

Official Journal

of the European Communities

ISSN 0378-6978

L 360

Volume 24

15 December 1981

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 3535/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1982) 1
- ★ Council Regulation (EEC) No 3536/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1982) 5
- ★ Council Regulation (EEC) No 3537/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus (1982) 9
- ★ Council Regulation (EEC) No 3538/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus (1982) 12
- ★ Council Regulation (EEC) No 3539/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for dried figs falling within subheading ex 08.03 B of the Common Customs Tariff and originating in Spain (1982) 15
- ★ Council Regulation (EEC) No 3540/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Spain (1982) 18
- ★ Council Regulation (EEC) No 3541/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel (1982) 21

Contents (continued)

- ★ Council Regulation (EEC) No 3542/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco (1982) 24
 - ★ Council Regulation (EEC) No 3543/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia (1982) 27
 - ★ Council Regulation (EEC) No 3544/81 of 3 December 1981 opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey (1982) 30
-

II *Acts whose publication is not obligatory*

Commission

81/979/EEC:

- ★ Commission Decision of 10 November 1981 amending Decision 78/742/EEC on the submission to the Commission of applications for assistance and claims for payment from the European Social Fund 34

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3535/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1982)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

1982 the period of validity of the arrangements applicable in 1981;

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 1 of the Protocol concerning the arrangements to be applied during 1981 in the framework of the Decision adopted by the Association Council on 24 November 1980 establishing the process into the second stage of the Association Agreement between the European Economic Community and the Republic of Cyprus ⁽¹⁾, as supplemented by the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community ⁽²⁾ hereinafter called the Protocol of Adaptation, lays down, on the one hand, that the provisions of the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus ⁽³⁾ shall be applicable for 1981 and, on the other hand, that the contracting parties shall enter into negotiations early in 1981 for the purpose of establishing the trade arrangements applicable in 1982 and 1983;

Whereas, pending the establishment of such arrangements, it is advisable to extend provisionally for

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual Community tariff quota of 10 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 25 % of the customs duty in the Common Customs Tariff; whereas this Community tariff quota should be opened for the period from 1 January to 31 December 1982;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 3456/80 ⁽⁵⁾, must be complied with;

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

⁽¹⁾ OJ No L 174, 30. 6. 1981, p. 28.

⁽²⁾ OJ No L 174, 30. 6. 1981, p. 2.

⁽³⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 360, 22. 12. 1980, p. 18.

period and also to the economic outlook for the quota period concerned;

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

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under the present circumstances, be fixed at 80 % of the quota volume;

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

Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1982 Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown below within the limits of a Community tariff quota of 10 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding: ex a) Two litres or less: — Wine of fresh grapes II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol in containers holding: ex a) Two litres or less: — Wine or fresh grapes other than liqueur wines of an actual alcoholic strength by volume of 15 % vol	3.6 ECU per hl 4.2 ECU per hl

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

2. The wines in question shall be subject to compliance with the free-at-frontier reference price. In order that such wines may benefit from this tariff quota Article 18 of Regulation (EEC) No 337/79 must be complied with.

Article 2

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

2. The first instalment, amounting to 8 000 hectolitres, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1982, shall be as follows:

	(hectolitres)
Benelux	260
Denmark	260
Germany	260
Greece	60
France	60
Ireland	540
Italy	60
United Kingdom	6 500

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

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, then to the extent permitted by the amount of the reserve that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has

been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

Member States shall return to the reserve, not later than 1 October 1982, the unused portion of their initial share which on 15 September 1982 is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 1 October 1982, notify the Commission of the total quantities of the products in question imported up to 15 September 1982 and charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available, and to this end shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

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

2. The Member States shall ensure that importers of the products in question 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 imports of the products in question entered with the customs authorities for free circulation.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3536/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1982)

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 1 of the Protocol concerning the arrangements to be applied during 1981 in the framework of the Decision adopted by the Association Council on 24 November 1980 establishing the process into the second stage of the Association Agreement between the European Economic Community and the Republic of Cyprus ⁽¹⁾, as supplemented by the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter called the Protocol of Adaptation, lays down, on the one hand, that the provisions of the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus ⁽³⁾ shall be applicable for 1981 and, on the other hand, that the contracting parties shall enter into negotiations early in 1981 for the purpose of establishing the trade arrangements to be applied in 1982 and 1983;

Whereas, pending the establishment of such arrangements, it is advisable to extend provisionally for 1982 the trade arrangements applicable in 1981;

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 30 % of the Common Customs Tariff; whereas this Community tariff quota should be opened for the period from 1 January to 31 December 1982;

Whereas entry under the above Community tariff quota must be conditional on the wines being described as 'liqueur wines' in the V.I.1 document provided for in Regulation (EEC) No 2115/76 ⁽⁴⁾.

