim Agreements between the European Economic Community and the Arab Republic of Egypt ⁽¹⁾, the Hashemite Kingdom of Jordan ⁽¹⁾, the Lebanese Republic ⁽²⁾ and the Syrian Arab Republic ⁽¹⁾ each stipulate in Article 2 that products originating in these countries shall be imported into the Community duty free as from 1 July 1977; whereas, by way of derogation therefrom, Article 6 or 7, according to the Agreement concerned, 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 the ceilings to be applied in 1978 should therefore be established; whereas, however, the Agreements expire on 30 June 1978; whereas the Community intends to maintain its trading relations with these countries; whereas the provisions governing the second half of 1978 should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, ceilings should be established for the whole of 1978;

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 charging imports of the products in question against the ceilings at Community level, as and when these products are entered with customs authorities for home use; 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;

Whereas the trend of imports of certain products not subject to ceilings should also be followed; whereas it is therefore desirable that imports of such products should also be subject to a system of supervision,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, imports of the products originating in Egypt, Jordan, Lebanon and Syria which are enumerated in Lists A of Annexes I, II, III and IV respectively shall be subject to annual ceilings and Community supervision.

⁽¹⁾ OJ No L 126, 23. 5. 1977, pp. 1, 89 and 166.

⁽²⁾ OJ No L 133, 27. 5. 1977, p. 1.

The description of the said products, their tariff headings and statistical numbers and the levels of the ceilings are given in the aforementioned lists.

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 are being entered for home use and accompanied by a movement certificate conforming to the rules contained in the Protocols on rules of origin to the Interim Agreements between the Community of the one part and Egypt, Jordan, Lebanon and Syria 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 paragraph 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

From 1 January until 31 December 1978, imports of the products referred to in lists B of Annexes I, II, III and IV which originate in Egypt, Jordan, Lebanon and Syria shall be subject to Community supervision.

Member States shall forward to the Commission, not later than the 15th day of each month, statements of imports of the products in question effected during the preceding month; only products submitted to the customs authorities under cover of a declaration that they are being entered for home use and accompanied by a movement certificate conforming to the rules contained in the Protocols on rules of origin to the Interim Agreements.

Article 3

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

Article 4

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX I

LIST A

List of products originating in Egypt subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
ET 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:		472 500
		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	
ET 1	27.11	Petroleum gases and other gaseous hydrocarbons:		472 500
		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	
ET 1	27.12	Petroleum jelly:		472 500
		A. Crude:		
		III. For other purposes	27.12-19	
		B. Other	27.12-90	
ET 1	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		472 500
		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 (tonnes)
1	2	3	4	5
I ET 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 ET 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30	36 750
I ET 3	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	7 350
I ET 4	55.09	Other woven fabrics of cotton	55.09-all Nos	3 413

LIST B

List of products referred to in Article 2 originating in Egypt

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II ET 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II ET 2	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II ET 3	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II ET 4	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II ET 5	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

ANNEX II

LIST A

List of products originating in Jordan subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I JOR 1	55.09	Other woven fabrics of cotton	55.09-all Nos	105

LIST B

List of products referred to in Article 2 originating in Jordan

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II JOR 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II JOR 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30
II JOR 3	31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus	31.05-04, 06 31.05-12, 14, 16, 19
II JOR 5	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II JOR 6	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II JOR 7	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II JOR 8	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II JOR 9	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

ANNEX III

LIST A

List of products originating in the Lebanon subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I RL 1	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30	15 750
I RL 2	55.09	Other woven fabrics of cotton	55.09-all Nos	210

LIST B

List of products referred to in Article 2 originating in the Lebanon

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II RL 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II RL 2	42.02	Travel goods (for example, trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric	42.02-all Nos
II RL 3	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II RL 4	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II RL 5	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II RL 6	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II RL 7	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

ANNEX IV

LIST A

List of products originating in Syria subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I SYR 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 oil: III. For other purposes B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a) d) For other purposes	27.10-15, 17, 21, 25, 29 27.10-34, 38, 39 27.10-59 27.10-69 27.10-75 27.10-79	183 750
	27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99 %: I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	27.11-03 27.11-19	
	27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	27.12-19 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 II. Other	27.13-89 27.13-90	
	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 SYR 2	55.09	Other woven fabrics of cotton	55.09-all Nos	525

