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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3240/82
of 15 November 1982
establishing ceilings and Community supervision for imports of certain products originating in
Portugal (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Supplementary Protocol ⁽¹⁾ to the Agreement between the European Economic Community and the Portuguese Republic ⁽²⁾, as supplemented by the Protocol to the Agreement between the European Economic Community and the Portuguese Republic consequent on the accession of the Hellenic Republic to the Community, provides for the exemption from duties of kraftliner and of other paper and paperboard falling within subheadings ex 48.01 C II and 48.01 F of the Common Customs Tariff, originating in Portugal, when imported into the Community, with the exception of the United Kingdom and Denmark; whereas, nevertheless, the benefit of duty exemption is limited to annual ceilings of 62 000 and 2 000 tonnes respectively, above which the residual customs duties for each product may be reintroduced until the end of the calendar year; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Portugal; whereas it is, therefore, desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered for free circulation; whereas this administrative procedure must provide for the possible reintroduction of residual customs tariff duties once the ceilings are reached;

Whereas this administrative procedure requires close and particularly prompt cooperation between the Member

States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, imports into the Community with the exception of the United Kingdom and Denmark of the products listed in the Annex hereto and originating in Portugal shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex hereto.

2. Quantities shall be charged against the ceilings as and when products are entered for free circulation and accompanied by a movement certificate which shall comply with the rules set out in Protocol 3 to the Agreement.

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

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

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

⁽¹⁾ OJ No L 348, 31. 12. 1979, p. 44.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reintroducing residual customs duties until the end of the calendar year.

In the case of such reimposition, Greece shall introduce the levying of the duties calculated in accordance with Regulation (EEC) No 2370/81.

As soon as the amounts set off against the ceilings within its territory have reached the amounts indicated in the Annex, Greece may reintroduce, until the end of the calendar year, the levying of the customs duties calculated in accordance with Regulation (EEC) No 2370/81. It shall notify the Commission, which shall inform the other Member States of this fact. Paragraph 2 shall apply *mutatis mutandis*.

4. Member States concerned shall, not later than the 15th day of each month, forward to the Commission

statements of the quantities charged during the preceding month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them within five clear days of the end of each 10-day period.

Article 2

The Commission shall, in close cooperation with the Member States, take all appropriate steps to apply this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

ANNEX

LIST OF PRODUCTS SUBJECT TO IMPORT CEILINGS IN 1983

(tonnes)

Serial No	CCT heading No	Description	NIMEXE code	Level of the a) Community ceiling b) Amount concerning Greece
1	2	3	4	5
P 1	48.01	Paper and paperboard (including cellulose wadding), in rolls or sheets: C. Kraft paper and kraft board: ex II. Other: — Kraftliner paper and board (a)	48.01-20; 22; 24; 30; 32; 34; 36; 38; 39	a) 62 000 b) 2 000
P 2		F. Other	48.01-60 to 99	a) 2 000 b) 2 000

(a) 'Kraftliner' means machine-finished or machine-glazed paper or paperboard, in rolls, containing not less than 80 % of chemical sulphate softwood pulp calculated on total fibre content, weighing more than 115 g/m² and having a Mullen burst ratio of not less than 35.

COUNCIL REGULATION (EEC) No 3241/82

of 15 November 1982

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 (1983)

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 by the Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter referred to as 'the Protocol';

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 1983;

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	1979	1980	1981
Benelux	8.0	—	—
Denmark	—	—	—
Germany	86.0	100	97
Greece	—	—	—
France	6.0	—	3
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 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

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2.

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 1983, 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 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 1983, 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 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial shares as, on 15 September 1983, 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 1983, of total quantities of the products in question imported up to 15 September 1983 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 1983, 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 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 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 1983.

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

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

COUNCIL REGULATION (EEC) No 3242/82

of 15 November 1982

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 (1983)

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 by the Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter referred to as 'the Protocol';

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 1983;

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	1979	1980	1981
Benelux	3	5	2
Denmark	1	1	5
Germany	2	1	—
Greece	—	—	—
France	58	86	85
Ireland	21	2	1
Italy	9	2	—
United Kingdom	6	3	7

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 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

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2.