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽⁵⁾, as last amended by Regulation (EEC) No 3456/80 ⁽⁶⁾, must be complied with;

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

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

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two

⁽¹⁾ OJ No L 174, 30. 6. 1981, p. 28.

⁽²⁾ OJ No L 174, 30. 6. 1981, p. 2.

⁽³⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽⁴⁾ OJ No L 237, 28. 8. 1976, p. 1.

⁽⁵⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁶⁾ OJ No L 360, 22. 12. 1980, p. 18.

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

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

Whereas, if at a given date in the quota period a substantial quantity remains unused in any Member

State, it is essential that that Member State should return a significant proposition to the reserve, to prevent a part of any Community quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1982, Common Customs Tariff duties in respect of the following products originating in Cyprus shall be suspended at the levels shown below within the limits of a Community tariff quota of 250 000 hectolitres:

CCT heading No	Description	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding: ex a) Two litres or less: — Liqueur wines of an actual alcoholic strength by volume of 15 % vol ex b) More than two litres: — Liqueur wines of an actual alcoholic strength by volume of 15 % vol III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding: a) Two litres or less: ex 2. Other: — Liqueur wines b) More than two litres: ex 3. Other: — Liqueur wines	5.0 ECU per hl 3.9 ECU per hl 6.1 ECU per hl 5.0 ECU per hl

CCT heading No	Description	Rate of duty
22.05 (<i>cont'd</i>)	IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding: a) Two litres or less: ex 2. Other: — Liqueur wines b) More than two litres: ex 3. Other: — Liqueur wines	6.9 ECU per hl 6.9 ECU per hl

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

2. The admission of these wines under the tariff quota shall be conditional on their being described in the V.I.1 document provided for in Regulation (EEC) No 2115/76 as 'liqueur wines'.

3. The wines in question shall be subject to compliance with the free-at-frontier reference price. In order that such wines shall benefit from this tariff quota Article 18 of Regulation (EEC) No 337/79 must be complied with.

Article 2

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

2. The first instalment, amounting to 212 060 hectolitres, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1982 shall be as follows:

	(hectolitres)
Benelux	2 000
Denmark	2 000
Germany	4 000
Greece	20
France	20
Ireland	2 000
Italy	20
United Kingdom	202 000

3. The second instalment, amounting to 37 940 hectolitres, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, then to the extent permitted by the amount of the reserve that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

Member States shall return to the reserve, not later than 1 October 1982, the unused portion of their initial share which, on 15 September 1982 is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that such portion may not be used in full.

Each Member State shall, not later than 1 October 1982, notify the Commission of the total quantities of the products in question imported up to 15 September 1982 and charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available, and to this end shall indicate the amount thereof to the Member State which makes such last drawing.

Article 7

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

2. The Member States shall ensure that importers of the products in question 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 imports of the products in question entered with the customs authorities for free circulation.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3537/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus (1982)

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 Protocol concerning the arrangements to be applied during 1981 in the framework of the Decision adopted by the Association Council on 24 November 1980 establishing the process into the second stage of the Association Agreement between the European Economic Community and the Republic of Cyprus ⁽¹⁾, as supplemented by the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter called the Protocol of Adaptation, provides, for 1982, for the opening of an annual Community tariff quota of 250 tonnes of sweet peppers, falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50 % of the customs duty in the Common Customs Tariff; whereas this Protocol also lays down that the contracting parties shall enter into negotiations early in 1981 for the purpose of establishing the trade arrangements to be applied in 1982 and 1983;

Whereas, pending the establishment of such arrangements, it is advisable to extend provisionally for 1982 the trade arrangements applicable in 1981; whereas the abovementioned Community tariff quota should be opened for the period from 1 January to 31 December 1982;

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

States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

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

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give imports in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75 % of the quota volume;

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

⁽¹⁾ OJ No L 174, 30. 6. 1981, p. 28.