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

LIST B

List of products referred to in Article 2 originating in Syria

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II SYR 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II SYR 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30
	31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers:	
II SYR 3		I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium	31.05-04, 06
II SYR 4		II. Containing the two fertilizing substances: nitrogen and phosphorus	31.05-12, 14, 16, 19
II SYR 5	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II SYR 6	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II SYR 7	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II SYR 8	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II SYR 9	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	76.04-all Nos

COUNCIL REGULATION (EEC) No 2816/77

of 28 November 1977

establishing ceilings and Community supervision for imports of certain products
originating in Malta (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, as amended by the Additional Protocol to that Agreement ⁽²⁾, makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1978 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of supervision;

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

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able

to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, imports of the products originating in Malta listed in the Annex shall be subject to annual ceilings and Community supervision.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the levels of the ceilings are given in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for home use accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽³⁾.

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

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

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

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing

⁽¹⁾ OJ No L 61, 14. 3. 1971, p. 2.

⁽²⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽³⁾ OJ No L 111, 28. 4. 1976, p. 3.

until the end of the calendar year the customs duties applicable to third countries.

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX

List of products subject to import ceilings in 1978

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	1 260
I M 2	55.09	Other woven fabrics of cotton	55.09-all Nos	105
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	840
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05-all Nos	227
I M 5	61.01	Men's and boys' outer garments	61.01-all Nos	856

COUNCIL REGULATION (EEC) No 2817/77

of 28 November 1977

establishing ceilings and Community supervision for imports of certain products
originating in Algeria, Morocco and Tunisia (1978)

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 the ceilings to be applied in 1978 should therefore be established;

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 charging 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 January to 31 December 1978, 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.

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 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 paragraph 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 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

List of products originating in Algeria subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
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: A. Light oils: III. For other purposes B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a) d) For other purposes	27.10-15, 17, 21, 25, 29 27.10-34, 38, 39 27.10-59 27.10-69 27.10-75 27.10-79	} 1 155 000
	27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99 % : I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	27.11-03 27.11-19	
	27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	27.12-19 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 II. Other	27.13-89 27.13-90	

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

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
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	52
I DZ 3	45.03	Articles of natural cork	45.03-all Nos	155
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	2 060

ANNEX II

List of products originating in Morocco subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
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 B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a) d) For other purposes	27.10-15, 17, 21, 25, 29 27.10-34, 38, 39 27.10-59 27.10-69 27.10-75 27.10-79	183 750
	27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99 % : I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	27.11-03 27.11-19	
	27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	27.12-19 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 II. Other	27.13-89 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 (tonnes)
1	2	3	4	5
I MA 1 (cont'd)	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	52
I MA 3	45.03	Articles of natural cork	45.03-all Nos	618
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	2 060

List of products originating in Tunisia subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
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:		
		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 oil:		
		c) For other purposes	27.10-59	
		II. Fuel oil:		
		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:		183 750
		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	
	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 the subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I TN 1 (cont'd)	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	52
I TN 3	45.03	Articles of natural cork	45.03-all Nos	52
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	824

COUNCIL REGULATION (EEC) No 2818/77

of 28 November 1977

establishing ceilings and Community supervision for imports of certain products
originating in Israel (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 2 of the Agreement between the European Economic Community and the State of Israel ⁽¹⁾ signed on 11 May 1975, and Articles 1 and 2 of Protocol 1 annexed thereto make provision for the progressive abolition of customs duties in respect of the products to which the Agreement applies; whereas by way of derogation from these Articles, Article 5 of that Protocol provides that for imports of products listed in that Article the reduction of duties shall be limited to ceilings, above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1978 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed of the trend of imports of the products in question originating in Israel; whereas it is therefore desirable that imports of these products be subjected to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for home use; 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 since the Commission must be

able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings has been reached;

Whereas the trend of imports of certain products not subject to ceilings should also be followed; whereas it is therefore desirable that imports of such products should also be subjected to a system of supervision,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, imports of the products originating in Israel listed in Annex I 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 Annex I.

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 home use and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Agreement between the Community and Israel. However, in the case of products falling within Chapter 27, the certificate of origin may replace 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 in the manner defined in the preceding subparagraphs.

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

3. As soon as the ceiling have been reached, the Commission may issue a Regulation reimposing the

⁽¹⁾ OJ No L 136, 28. 5. 1975, p. 3.

customs duties specified in Articles 2 and 5 (6) of Protocol 1 to the Agreement 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 of expiry of the preceding 10-day period.