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 1983, 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 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 1983 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 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial share as, on 15 September 1983, 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 1983, of the total quantities of the products in question imported up to 15 September 1983 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 1983, 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 1983.

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

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

COUNCIL REGULATION (EEC) No 3243/82

of 15 November 1982

opening, allocating and providing for the administration of a Community tariff quota for certain petroleum products falling within Chapter 27 of the Common Customs Tariff and refined in Spain (1983)

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 by the Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter referred to as 'the Protocol';

Whereas the Community committed itself, under this Agreement, to opening an annual total Community tariff quota of 1 424 000 tonnes of certain petroleum products, falling within Chapter 27 of the Common Customs Tariff and refined in Spain; whereas the quota duty is equal to 40 % of the Common Customs Tariff duties; whereas this Community tariff quota should be opened for 1983;

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 product concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, to reflect as accurately as possible the true trend of the market of 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 period and also to the economic outlook for the quota period concerned;

Whereas, in respect of 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 State	1979	1980	1981
Benelux	50.1	4.5	26.9
Denmark	—	—	—
Germany	3.9	2.0	9.8
Greece	—	—	—
France	8.8	23.0	12.2
Ireland	0.7	—	6.1
Italy	9.8	17.9	13.6
United Kingdom	26.7	52.6	31.4

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

Benelux	22.0
Denmark	13.0
Germany	13.0
Greece	0.2
France	11.0
Ireland	7.0
Italy	8.0
United Kingdom	25.8

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 between 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, to give importers in each Member State a certain degree of security, the first instalment of the Community quota might under the present circumstances be fixed at about 27 % of the quota;

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

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2.

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

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 Protocol.

Article 2

1. A first instalment amounting to 383 000 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 1983, shall be as follows:

	(tonnes)
Benelux	85 000
Denmark	50 000
Germany	50 000
Greece	1 000
France	42 000
Ireland	25 000
Italy	30 000
United Kingdom	100 000

2. The second instalment of 1 041 000 tonnes shall constitute the reserve.

Article 3

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

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 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial share as, on 15 September 1983, is in excess of 20 % of the initial volume. They may return a greater quantity if there are grounds for believing that it may not be used.

Member States shall, not later than 1 October 1983, notify the Commission of the total quantities of the products in question imported up to 15 September 1983 and charged against the Community tariff 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 the Member States pursuant to 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 1983, of the amounts still in the reserve after quantities have been returned thereto pursuant to Article 5.

The Commission shall ensure that the drawing which uses up a reserve does not exceed the balance available and, to this end, shall notify the amount of that balance to the Member State which makes such last drawing.

Article 7

1. Member States shall take all measures necessary to ensure that supplementary 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 quotas.

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

3. Member States shall charge imports of the goods in question against their shares as and when such goods are entered with the customs authorities for free circulation.

Article 8

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

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

Done at Brussels, 15 November 1982.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

For the Council

The President

N. A. KOFOED

COUNCIL REGULATION (EEC) No 3244/82

of 15 November 1982

opening, allocating and providing for the administration of a Community tariff quota for other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff and originating in Spain (1983)

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 by the Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community ⁽²⁾, hereinafter referred to as 'the Protocol';

Whereas the Community committed itself, under this Agreement, to opening an annual total Community tariff quota of 2 013 tonnes of other woven fabrics of cotton, falling within heading No 55.09 of the Common Customs Tariff and originating in Spain; whereas, the quota duty is equal to 40 % of the Common Customs Tariff duty in respect of the products concerned; whereas this Community tariff quota should be opened for 1983;

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

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 State	1978	1979	1980
Benelux	3.5	13.5	12.3
Denmark	0.8	0.2	0.2
Germany	3.3	0.2	4.5
Greece	9.6	8.0	—
France	60.3	64.6	75.4
Ireland	0.3	0.3	1.5
Italy	7.4	4.7	2.9
United Kingdom	14.8	8.5	3.2

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

Benelux	5.2
Denmark	0.3
Germany	5.2
Greece	5.2
France	52.0
Ireland	19.5
Italy	11.0
United Kingdom	1.6

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 those Member States having 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 77 % of the quota;

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

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2.