⁽²⁾ OJ No L 174, 30. 6. 1981, p. 2.

quota volumes have been used up and to inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1982 the Common Customs Tariff duty for sweet peppers, falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus, shall be partially suspended at 4.5 % within the limits of the Community tariff quota of 250 tonnes.

Within the limits of the tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

Article 2

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

2. A first instalment amounting to 185 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 31 December 1982 shall be as follows:

	(tonnes)
Benelux	7
Denmark	7
Germany	15
Greece	1
France	1
Ireland	7
Italy	1
United Kingdom	146

3. The second instalment, amounting to 65 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial share as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the

products in question imported up to 15 September 1982 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff 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 Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3538/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus (1982)

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 1 of the Protocol concerning the arrangements to be applied during 1981 in the framework of the Decision adopted by the Association Council on 24 November 1980 establishing the process into the second stage of the Association Agreement between the European Economic Community and the Republic of Cyprus ⁽¹⁾ as supplemented by the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter called the Protocol of Adaptation, lays down, on the one hand, that the provisions of the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus ⁽³⁾ shall be applicable for 1981 and, on the other hand, that the contracting parties shall enter into negotiations early in 1981 for the purpose of establishing the trade arrangements to be applied in 1982 and 1983;

Whereas, pending the establishment of such arrangements, it is advisable to extend provisionally for 1982 the trade arrangements applicable in 1981;

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1982;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted

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

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

Member States	1978	1979	1980
Benelux	1	2	11
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
France	—	—	5
Ireland	—	—	—
Italy	—	—	—
United Kingdom	99	98	84

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

Benelux	2.8
Denmark	2.8
Germany	6.0
Greece	0.7
France	2.8
Ireland	2.8
Italy	0.7
United Kingdom	81.4

⁽¹⁾ OJ No L 174, 30. 6. 1981, p. 28.

⁽²⁾ OJ No L 174, 30. 6. 1981, p. 2.

⁽³⁾ OJ No L 172, 28. 6. 1978, p. 2.

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1982, the Common Customs Tariff duty for dried grapes, in immediate

containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus shall be totally suspended within the limits of a Community tariff quota of 500 tonnes.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.
2. A first instalment amounting to 375 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 31 December 1982 shall be as follows:

	(tonnes)
Benelux	10
Denmark	10
Germany	22
Greece	3
France	10
Ireland	10
Italy	3
United Kingdom	307

3. The second instalment of 125 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2) or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.
2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next unit.

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial share as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the products in question imported up to 15 September 1982 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

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

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3539/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for dried figs falling within subheading ex 08.03 B of the Common Customs Tariff and originating in Spain (1982)

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 an Agreement between the European Economic Community and Spain was concluded on 29 June 1970 ⁽¹⁾ and supplemented, pending the entry into force of the Adjustment Protocol consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, by Council Regulation (EEC) No 3559/80 of 16 December 1980 establishing the arrangements applicable to trade between Greece and Spain ⁽³⁾;

Whereas the Community committed itself, under this Agreement, to opening an annual Community tariff quota of 200 tonnes of dried figs falling within subheading ex 08.03 B of the Common Customs Tariff, originating in Spain and imported in immediate packings of a net capacity of 15 kilograms or less; whereas this Community tariff quota should be opened for 1982;

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

reference to the statistics for imports from Spain over a representative reference period and also to the economic outlook for the quota period in question;

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

Member States	1978	1979	1980
Benelux	—	8.0	—
Denmark	—	—	—
Germany	96.7	86.0	100 (= 32 t)
Greece	—	—	—
France	3.3	6.0	—
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

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

Benelux	6.7
Denmark	6.7
Germany	46.7
Greece	0.7
France	20.0
Ireland	3.3
Italy	3.3
United Kingdom	12.6

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 71.

later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1982 the Common Customs Tariff duty in respect of dried figs falling within subheading ex 08.03 B, originating in Spain and imported in immediate packings of a net capacity not exceeding 15 kilograms shall be partially suspended at 3 % within the limits of a Community tariff quota of 200 tonnes.

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and in the Adjustment Protocol.