Article 2

During the period from 1 January until 31 December 1978, imports of the products referred to in Annex II which originate in Israel shall be subjected to Community supervision.

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

Done at Brussels, 28 November 1977.

Member States shall forward to the Commission not later than the 15th day of each month statements of imports of the products in question effected during the preceding month; only products submitted to the customs authorities under cover of a declaration that they are to be made available for home use and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Agreement shall be taken into consideration for this purpose.

Article 3

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

Article 4

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

ANNEX I

List of products subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I IL 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 oil:		
		c) For other purposes	27.10-59	
		II. Fuel oil:		
		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 IL 1	27.11	Petroleum gases and other gaseous hydrocarbons:		
		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	
				694 575
I IL 1	27.12	Petroleum jelly:		
		A. Crude:		
		III. For other purposes	27.12-19	
		B. Other	27.12-90	
I IL 1	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 the subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I IL 1 (cont'd)	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous materials: C. Other: II. Other	27.14-99	
I IL 2	29.02	Halogenated derivatives of hydrocarbons: A. Halogenated derivatives of acyclic hydrocarbons: III. Bromides and polybromides	29.02-40	2 084
I IL 3	42.03	Articles of apparel and clothing accessories, of leather or of composition leather: B. Gloves, including mittens and mitts	42.03-21, 25, 27, 28	3·5
I IL 4	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	1 042
I IL 5	55.09	Other woven fabrics of cotton	55.09-all Nos	463
I IL 6	60.03	Stockings, under stockings, socks, ankle socks, sockettes and the like, knitted or crocheted, not elastic for rubberized	60.03-all Nos	116
I IL 7	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05-all Nos	521

ANNEX II

List of products referred to in Article 2

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II IL 1	28.01	Halogens (fluorine, chlorine, bromine and iodine): C. Bromine	28.01-50
II IL 2	28.10	Phosphorus pentoxide and phosphoric acids (meta, ortho- and pyro-)	28.10-00
II IL 3 A	28.30	Chlorides, oxychlorides and hydroxychlorides; bromides and oxybromides; iodides and oxyiodides: C. Other: — Bromides and oxybromides	28.30-93, 95
II IL 3 B	28.31	Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites: C. Other: — Hypobromites	28.31-99
II IL 3 C	28.32	Chlorates and perchlorates; bromates and perbromates; iodates and periodates: C. Other: — Bromates and perbromates	28.32-90
II IL 4	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II IL 5	29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: A. Carboxylic acids with alcohol function: IV. Citric acid and its salts and esters	29.16-21, 23, 29
II IL 6	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to Chapter 31: I. Superphosphates	31.03-15
II IL 7	39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: VII. Polyvinyl chloride:	
II IL 7 A		a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter	39.02-41, 43
II IL 7 B		b) In other forms	39.02-45, 46, 47, 51, 52, 53, 54, 57, 59, 61, 66

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II IL 8	42.02	Travel goods (for example, trunks, suitcases, hat boxes, travelling bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: ex B. Of other materials: — Of leather	42.02-ex 21, ex 31, ex 41, ex 51, ex 81
II IL 9	42.03	Articles of apparel and clothing accessories, of leather or of composition leather: A. Articles of apparel C. Other clothing accessories	42.03-10 42.03-51, 59
II IL 10	51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	51.04-all Nos
II IL 11	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale	56.05-all Nos
II IL 12	56.07	Woven fabrics of man-made fibres (discontinuous or waste)	56.07-all Nos
II IL 13	70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	70.05-all Nos
II IL 14	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos

COUNCIL REGULATION (EEC) No 2819/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota
for certain textile fibres falling within heading No 56.04 of the Common Customs
Tariff, originating in Cyprus (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾ and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾ provide for the opening of an annual duty-free Community tariff quota of 100 tonnes of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas those arrangements are maintained by the Additional Protocol to the Association Agreement signed on 15 September 1977; whereas, pending the entry into force of that Protocol, in order to avoid any discontinuity, the tariff quota in question should be opened for 1978;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the abovementioned principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlook for the quota period concerned;

Whereas, however, during the past three years, no such products originating in Cyprus have been imported into the Community; whereas no forecast can be made for 1978; whereas, to ensure fair distribution of the quota amount between the Member States, each Member State should make a significant contribution to the quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	13 %
Denmark	10 %
Germany	20 %
France	20 %
Ireland	8 %
Italy	17 %
United Kingdom	12 %;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States and the second instalment forming a reserve intended to cover the subsequent requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 60 % of the quota amount;

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

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1973, p. 88.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1978 the Common Customs Tariff duties in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus, shall be entirely suspended within the limits of a Community tariff quota of 100 tonnes.