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 of an initial share remains unused in a 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 concerning 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 until 31 December 1983, the Common Customs Tariff duties in respect of the products originating in Spain and listed below shall be partially suspended at the levels indicated for each of them within the limits of a global Community tariff quota of 2 013 tonnes:

CCT heading No	Description	Rate of duty (%)
55.09	Other woven fabrics of cotton:	
	A. Containing 85 % or more by weight of cotton:	
	I. Of a width of less than 85 cm	4.8
	II. Other	5.0
	B. Other:	
	I. Of a width of less than 85 cm	5.0
	II. Other:	5.3

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 Protocol.

Article 2

1. A first instalment amounting to 1 540 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 1983, shall be as follows:

	(tonnes)
Benelux	80
Denmark	5
Germany	80
Greece	80
France	800
Ireland	300
Italy	170
United Kingdom	25

2. The second instalment of 473 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 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 its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share, 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 same conditions, 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 these 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 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that it may not be used.

The Member States shall, not later than 1 October 1983, notify the Commission of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff 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 1983, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that any drawing which exhausts the reserve does not exceed the balance available

and, to this end, shall notify the amount of that balance 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 Member States shall charge imports of the said goods against their shares as and when the goods are entered with the 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 request of the Commission, 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 compliance with this Regulation.

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 15 November 1982

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Finland on the interconnection of the Community network for data transmission (Euronet) and the Finnish national data network and on the conclusion of the Quadripartite Protocol on the purport of the agreements for data network cooperation concluded between the European Economic Community, the Swiss Confederation, the Kingdom of Sweden and the Republic of Finland

(82/820/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 81/599/EEC of 27 July 1981 adopting a third plan of action in the field of information and documentation (1981 to 1983) ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement negotiated by the Commission with the Republic of Finland on the interconnection of the Community network for data transmission (Euronet) with the Finnish national data network should be approved;

Whereas, moreover, the Quadripartite Protocol should be approved on the purport of the Agreements for data network cooperation concluded between the European Economic Community, the Swiss Confederation, the Kingdom of Sweden and the Republic of Finland,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the

Republic of Finland on the interconnection of the Community network for data transmission (Euronet) and the Finnish national data network is hereby approved on behalf of the Community.

The text of the Agreement is attached to the Decision.

Article 2

The Quadripartite Protocol on the purport of the Agreements for data network cooperation concluded between the European Economic Community, the Swiss Confederation, the Kingdom of Sweden and the Republic of Finland is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 3

The president of the Council is hereby authorized to designate the person empowered to sign the Agreement and the Protocol in order to bind the Community.

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

⁽¹⁾ OJ No L 220, 6. 8. 1981, p. 29.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Finland on the interconnection of the Community network for data transmission (Euronet) and the Finnish national data network

A. Letter from Finland

Brussels,

Sir,

Over the past few years, considerable efforts have been made in Europe, especially by the European Communities, both in the field of data transmission by packet-switching and in the field of scientific and technical information and documentation, notably:

- the resolution of the Council of the European Communities of 14 January 1974 on an initial outline programme of the European Communities in the field of science and technology in which the Council stressed that third countries, especially European countries, should be given the opportunity of taking part in the project concerned whenever it was found necessary or desirable,
- the Decisions of the Council of the European Communities of 18 March 1975, 9 October 1978 and 27 July 1981 adopting three-year action plans on scientific and technical information and documentation and providing for the setting up of a telecommunications network (Euronet) to provide Community users with reliable, rapid and economic access to the scientific, technical, economic and social documentation and data available, by means of the direct information access network for Europe (Diane),
- the decision of the telecommunications administrations of the Member States of the Community through a multilateral Convention (hereinafter called 'the Convention') signed on 11 December 1975, to set up and run Euronet and to instruct France to conclude a contract to this effect with the Community (hereinafter called 'the Contract'), which was signed on 15 December 1975,
- the Decision of the Council of the European Communities of 27 July 1981 adopting a third plan of action in the field of information and documentation (1981 to 1983) and providing the possibility for the Community to conclude Cooperation Agreements with third countries participating in the European Conference of Postal and Telecommunications Administrations (CEPT),
- the conclusion of an Agreement in the form of an exchange of letters dated 28 September 1979 between the Community and the Swiss Confederation on the extension of the Community network for data transmission (Euronet), and of the Cooperation Agreement signed on 18 December 1981, between the Community and the Kingdom of Sweden on the interconnection of the Community network for data transmission (Euronet) and the Swedish data network for information retrieval purposes, and of the Trilateral Protocol signed on 18 December 1981 on the purport of the Agreements for data network cooperation concluded by the European Economic Community with, on the one hand, the Swiss Confederation and, on the other hand, the Kingdom of Sweden.

Taking account of the above and of the participation of Finland in the CEPT, representatives of the Government of Finland and of the Commission met on several occasions after 20 March 1981 to study the interconnection between Euronet and the Finnish national data network so as to give Finnish users access to information services available through Euronet-Diane and to give Euronet-Diane users access to information services in Finland. A further aim of the

meetings was to carry out a joint analysis of the arrangements which would provide the information services in Finland, in the Community, in Switzerland and in Sweden, with access, on a reciprocal basis, to the information markets in the countries involved.

For the purpose of this cooperation, I have the honour to make the following proposals:

1. Euronet will be interconnected with the Finnish national data network under an agreement between the General Directorate of Posts and Telecommunications in Finland (Posti-ja Telehallitus), hereinafter called 'the Finnish PTT administration' and the telecommunications administrations, parties to the Convention. This interconnection shall take place under the conditions laid down for the entire network, taking into account the Convention, the Contract, the addenda thereto and the new addendum to the Contract which will be concluded between the Community and France with a view to Finnish participation.

2. The Finnish PTT administration and the telecommunications administrations in the Community shall settle jointly the technical questions relating to the connection of the terminals and hosts, and the financial problems arising from the interconnection between Euronet and the Finnish national data network.

3. The terminals installed in Finland or in the Community shall be guaranteed, in a non-discriminatory manner and on a reciprocal basis, connection and access to Euronet-Diane and to the Finnish national data network respectively within the framework of the international and national regulations in force.

4. The hosts located in Finland or in the Community shall be guaranteed, in a non-discriminatory manner and on a reciprocal basis, the possibility of connection to Euronet-Diane and to the Finnish national data network respectively within the framework of the international and national regulations in force.

5. Each Party shall endeavour, in a spirit of healthy and fair competition and with the aim of safeguarding the interests of the users and ensuring efficient and economic operation, to enforce the observance by the hosts connected to Euronet-Diane and to the Finnish national data network respectively of a code of conduct as closely as possible in line with the joint declaration of intent given in the Annex.

6. The Community shall use its best endeavours to facilitate the participation of Finnish host computer operators in the meetings of the European Host Operators Group as well as the participation of Finnish users in the Euronet-Diane User Forum.

7. The right of the Finnish PTT administration to use the Finnish national data network for traffic independent of Euronet is not affected.

8. Finnish experts may participate as equal partners in work to develop additional technical specifications, to establish new general provisions for Euronet-Diane and to train users.

9. The Parties shall take all appropriate measures to arrive at a joint solution to the problems relating to the setting up, management and possible development of Euronet not covered by points 1 and 2. The Parties shall hold consultations through diplomatic channels for this purpose.

10. Any extension of Euronet to States not members of the Community shall be subject to prior consultation between the Parties in particular as regards the consequences of such extension both for the relations between Finland and the Community and for those that the two Parties will have with the States in question.

11. Each Party will be free to connect to its network other networks, host computers and users situated outside Finland and the Community. Further connection of such extensions to the network of the other Party requires prior agreement between the Parties and, where appropriate, consent by the telecommunications administrations involved.