Article 2

1. A first instalment, amounting to 150 tonnes of the Community tariff quota referred to in Article 1, shall be shared among the Member States, the respective shares which, subject to Article 5, shall be valid until 31 December 1982 shall be as follows:

	(tonnes)
Benelux	10
Denmark	10
Germany	70
Greece	1
France	30
Ireland	5
Italy	5
United Kingdom	19

2. The second instalment of 50 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial shares as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of total quantities of the products in question imported up to 15 September 1982 and charged against the tariff quota and of any quantity of the initial shares returned to the reserves.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff 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 Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3540/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Spain (1982)

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 an Agreement between the European Economic Community and Spain ⁽¹⁾ was concluded on 29 June 1970 and supplemented, pending the entry into force of the Adjustment Protocol consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, by Council Regulation (EEC) No 3559/80 of 16 December 1980 establishing the arrangements applicable to trade between Greece and Spain ⁽³⁾;

Whereas the Community committed itself, under this Agreement, to opening an annual Community tariff quota of 1 900 tonnes of dried grapes falling within subheading 08.04 B I of the Common Customs Tariff, originating in Spain and imported in immediate packings of a net capacity of 15 kilograms or less; whereas this Community tariff quota should be opened for 1982;

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

reference to the statistics for imports from Spain over a representative reference period and also to the economic outlook for the quota period in question;

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

Member States	1978	1979	1980
Benelux	4	3	5
Denmark	—	1	1
Germany	7	2	1
Greece	—	—	—
France	52	58	86
Ireland	32	21	2
Italy	4	9	2
United Kingdom	1	6	3

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

Benelux	9.9
Denmark	1.0
Germany	3.6
Greece	0.1
France	42.1
Ireland	0.6
Italy	8.0
United Kingdom	34.7

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 71.

have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota might under the circumstances be fixed at 80 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1982 the Common Customs Tariff duty in respect of dried grapes falling within subheading 08.04 B I, originating in Spain and imported in immediate containers of a net capacity not exceeding 15 kilograms shall be entirely suspended within the limits of a Community tariff quota of 1 900 tonnes.

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and in the Adjustments Protocol.

Article 2

1. A first instalment amounting to 1 520 tonnes of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the respective shares which, subject to Article 5, shall be valid until 31 December 1982 shall be as follows:

	(tonnes)
Benelux	150
Denmark	15
Germany	55
Greece	1
France	640
Ireland	10
Italy	120
United Kingdom	529

2. The second instalment of 380 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial share as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the products in question imported up to 15 September 1982 and charged against the tariff quota and of any quantity of the initial shares returned to the reserves.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community tariff 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 Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

At the Commission's request, the Member States shall inform it of imports 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 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3541/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel (1982)

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 between the European Economic Community and the State of Israel ⁽¹⁾, as supplemented by Council Regulation (EEC) No 637/81 of 24 February 1981 laying down the arrangements applicable to trade between Greece and Israel ⁽²⁾, provides 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 1982;

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

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the

Member States represent the following percentages of total imports of the product in question, originating in Israel:

Member States	1978	1979	1980
Benelux	13	—	—
Denmark	—	—	—
Germany	77	—	—
Greece	—	—	—
France	—	—	—
Ireland	—	10	—
Italy	—	—	—
United Kingdom	10	90	100 (= 4 t)

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 1982 because of the absence of any pattern in previous years; whereas to allocate the quota volume on a fair basis, the approximate percentages of initial quota shares may be fixed as follows:

Benelux	12
Denmark	5
Germany	28
Greece	1
France	7
Ireland	6
Italy	6
United Kingdom	36

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

⁽¹⁾ OJ No L 136, 28. 5. 1975, p. 3.

⁽²⁾ OJ No L 70, 16. 3. 1981, p. 1.

Community quota should under the circumstances be fixed at 50 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1982, a Community tariff quota of 150 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 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 %.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and in the said Regulation (EEC) No 637/81.