Article 2

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

2. A first instalment, amounting to 60 tonnes, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1978, shall be as follows:

Benelux	8 tonnes,
Denmark	6 tonnes,
Germany	12 tonnes,
France	12 tonnes,
Ireland	5 tonnes,
Italy	10 tonnes,
United Kingdom	7 tonnes.

3. The second instalment of 40 tonnes shall constitute the reserve.

Article 3

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

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

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

This process shall be applied until the reserve is exhausted.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

The Member States shall return to the reserve, not later than 1 October 1978, the unused portion of their initial shares which, on 15 September 1978, are in excess of 20 % of the initial amounts. They may return greater portions if there are grounds for believing that such portions may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of

the said goods effected up to and including 15 September 1978 and charged against the Community quota and, where appropriate, the proportions of their initial shares that are being returned to the reserve.

Article 6

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

The Commission shall, not later than 5 October 1978, notify the Member States of the amount in the reserve after the return of shares pursuant to Article 5.

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

Article 7

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

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

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities 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

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 2820/77

of 28 November 1977

opening, allocating and providing, for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾ and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾ provide for the opening of an annual duty-free Community tariff quota of 500 tonnes of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas those arrangements are maintained by the Additional Protocol to the Association Agreement signed on 15 September 1977; whereas pending the entry into force of that Protocol, in order to avoid any discontinuity, the tariff quota in question should be opened for 1978;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative reference period and the economic outlook for the quota period concerned;

Whereas, however, during the past three years only one Member State has imported, and in an insignificant quantity, the said goods; whereas no forecast can be made for 1978; whereas, to ensure fair distribution of the quota amount between the Member States, each Member State should make a significant contribution to the quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	7 %
Denmark	13 %
Germany	15 %
France	11 %
Ireland	2 %
Italy	9 %
United Kingdom	43 %;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States and the second instalment forming a reserve intended to cover the subsequent requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 46 % of the quota amount;

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

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1973, p. 88.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1978 the Common Customs Tariff duty in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus, shall be entirely suspended within the limits of a Community tariff quota of 500 tonnes.

Article 2

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

2. A first instalment, amounting to 230 tonnes, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1978, shall be as follows:

Benelux	15 tonnes,
Denmark	30 tonnes,
Germany	35 tonnes
France	25 tonnes,
Ireland	5 tonnes,
Italy	20 tonnes,
United Kingdom	100 tonnes.

3. The second instalment of 270 tonnes shall constitute the reserve.

Article 3

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

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

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

This process shall be applied until the reserve is exhausted.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

The Member States shall return to the reserve, not later than 1 October 1978, the unused portions of their initial shares which, on 15 September 1978, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of the said goods effected up to and including 15 September 1978 and charged against the Community

quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

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

The Commission shall, not later than 5 October 1978, notify the Member States of the amount in the reserve after the return of shares pursuant to Article 5.

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

Article 7

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

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

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

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

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 2821/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Israel (1978)

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 Agreement between the European Economic Community and the State of Israel ⁽²⁾ signed on 11 May 1975 provides, in Protocol 1 annexed thereto, for the opening by the Community of an annual Community tariff quota of 150 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Israel; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1978;

Whereas it is in particular necessary to ensure to all importers of the Member States equal and uninterrupted access 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 quota has been used up; whereas having regard to the above principles the Community nature of the quota can be respected by allocating the tariff quota among the Member States; whereas, to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports from Israel over a repre-

sentative 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 as against the imports into the Community from Israel of the products concerned:

Member States	1974	1975	1976
Benelux	100 (= 25 t)	—	1.4
Denmark	—	—	—
Germany	—	—	57.1
France	—	—	41.5
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas these data cannot be considered as representative to serve as a basis for allocation of the quota volume among the Member States; whereas it is difficult to estimate imports by Member States for 1978 because of the absence of any pattern in previous years; whereas to allocate the quota volume on a fair basis, the initial quota shares may be fixed approximately as follows:

Benelux	7.5 %
Denmark	4.2 %
Germany	41.6 %
France	8.3 %
Ireland	4.2 %
Italy	4.2 %
United Kingdom	30.0 %;

Whereas, to take account of future import trends in the various Member States for the products concerned, the quota volume should be divided into two instalments, the first being allocated among the

⁽¹⁾ OJ No C 241, 10. 10. 1977, p. 46.