12. The Parties shall inform each other regularly on the progress of the cooperation. In particular, they shall exchange, as far in advance as possible, all relevant information relating to projects to connect hosts and data bases or banks. Such exchanges of information shall be made through diplomatic channels.

13. The cooperation provided for shall lapse on 31 December 1983, but may be terminated before that date by either Party subject to one year's notice.

14. This exchange of letters shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Finland.

If you are able to confirm in writing your agreement to the aforesaid, the two Parties will consider this exchange of letters as a statement of their aims and of the forms of their cooperation concerning Euronet-Diane. This exchange of letters will enter into force on the date on which your reply is signed.

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

*For the Government of the
Republic of Finland*

Joint declaration of intent concerning the operation of host computers to be connected to Euronet-Diane, referred to in point 5 of this letter

1. The host alone shall be responsible for the operation of its services via the network.
2. The host shall not make distinctions based on nationality between the users of Euronet-Diane. If existing contracts or international agreements contain discriminatory provisions, the host shall notify the competent authorities in its country and endeavour to have the provisions amended.
3. The host shall abstain from all unfair competition. If necessary, it may be invited, by the competent authorities in its country and within the framework of the national provisions in force, to provide explanations on this subject.
4. The host shall observe the principle of maintaining at the lowest possible level the fees relating to scientific and technical information (IST) services. It shall apply this principle as far as possible in its tariff policy.
5. The host shall endeavour to contribute towards a gradual harmonization of services, in particular by means of:
 - the application, to its formation retrieval system, of the standardized instructions given in the 'Euronet Guidelines: standard commands for information retrieval systems',
 - the gradual harmonization of the general conditions of sale, which will be undertaken jointly,
 - the gradual rationalization of instruction manuals,
 - the simplification of access methods for users and of invoicing.
6. The host shall examine the possibility of cooperating in the preparation of measures to market its services efficiently at Euronet-Diane level and to train the users of these services.
7. In order to achieve the appropriate level of cooperation within Euronet-Diane, the host may take part in the work of a committee which will meet at regular intervals, express its opinion in all questions relating to the network and assist in the preparation of appropriate recommendations to the competent authorities. Each host shall bear the costs of its representation at such meetings.
8. The host shall designate to the competent authorities in its country its representative on this committee within three months following the conclusion of the agreement required for its connection to Euronet-Diane. Within the same period, it may also designate a person responsible for all other questions relating to Euronet-Diane and specify his powers.
9. Within the same period, the host shall provide the competent authorities in its country with a provisional description of the data bases and related services which it intends to offer. This description should follow as closely as possible the example shown in the 'Euronet Guidelines for cooperation between data base suppliers and host organizations'. In particular, the description shall cover in detail the data bases, the services which they offer and the tariffs applicable. The competent authorities should be provided with a definitive description of these services no later than three months before the commencement of operation.
10. The host shall do everything in its power to announce three months in advance any major changes to the services described and to inform the competent authorities in its country of such changes.

11. The host shall inform the competent authorities in Finland if it intends to use its Euronet-Diane link for purposes other than scientific and technical information.

12. In order to permit the competent authorities to adapt the network to requirements, the host shall provide the competent authorities at least once a year with statistics on the use of Euronet-Diane via its services, including traffic statistics, number of subscribers, etc.

B. Letter from the Community

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date concerning the interconnection of the Community data transmission network (Euronet) and the Finnish national data network.

I am able to confirm the agreement of the European Economic Community to the contents of your letter, including the joint declaration of intent annexed thereto.