Article 2

1. A first instalment of 75 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 31 December 1982 shall be as follows:

	(tonnes)
Benelux	9
Denmark	3
Germany	21
Greece	1
France	5
Ireland	4
Italy	4
United Kingdom	28

2. A second instalment of 75 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portions of their initial share as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the products in question imported up to 15 September 1982 and charged against the tariff quota and of any fraction of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

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

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3542/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco (1982)

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 Agreement between the European Economic Community and the Kingdom of Morocco, signed on 27 April 1976 ⁽¹⁾, as supplemented by Council Regulation (EEC) No 3511/81 of 3 December 1981 fixing the arrangements applicable for trade between Greece and Morocco ⁽²⁾, 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 and 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 1982;

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

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

Member States	1978	1979	1980
Benelux	—	0.7	3
Denmark	—	—	—
Germany	17.9	19.8	15
Greece	—	—	—
France	66.4	79.5	82
Ireland	—	—	—
Italy	—	—	—
United Kingdom	15.7	—	—

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	8.5
Denmark	1.8
Germany	34.1
Greece	0.2
France	38.1
Ireland	1.0
Italy	1.0
United Kingdom	15.3

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

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 358, 14. 12. 1981, p. 1.

degree of security, the first instalment of the Community quota should under the circumstances be fixed at 70 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1982 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 %

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and in Regulation (EEC) No 3511/81.

Article 2

1. A first instalment amounting to 5 860 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 1982, shall be as follows:

	(tonnes)
Benelux	500
Denmark	110
Germany	2 000
Greece	10
France	2 220
Ireland	60
Italy	60
United Kingdom	900

2. The second instalment amounting to 2 390 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial shares as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the products in question imported up to 15 September 1982 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, shall notify the amount of that balance to the Member State making the last drawing.

Article 7

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

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities under cover of declarations for free circulation.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3543/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia (1982)

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 Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾, 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 1982;

Whereas, since a Protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of the Act; whereas the quota concerned will, therefore, apply to the Community of Nine;

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

reference to the statistics for imports from Tunisia over a representative reference period and also to the economic outlook for the quota period in question;

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

Member States	1978	1979	1980
Benelux	19.1	28.3	4
Denmark	—	—	—
Germany	14.4	15.5	—
France	62.6	54.1	96
Ireland	—	—	—
Italy	3.9	2.1	—
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	28.7
Denmark	3.5
Germany	4.8
France	54.9
Ireland	1.8
Italy	1.8
United Kingdom	4.5

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 2.

have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 73 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1982 a Community tariff quota of 4 300 tonnes shall be opened in the Community of Nine for apricot pulp, falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, 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 amounting to 3 190 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 1982, shall be as follows:

	(tonnes)
Benelux	900
Denmark	110
Germany	150
France	1 780
Ireland	55
Italy	55
United Kingdom	140

2. The second instalment amounting to 1 110 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial share as, on 15 September 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the products in question imported up to 15 September 1982, and charged against the tariff quota and of any quantity of the initial shares returned to the reserves.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

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

Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

COUNCIL REGULATION (EEC) No 3544/81

of 3 December 1981

opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey (1982)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Annex to Council Regulation (EEC) No 562/81 of 20 January 1981 on the reduction of customs duties on imports into the Community of certain agricultural products originating in Turkey ⁽¹⁾ provides that fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey are admitted on importation into the Community at zero duty, within the limit of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1982;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria, Israel,

Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽²⁾; whereas this Regulation therefore applies to the Community of Nine;

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

Whereas, on the basis of the statistics at present available, imports into the Member States in 1978, 1979 and 1980 of the product concerned, originating in Turkey, have developed as follows and represent the following percentages of total imports into the Community:

Member States	1978		1979		1980	
	tonnes	%	tonnes	%	tonnes	%
Benelux	6 102	8.12	4 550	6.21	5 106	7.45
Denmark	1 277	1.70	1 305	1.78	1 202.8	1.75
Germany	50 096	66.66	49 306	67.36	44 844	65.40
France	9 706	12.91	10 657	14.56	9 230	13.46
Ireland	132	0.18	114	0.16	40	0.06
Italy	2 436	3.24	2 067	2.82	3 808.3	5.55
United Kingdom	5 405	7.19	5 204	7.11	4 337	6.33
Total	75 154		73 203		68 568.1	

⁽¹⁾ OJ No L 65, 11. 3. 1981, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

Whereas, taking into account these figures and the foreseeable development of the product concerned during 1982 and, in particular, the forecasts made by some Member States, the initial shares may be fixed approximately at the following percentages:

Benelux	7.38
Denmark	2.24
Germany	63.15
France	13.52
Ireland	0.23
Italy	3.75
United Kingdom	9.73