⁽²⁾ OJ No L 136, 28. 5. 1975, p. 3.

Member States and the second held as a reserve intended to cover at a later date the requirements of Member States which have used up their initial share; whereas, in order to ensure a certain degree of security to importers of each Member State, the first instalment of the Community tariff quota could be fixed at 80 % of the quota volumes;

Whereas the initial shares of Member States may be used up at different times; whereas, in order to take this fact into account and to avoid any break in continuity, it is important that any Member State which has used up almost all of its initial share should draw a supplementary share from the reserve; whereas this must be done by each Member State if each of its supplementary shares is almost used up, and as many times as the reserve allows; whereas each initial and supplementary share must 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 follow the extent to which the tariff quotas have been used up and inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, a Community tariff quota of 150 tonnes shall be opened in the Community for apricot pulp, falling within sub-heading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Israel.

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 %.

Article 2

1. A first instalment of 120 tonnes 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 1978, shall be as follows:

Benelux	9 tonnes,
Denmark	5 tonnes,
Germany	50 tonnes,
France	10 tonnes,
Ireland	5 tonnes,
Italy	5 tonnes,
United Kingdom	36 tonnes.

2. A second instalment of 30 tonnes shall constitute the reserve.

Article 3

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

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

This process shall be applied until the reserve is exhausted.

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

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

The Member States shall not later than 1 October 1978, return to the reserve the unused portions of their initial shares which, on 15 September 1978, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of the products concerned effected under the Community quota up to 15 September 1978 inclusive, and where appropriate, the proportion of their initial shares that they are returning to the reserve.

Article 6

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

The Commission shall, not later than 5 October 1978, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

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

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

Done at Brussels, 28 November 1977.

Article 7

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

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

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities 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

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 2822/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Morocco (1978)

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 for the opening by the Community of an annual Community tariff quota of 8 250 tonnes 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 the Community tariff quota in question should therefore be opened for 1978;

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:

Member States	1974	1975	1976
Benelux	0.8	0.6	11.6
Denmark	0.3	—	—
Germany	45.5	—	0.9
France	51.3	91.3	87.5
Ireland	—	—	—
Italy	0.5	2.1	—
United Kingdom	1.6	6.0	—

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	3 %
Germany	29 %
France	41 %
Ireland	2 %
Italy	5 %
United Kingdom	10 %;

Whereas, in order to take account of future trends in imports into the various Member States of the products 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 in-

⁽¹⁾ Opinion delivered on 18 November 1977 (not yet published in the Official Journal).

tended 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 cooperation 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 States 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 January to 31 December 1978, a Community tariff quota of 8 250 tonnes 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 %

Article 2

1. A first instalment of 5 440 tonnes 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 1978, shall be as follows:

Benelux	560 tonnes,
Denmark	160 tonnes,
Germany	1 560 tonnes,
France	2 200 tonnes,
Ireland	120 tonnes,
Italy	280 tonnes,
United Kingdom	560 tonnes.

2. The second instalment of 2 810 tonnes 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 1978.

Article 5

Member States shall return to the reserve, not later than 1 October 1978, the unused portions of their initial shares which, on 15 September 1978, 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 1 October 1978, of the total quantity of the product in question imported up to and including 15 September 1978 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 5 October 1978, of the state of the reserve after amounts have been returned thereto pursuant to Article 5.

Its 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.

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

Done at Brussels, 28 November 1977.

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 products in question are entered with customs authorities 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 January 1978.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 2823/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Tunisia (1978)

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 for the opening by the Community of an annual Community tariff quota of 4 300 tonnes 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 the Community tariff quota in question should therefore be opened for 1978;

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 refer-

ence 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:

Member States	1974	1975	1976
Benelux	3.4	3.8	7.1
Denmark	—	—	—
Germany	2.5	—	—
France	94.1	95.2	92.9
Ireland	—	—	—
Italy	—	1.0	—
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	62 %
Ireland	3 %
Italy	5 %
United Kingdom	5 %;

Whereas, in order to take account of future trends in imports into the various Member States of the products 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

⁽¹⁾ Opinion delivered on 18 November 1977 (not yet published in the Official Journal).