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

*On behalf of the Council
of the European Communities*

QUADRIPARTITE PROTOCOL

on the purport of the Agreements for data network cooperation concluded between the European Economic Community, the Swiss Confederation, the Kingdom of Sweden and the Republic of Finland

Whereas, on 28 September 1979, the European Economic Community and the Swiss Confederation concluded an Agreement in the form of an exchange of letters on the extension of the Community network for data transmission (Euronet) to Switzerland;

Whereas, on 18 December 1981, the European Economic Community and the Kingdom of Sweden concluded a Cooperation Agreement on the interconnection of the Community network for data transmission (Euronet) and the Swedish data network for information retrieval purposes;

Whereas the European Economic Community and the Republic of Finland have today concluded an Agreement in the form of an exchange of letters on the interconnection of Euronet and the Finnish national data network;

Whereas the Swiss Confederation has pursuant to point 10 of the Agreement in the form of an exchange of letters of 28 September 1979 given its consent to the interconnection of Euronet and the Finnish national data network;

Whereas the Kingdom of Sweden has pursuant to Article VII of the Cooperation Agreement of 18 December 1981 given its consent to the interconnection of Euronet and the Finnish national data network,

The Signatories to this Protocol have come to the understanding that the exchange of letters with Finland shall apply to Euronet as extended to Switzerland, and to the Finnish national data network and furthermore that the provisions agreed upon in this exchange of letters shall also govern, on a reciprocal basis, the relations via Euronet between the Swedish data network and the Finnish national data network.

Done at Brussels,

For the Federal Swiss Council,

For the Government of the Kingdom of Sweden,

For the Government of the Republic of Finland,

For the Council of the European Communities,

COUNCIL DECISION

of 15 November 1982

concluding an agreement based on negotiations between Norway and the European Economic Community on trade in cheese

(82/821/EEC)

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 recommendation from the Commission,

Whereas the Commission, as authorized by the Council on 16 December 1980, has held negotiations with Norway on trade in cheese and has reached a satisfactory reciprocal agreement with that country,

HAS DECIDED AS FOLLOWS:

Article 1

The agreement between Norway and the European Economic Community comprising:

- a temporary arrangement between Norway and the European Economic Community on joint discipline in their trade in cheese,

- an exchange of letters concerning waiver of the monetary compensatory amount on importation, into the Community, of Jarlsberg cheese,

is hereby approved on behalf of the Community.

The text of the agreement is attached to this Decision.

Article 2

The president of the Council is hereby authorized to designate the person empowered to sign the agreement in order to bind the Community.

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED

TEMPORARY ARRANGEMENT**between Norway and the European Economic Community on joint discipline in their trade in cheese**

1. Desiring to promote the harmonious development of their trade in agricultural products in line with their agricultural policies, the European Economic Community and Norway held consultations regarding their trade in cheese.

In the course of these consultations the Parties noted that the development of their reciprocal import and export trade in cheese had not been satisfactory. In order to encourage the harmonious expansion of their trade in this sector, Norway and the Community consider that it might be desirable to offer consumers further types and varieties of imported cheese in addition to home-produced cheeses.

2. Both Parties agreed that in order to achieve this, suitable adjustments should be made to their import arrangements.

In the current state of the cheese market they considered it preferable initially to seek a practical temporary solution rather than to change the said arrangements definitively.

3. Norway and the Community agreed to conclude a temporary arrangement to run from 1 January 1983 to 31 December 1985, containing the following provisions:

(a) Trade in cheese between the Community and Norway will be organized in three stages from 1 January 1983 to 31 December 1985 as follows:

(i) *Norwegian import undertaking*

Norway shall open an annual quota for imports of cheeses of all types and varieties ⁽¹⁾ of which the Community's share shall be not less than:

- (1) 1 740 tonnes in 1983,
- (2) 1 850 tonnes in 1984,
- (3) 1 960 tonnes in 1985;

(ii) *Community import undertaking*

The Community undertakes, in respect of:

ex 04.04 E I b) 2 whole Jarlsberg cheeses ⁽²⁾, with rind ⁽³⁾, of a minimum fat content of 45 %, by weight, in the dry matter and of a dry matter content, by weight, of not less than 58 %, matured for at least three months,

to open an annual tariff quota of:

- (1) 1 500 tonnes in 1983,
- (2) 1 600 tonnes in 1984,
- (3) 1 700 tonnes in 1985,

subject to an import duty of 55 ECU per 100 kilograms.

⁽¹⁾ Subject to an import duty of Nkr 1.20 per kilogram.

⁽²⁾ Bearing a certificate from the 'Norske Meieriers Salgsentral' (Norwegian dairy marketing association).

⁽³⁾ 'Whole cheeses, with rind' means whole cheeses weighing from 9 kilograms to 10 kilograms inclusive.

For the purposes of these provisions, 'rind' is defined as follows: the rind of such cheeses is the outer layer formed from the cheese itself having a distinctly more solid consistency and a distinctly darker colour.

- (b) Should trade on either side fail to reach these levels, the transition to the next stage will not take place.
 - (c) Should the levels set for imports into the Community and/or Norway be reached during a quota year, the Parties shall, at the request of either, hold consultations to examine the market situation and, if appropriate, to alter by agreement the quantity initially set.
4. Norway undertakes to take the necessary steps to ensure that:
- exports of Jarlsberg cheese to the Community do not exceed the agreed levels (see 3 (a) (ii))
 - import licences will be issued regularly and in such a way that the agreed quantities (see 3 (a) (i)) can be imported into Norway from the Community.
5. The Community and Norway shall see that the reciprocal concessions are not compromised by other import measures.
6. Norway and the Community undertake to see that the prices charged by their respective exporters are not such as to cause problems on the market of the importing country.
- In that connection they agree to set up two-way information and cooperation machinery along the lines indicated in the Annex to this arrangement.
- If problems arise because of the prices being charged, consultations will be held without delay at the request of either Party with the aim of taking suitable corrective action.
7. The Parties may consult at any time about the operation of this arrangement and if necessary amend it by common accord to take account *inter alia* of the trend of market prices, production, marketing and consumption of home-produced and imported cheese.
8. In order to maintain continuous cooperation in the day-to-day management of export and import operations, the authorities of Norway and the Community shall each appoint a delegate. The delegates shall keep each other notified of the development of trade with regard to prices and the level of sales.
9. Consultations shall take place in the first half of 1985 to decide whether and on what terms this arrangement shall be renewed.
10. All the provisions of this arrangement shall come into effect on the same day.
-

ANNEX

In order to ensure that the prices charged by exporters are not such as to cause problems on the market of the importing country, the following information and cooperation machinery shall be established:

1. Norway shall furnish the Commission of the European Communities with the following information:
 - two weeks before the start of each calendar quarter, a forecast of Norwegian export to the Community for the succeeding quarter, giving predicted quantities, Norwegian free-at-frontier prices and destinations,
 - three weeks after the close of each calendar quarter, actual Norwegian exports to the Community in the preceding quarter, giving quantities exported, actual Norwegian free-at-frontier prices and Member States of destination.
 2. The Commission of the European Communities shall furnish price quotations quarterly and all other relevant particulars of the market in home-produced and imported cheeses.
-

EXCHANGE OF LETTERS

concerning the non-application of a monetary compensatory amount on import, into the Community, of Jarlsberg cheese

Letter No 1

Your Excellency,

I have the honour to confirm that during the negotiations for the temporary arrangement between Norway and the European Economic Community on joint discipline in their trade in cheese it was agreed that no monetary compensatory amount would be applied to imports, into the Community, of Jarlsberg cheese from Norway for the lifetime of the said arrangement.

However, should the waiving of the monetary compensatory amount lead to the displacement of traditional trade flows to other Member States, the Community reserves the right, after consulting with Norway, to introduce such monetary compensatory amount.

I should be obliged if you would acknowledge receipt of this letter.

Please accept, Your Excellency, the assurance of my highest consideration.

*For the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'I have the honour to confirm that during the negotiations for the temporary arrangement between Norway and the European Economic Community on joint discipline in their trade in cheese it was agreed that no monetary compensatory amount would be applied to imports, into the Community, of Jarlsberg cheese from Norway for the lifetime of the said arrangement.

However, should the waiving of the monetary compensatory amount lead to the displacement of traditional trade flows to other Member States, the Community reserves the right, after consulting with Norway, to introduce such monetary compensatory amount.

I should be obliged if you would acknowledge receipt of this letter.'

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

*For the Government
of Norway*