Whereas, in order to take into account import trends for the product concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of those Member States which have used up their initial quota share; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota might under the circumstances be fixed at 80 % of the quota volume;

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

Whereas if, at a given date in the quota period, a substantial quantity remains unused, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others; whereas, taking into account the seasonal nature of imports, it seems appropriate to fix the transfer limit at 40 % of the initial share;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of

Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1982 a Community tariff quota of 25 000 tonnes shall be opened in the Community of Nine for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey.
2. Within this tariff quota, the Common Customs Tariff duty shall be totally suspended.
3. Imports of the product in question benefiting from the same or lower customs duties under preferential arrangements shall not be charged against this tariff quota.
4. This 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 among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1982 shall be as follows:

	(tonnes)
Benelux	1 476
Denmark	448
Germany	12 630
France	2 704
Ireland	46
Italy	750
United Kingdom	1 946

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 specified in Article 2 (2), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1982.

Article 5

The Member States shall return to the reserve, not later than 1 October 1982, such unused portion of their initial shares as, on 15 September 1982, is in excess of 40 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1982, of the total quantities of the products in question imported up to 15 September 1982 and charged against the tariff quotas and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1982, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff 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 Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged under the conditions set in paragraph 3.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 November 1981

amending Decision 78/742/EEC on the submission to the Commission of applications for assistance and claims for payment from the European Social Fund

(81/979/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC) No 2396/71 of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund ⁽¹⁾, as amended by Regulation (EEC) 2893/77 ⁽²⁾, and in particular Article 13 thereof,

Having regard to the opinion of the European Social Fund Committee,

Whereas, since the adoption of Commission Decision 78/742/EEC ⁽³⁾, it appears necessary to improve and supplement the forms used for claims for payment,

HAS ADOPTED THIS DECISION:

Article 1

Decision 78/742/EEC is hereby amended as follows:

1. Article 2 (2) is deleted.
2. Article 3 is replaced by the following:

'Article 3

The forms referred to in Articles 1 and 2 shall be submitted in quadruplicate and duly completed in typescript. The forms shall be supplied to the Member States by the Commission.'

3. Annexes 10 and 11 are replaced by Annexes I and II to this Decision. Annex 12 is deleted.

Article 2

This Decision shall apply to claims for payment presented from 1 January 1982 onwards.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 November 1981.

For the Commission

Ivor RICHARD

Member of the Commission

⁽¹⁾ OJ No L 249, 10. 11. 1971, p. 54.

⁽²⁾ OJ No L 337, 27. 12. 1977, p. 1.

⁽³⁾ OJ No L 248, 11. 9. 1978, p. 1.

**COMMISSION
OF THE
EUROPEAN COMMUNITIES**

Directorate-General, Employment,
Social Affairs and Education

European Social Fund

200 rue de la Loi, 1049 Brussels
Telephone : 735 00 40/735 80 40
Telegrams: COMEUR Brussels
Telex : 21 877 COMEU B

CLAIM FOR ADVANCE PAYMENT(S) ⁽¹⁾ ⁽²⁾

1. BENEFICIARY BODY/BODIES ⁽³⁾

for the benefit of which payment is requested ⁽⁴⁾:

2. ACCOUNT NUMBER(S) and NAME(S) of the account holder(s) to whom payment should be made:

3. ESF DOSSIER No:

4. DECISION GRANTING APPROVAL: Number

Date

Latest modification, if any:

Decision Number or letter reference

.....

Date

5. DETAILS OF ASSISTANCE APPROVED:

Assistance approved	Operation with agreed- duration of up to 12 months or First project year	Second project year	Third project year
Initially			
Latest modification			

6. ADVANCE PAYMENT(S) REQUESTED

	Operation up to 12 months or First project year	%	Second project year	%	Third project year	%
First advance						
Second advance						
Total requested						

FOR ESF OFFICIAL USE

Claim sent by Member State on (date)

Payment recommended on (date)

OR

Form returned to Member State on (date)

Signature of Head of Division (V/C/...) recommending payment of advance(s) claimed

(date)

⁽¹⁾ Regulation (EEC) No 858/72 (OJ No L 101, 28. 4. 1972, p. 3 and OJ No L 337, 27. 12. 1977, p. 5).

⁽²⁾ Fill in a separate claim for each distinguishable amount of assistance approved.

⁽³⁾ Where it is requested that payment be made to a body other than that designated in the Decision granting approval, the reasons should be set out in full.

⁽⁴⁾ If the advance payment is to be divided among several bodies, indicate the amount to be paid to each of them.

CERTIFICATE OF THE MEMBER STATE

In accordance with Article 4 (1), subparagraphs 1 and 2, of Regulation (EEC) No 858/72, as amended by Regulation (EEC) No 2894/77, the Member State certifies that the operation / project year (*)

- (for first advance payment) has begun (*)
- (for second advance payment) has reached the half-way stage (*)

as established within the framework of the conditions laid down in the Decision granting approval.

Competent authority

Name and designation of the responsible official

.....

.....

.....

Stamp

.....

Place and date

.....

Signature

(*) Delete as appropriate.

**COMMISSION
OF THE
EUROPEAN COMMUNITIES**

Directorate-General, Employment,
Social Affairs and Education

European Social Fund

200, rue de la Loi, 1049 Brussels
Telephone: 735 00 40/735 80 40
Telegrams: COMEUR Brussels
Telex: 21 877 COMEU B

CLAIM FOR ADDITIONAL PAYMENT / PAYMENT OF BALANCE (*) (1) (2) (3)

1. ESF DOSSIER No:

2. COMMISSION DECISION

No

Date

Granting approval modifications, if any

(No or reference)

Date

3. TOTAL DURATION:

EEC approved	from:	to:
Actual	from:	to:

4. COST BASIS: Unit/Actual (*)

5. ESF FINANCING APPROVED (4):

— Original Decision

— Modification (5), if any
(ESF letter of)

— Already claimed

6. PRESENT CLAIM

Operation with agreed duration of up to 12 months or First project year	Second project year	Third project year

7. PREVIOUS CLAIMS:

Date:

Claimed:

Received:

First	Second	Third	Fourth	Fifth	Total

(if insufficient space is available here, continue on separate sheet)

(*) Delete as appropriate.

8. PRESENT CLAIM ANALYSIS for end of programme up to 12 months (*) end of year 1 (*) / end of year 2 (*) / Balance (multi-annual programme) (*)

8.1. Gross expenditure for approved programme
8.2. Less income from the operations (°)
8.3. Net expenditure

9. FINANCING OF COST OF APPROVED PROGRAMME

9.1. Private sources
9.2. Public authority funding
9.3. Assistance claimed from ESF
9.4. Total financing (must be same figure as 8.3)

FOR ESF OFFICIAL USE

Already paid		Signature of Head of Division (V/C/...)
Amount remaining, if any, after final balance		
Payment recommended by	(date)	(date)

10. GENERAL STATEMENT OF ELIGIBLE EXPENDITURE (**)

10.1. Staff costs:

10.1.1. In-house teaching staff
10.1.2. Other teaching staff
10.1.3. Administrative staff in the centres
10.1.4. Administrative staff outside centres (method of calculation)
10.1.5. Other expenditure (give details)

10.2. Buildings:

10.2.1. Depreciation (***)
10.2.2. Rental costs
10.2.3. Maintenance

10.3. Operating costs:

10.3.1. Water, electricity, heating
10.3.2. Telephone, postal costs
10.3.3. Insurance
10.3.4. Other

10.4. Expenditure for trainees:

10.4.1. Fixed allowances (method of calculation) including contributions
10.4.2. Other allowances
10.4.3. Board and lodging
10.4.4. Travel
10.4.5. Miscellaneous educational expenses

10.5. Equipment and materials:

10.5.1. Purchase (basic equipment, etc.)
10.5.2. Depreciation (***)

(*) Delete as appropriate.

(**) In the Annex please give details concerning the type and amount of such expenditure together with:

- the method of calculating depreciation, giving grounds and stating the contribution requested from the ESF;
- a certificate concerning ownership of buildings and heavy equipment in connection with depreciation;
- a certificate attesting that the buildings and heavy equipment in respect of which an ESF contribution is requested are not yet fully depreciated.

(***) Kindly state whether depreciation is:

- normal, or
- accelerated (Article 3a of Council Regulation (EEC) No 2396/71).

11. PAYMENT INSTRUCTIONS:

11.1. Name of account holder

Organization

Bank name

Bank address

Account number

11.2. If more than one beneficiary body ⁽⁷⁾, give name, address and bank information:

Second Name Bank name

Organization Bank address

Address Account number

Third Name Bank name

Organization Bank address

Address Account number

12. CERTIFICATION:

In accordance with Article 4 (1) sub-paragraph 5 of Regulation (EEC) No 858/72 as amended by Regulation (EEC) No 2894/77, we the undersigned, representing the beneficiary body and the competent national authority, certify the factual and accounting accuracy of the particulars given in this claim for payment and its Annexes.

BENEFICIARY BODY ⁽⁸⁾

Name (in capitals)

Organization

Section/Department

Address

Signature

Date

COMPETENT NATIONAL AUTHORITY

ACKNOWLEDGMENT OF RECEIPT ^(*)

From: DG V/C/

Commission of the European Communities

To (Member State)

..... (address)

Claim for payment, dated

your reference, for (amount), has been received in the Commission.

..... (date) (signature)

^(*) The national administration should complete as much of this form of receipt as possible in order to facilitate recognition of the claim to which it refers.

NOTES

- (1) Decision 78/742/EEC on the submission of applications and claims for payment from the European Social Fund (OJ No L 248, 11. 9. 1978, p. 1).
- (2) In accordance with Regulation (EEC) No 858/72, Article 4 (1) (OJ No L 101, 28. 4. 1972, p. 3 and OJ No L 337, 27. 12. 1977, p. 5).
- (3) Fill in a separate claim for each distinguishable amount of assistance approved.

INFORMATION REQUIRED TO SUPPORT A CLAIM FOR ADDITIONAL PAYMENT OR PAYMENT OF BALANCE

In accordance with Article 4 (1) of Regulation (EEC) No 858/72 as amended by Regulation (EEC) No 2894/77 every claim for additional payment or payment of balance must be accompanied by a report: in the case of additional payment, covering the completion of the project year; in the case of payment of balance, covering the whole operation. Where the assistance is granted on the basis of actual costs a general statement of expenditure should be submitted.

Information is required under the following heads:

1. The operation. A summary of the operation carried out should be supplied, with a comparison with the original programme as approved in the Decision, drawing attention to any changes. The main factors, both internal and external to the organization, affecting the carrying out of the operation, should be explained. Similarly, a description of the effect of the scheme on the employment market and, where applicable, a regional breakdown of operations should be given.
2. The financial statement. The eligible expenditure incurred in the operation should be analyzed by ESF category of aid (A3, A4, B3, C3, etc.). Supporting information should show clearly how the various elements have been calculated. Comparison with the original estimates should be made and significant differences explained. In the case of operations of a demonstrative or innovative character, describe the results obtained and the lessons that can be drawn from the experience gained.

Where costs of depreciation have been included, a precise description should be given of:

- (i) the method of calculation;
- (ii) the justification for the method of calculation;
- (iii) the ownership of the buildings and/or equipment included in the depreciation costs;
- (iv) what proportion of the value of the buildings and/or equipment included in the present claim has already been covered by the ESF.

3. The beneficiaries. The following information and calculations should be provided:

(i)
$$\frac{\text{number of beneficiaries included in the claim} \times 100}{\text{original estimate of number of beneficiaries}} = \boxed{} \%$$

- (ii) an analysis of the average length of training (for other activity) per beneficiary, and a comparison with the length of training (etc.) time originally envisaged;

(iii)
$$\frac{\text{costs of administrative personnel included in the claim} \times 100}{\text{costs of instructors}} = \boxed{} \%$$

- (iv) Sex of beneficiaries: Male Female

In the case of training or vocational preparation operations, the percentage rate of placement following the operation should be given, if possible identifying the sectors entered.

4. Operational checks. The qualitative and financial checks that have been carried out by independent bodies during the period under review should be described.
- (4) Amounts in national currency.
- (5) Any amendments, such as refunds of amounts not required within the programme, are reckoned as a Revision only when the Member State has received a letter, or telex acknowledgment from an ESF official.
- (6) Includes fees charged, sale of products or disposal value, with any profits.
- (7) As set out in the Decision granting approval, stating amounts of finance to be apportioned to each.
- (8) If there is more than one beneficiary body, give details of each.