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 January to 31 December 1978 a Community tariff quota of 4 300 tonnes 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 %.

Article 2

1. A first instalment of 2 840 tonnes 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 1978, shall be as follows:

Benelux	280 tonnes,
Denmark	140 tonnes,
Germany	280 tonnes,
France	1 760 tonnes,
Ireland	100 tonnes,
Italy	140 tonnes,
United Kingdom	140 tonnes.

2. The second instalment of 1 460 tonnes 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 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 1978.

Article 5

Member States shall return to the reserve, not later than 1 October 1978, the unused portions of their initial shares which, on 15 September 1978, 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 1 October 1978, of the total quantity of the product in question imported up to and including 15 September 1978 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 5 October 1978, 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.

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

Done at Brussels, 28 November 1977.

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 products in question are entered with customs authorities 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 January 1978.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 2824/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, originating in Turkey (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas under Article 5 (1) of Council Regulation (EEC) No 1180/77 of 17 May 1977 on the importation into the Community of certain agricultural products originating in Turkey ⁽²⁾, fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, originating in Turkey, are admitted on importation into the Community at a duty of 2.5 %, within the limit of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1978;

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

Whereas, on the basis of the statistics at present available, imports into the Member States in 1974, 1975 and 1976 of the product concerned originating in Turkey have developed as follows and represent the following percentages of total imports into the Community:

Member States	1974		1975		1976	
	tonnes	%	tonnes	%	tonnes	%
Germany	34 515	64.29	35 154	65.47	43 936	64.15
Benelux	4 500	8.38	5 284	9.84	5 662	8.27
France	5 680	10.58	6 084	11.33	9 543	13.93
Italy	2 473	4.61	1 653.5	3.08	2 065	3.02
Denmark	875	1.63	899	1.67	1 161	1.70
Ireland	619	1.15	30	0.06	140	0.20
United Kingdom	5 026	9.36	4 590	8.55	5 978	8.73
	53 688		53 694.5		68 485	

⁽¹⁾ OJ No C 241, 10. 10. 1977, p. 46.

⁽²⁾ OJ No L 142, 9. 6. 1977, p. 10.

Whereas, taking into account these figures and the foreseeable development of the product concerned during 1978 and, in particular, the forecasts made by some Member States, the initial shares may be fixed approximately at the following percentages:

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1978 a Community tariff quota of 25 000 tonnes shall be opened in the Community for fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, originating in Turkey.
2. Within this tariff quota the Common Customs Tariff duty is suspended at 2.5 %.
3. This tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

1. The tariff quota referred to in Article 1 (1) shall be divided into two instalments.
2. The first instalment, amounting to 20 000 tonnes, shall be shared amongst the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1978, shall be as follows:

Germany	13 186 tonnes,
Benelux	2 028 tonnes,
France	1 640 tonnes,
Italy	50 tonnes,
Denmark	534 tonnes,
Ireland	332 tonnes,
United Kingdom	2 230 tonnes.

3. The second instalment, amounting to 5 000 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share, as laid down in Article 2 (2) — or 90 % of that share less the amount returned into the reserve,

where Article 5 has been applied — has been exhausted, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 15 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

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

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

This process shall be applied until the reserve is exhausted.

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

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1978.

Article 5

Member States shall return to the reserve, not later than 1 October 1978, the unused portion of their initial shares which, on 15 September 1978, is in excess of 40 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1978, notify the Commission of the total imports of the products concerned effected under the Community quota up to 15 September 1978 inclusive and,

where appropriate, the proportion of their initial shares that they are returning to the reserve.

Article 6

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

The Commission shall, not later than 5 October 1978 notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

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

Article 7

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

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

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities 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

On receipt of a request from the Commission, Member States shall inform it of imports of the products in question actually charged against its shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 2825/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for certain prepared or preserved bovine meat falling within heading No ex 16.02 of the Common Customs Tariff, originating in Malta (1978)

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 Article 7 of the Additional Protocol to the Agreement between the European Economic Community and Malta ⁽²⁾ lays down that the Community is to open a Community tariff quota of 650 tonnes free of customs duties for certain prepared and preserved bovine meat known as stewed steak falling within subheading ex 16.02 B III b) 1 bb) of the Common Customs Tariff; whereas the tariff preference in question is to apply from the date of entry into force of that Protocol until 30 June 1978; whereas Article 10 of the Protocol also provides for a derogation from the rules of origin laid down in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽³⁾; whereas by Regulation (EEC) No 1693/77 ⁽⁴⁾ the Community has already opened a tariff quota of 375 tonnes for the period up to 31 December 1977; whereas consequently a Community tariff quota of 275 tonnes should be opened for the first six months of 1978;

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

ber States until the quota has been used up; whereas having regard to the principles mentioned above the Community nature of the quota might be respected by means of a system of use of the Community tariff quota based on allocation among the Member States; whereas to represent as closely as possible the actual state of the market in the products in question, allocation should be proportionate to the requirements of the Member States as calculated from both statistics on imports from Malta during a representative reference period and the economic outlook for the tariff period in question;

Whereas the Community statistics available provide no information on the situation of the products in question on Member States' markets; whereas however it may be taken that those products are marketed almost exclusively in one Member State; whereas consequently, to ensure a fair allocation of the quota volume among the Member States, each Member State should take a significant part of the quota volume, making due allowance for the situation referred to above;

Whereas, to take account of the development of imports into the various Member States of the products concerned, the quota volume should be divided into two instalments, the first being shared among the Member States and the second held as a reserve to cover the subsequent requirements of those Member States which have used up their initial share; whereas to give each Member State's importers some degree of certainty, the first instalment of the Community quota might be fixed at approximately 90 % of the quota volume;

Whereas the initial shares of Member States may be used up at varying speeds; whereas accordingly to avoid any discontinuity any Member State which has almost used up its initial share must take an additional share from the reserve; whereas this must be done by each Member State as each one of its additional shares is almost used up and as many times as the reserve allows; whereas the initial and additional shares must apply until the end of the quota

⁽¹⁾ Opinion delivered on 18 November 1977 (not yet published in the Official Journal).

⁽²⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽³⁾ OJ No L 111, 28. 4. 1976, p. 3.

⁽⁴⁾ OJ No L 188, 28. 7. 1977, p. 12.

period; whereas this form of administration requires close collaboration between the Member States and the Commission and the Commission must be able to monitor the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if at a given date in the quota period a considerable quantity of the initial share is left over in a Member State it is essential that the Member State concerned should return a significant proportion to the reserve to prevent a part of the Community quota from remaining unused in one Member State while it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 30 June 1978 the Common Customs Tariff duty on the products indicated below, originating in Malta, shall be totally suspended in respect of a Community tariff quota of 275 tonnes:

CCT heading No	Description
16.02	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: 1. Containing bovine meat or offal: bb) Other

2. Notwithstanding the special provisions contained in Annex II to the Protocol on origin for heading No 16.02, which provides that non-originating products of Chapter 2 may not be used, tinned stewed steak manufactured in Malta shall be regard-

ed as a product originating in Malta where this condition is not observed, provided that the other conditions applicable to that heading are observed.

The following entry must be made in Section 7 of movement certificates EUR. 1 issued in respect of originating products pursuant to the derogation referred to in this paragraph:

'Derogation stewed steak'.

Article 2

1. A first instalment of 250 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the respective shares which subject to Article 5 shall be valid until 30 June 1978 shall be as follows:

Benelux	2 tonnes,
Denmark	2 tonnes,
Germany	2 tonnes,
France	2 tonnes,
Ireland	2 tonnes,
Italy	2 tonnes,
United Kingdom	238 tonnes.

2. The second instalment of 25 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (1), or of that share less the amount returned to the reserve if Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, take a second share equal to 15 % of its initial share rounded up to the next unit, in so far as the reserve permits.

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

3. If after its second share has been exhausted 90 % or more of the third share taken by a Member

State has been used, that Member State shall, in the same way, take a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

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

Article 4

Additional shares taken pursuant to Article 3 shall apply until 30 June 1978.

Article 5

The Member States shall return to the reserve not later than 1 May 1978 the unused portion of their initial shares which on 15 April 1978 is in excess of 20 % of the initial amount. They may return a greater amount if there are grounds for believing that amount may not be used up.

The Member States shall notify the Commission not later than 1 May 1978 of the total imports of the products in question effected up to 15 April 1978 inclusive and charged against the Community quota and of any portion of their initial shares which they are returning to the reserve.

Article 6

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

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

Done at Brussels, 28 November 1977.

The Commission shall notify Member States not later than 5 May 1978 of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any share taken which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which takes the last share.

Article 7

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

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

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports originating in Malta entered with customs authorities for home use.

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 cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS