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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 3665/85 of 20 December 1985 opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community supervision of imports thereof (1986) 1
- ★ Council Regulation (EEC) No 3666/85 of 20 December 1985 on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1986) 4
- ★ Council Regulation (EEC) No 3667/85 of 20 December 1985 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 (1986) 9
- ★ Council Regulation (EEC) No 3668/85 of 20 December 1985 totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1986) .. 12
- ★ Council Regulation (EEC) No 3669/85 of 20 December 1985 on the treatment applicable to imports of wine originating in Algeria 19
- ★ Council Regulation (EEC) No 3670/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for certain wines falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Algeria (1986) 20
- ★ Council Regulation (EEC) No 3671/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Yugoslavia (1986) 25

Contents *(continued)*

★ Council Regulation (EEC) No 3672/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff (1986)	31
★ Council Regulation (EEC) No 3673/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1986) and extending this quota to include certain other types of paper	34
★ Council Regulation (EEC) No 3674/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for ferro-silicon, falling within subheading 73.02 C of the Common Customs Tariff (1986)	37
★ Council Regulation (EEC) No 3675/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for ferro-silico-manganese, falling within subheading 73.02 D of the Common Customs Tariff (1986)	40
★ Council Regulation (EEC) No 3676/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for ferro-chromium containing not more than 0,10 % by weight of carbon and more than 30 % but not more than 90 % by weight of chromium (super-refined ferro-chromium), falling within subheading ex 73.02 E I of the Common Customs Tariff (1986)	43
★ Council Regulation (EEC) No 3677/85 of 20 December 1985 amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States	46

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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3665/85

of 20 December 1985

opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community supervision of imports thereof (1986)

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, pending the entry into force of the Supplementary Protocol signed in Ankara on 30 June 1973 containing the adjustments to be made to the Agreement establishing an association between the European Economic Community and Turkey and to the Additional Protocol ⁽¹⁾ consequent on the accession of new Member States, the Community has undertaken, in an Interim Agreement ⁽²⁾ which runs only for a limited period prior to the entry into force of this Supplementary Protocol, which is applicable until 31 December 1974 but which has been extended for 1986 in accordance with the terms laid down in Article 13 thereof, to implement certain provisions of the Supplementary Protocol relating to trade in goods; whereas, under Article 6 of the Interim Agreement amending the first paragraph of the Sole Article of Annex 1 to the Additional Protocol, the Community must totally suspend the customs duties applicable to certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Turkey, within the limit of an annual Community tariff quota of 340 000 tonnes; whereas, for the products concerned, a provisional adjustment should be made to these tariff preferences, consisting essentially of substituting for the Community tariff quota a Community ceiling which amounts, after successive increases, to 705 000 tonnes, above which the customs duties applicable to third countries may be reintroduced;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽³⁾;

Whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas, this Regulation therefore applies to the Community of Nine;

Whereas the application of the ceiling requires that the Community should be regularly informed of the trend of imports of these products should therefore be subject to a system of supervision;

Whereas this objective may be attained by means of an administrative procedure based on setting off imports of the products in question against the ceiling, at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for free circulation; whereas this administrative procedure must take provision for the reintroduction of the Common Customs Tariff duty as soon as the said ceiling has been reached at Community level;

Whereas this administrative procedure requires close and very rapid cooperation between the Member States and the Commission, which must be able to monitor the amounts set off against the ceiling and keep the Member States informed thereof; whereas this cooperation must be all the closer to enable the Commission to take adequate measures to reintroduce the Common Customs Tariff duty whenever the ceiling is reached.

⁽¹⁾ OJ No L 293, 29. 12. 1972, p. 4.

⁽²⁾ OJ No L 277, 3. 10. 1973, p. 2.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

HAS ADOPTED THIS REGULATION

suspended in the Community of Nine for certain petroleum products referred to hereinafter and refined in Turkey, within the limits of a Community ceiling of 705 000 tonnes.

Article 1

1. From 1 January to 31 December 1986 the Common Customs Tariff duties shall, subject to Article 2, be totally

2. The petroleum products to which paragraph 1 applies are the following:

CCT heading No	Description
27.10	Petroleum oils and oils obtained from bituminous minerals other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oil or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: A. Light oils: III. For other purposes B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes III. Lubricating oils, other oils: c) To be mixed in accordance with the terms of Additional Note 7 to this chapter (a) d) For other purposes
27.11	Petroleum gases and other gaseous hydrocarbons: B. Other: I. Commercial propane and commercial butane: c) For other purposes
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, pest wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other

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

3. Imports of the petroleum products referred to in paragraph 1 shall be subject to Community supervision.

4. Imports of the products shall be set off against the ceiling as and when they are submitted to the customs authorities under cover of a declaration that they have been made available for free circulation.

5. The extent to which the ceiling has been used shall be determined at Community level on the basis of the imports set off against it in the manner defined in paragraph 4.

6. Member States shall inform the Commission at the intervals and within the time limits specified in Article 3 of any imports effected in accordance with the above rules.

Article 2

As soon as the ceiling referred to in Article 1 (1) has been reached at Community level, the Commission may issue a Regulation reintroducing the Common Customs Tariff

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

Article 3

Member States shall forward to the Commission not later than the 15th day of each month a statement of the imports effected during the preceding month. If the Commission so requests, they shall forward this statement, in respect of 10-day periods, within five clear days of the expiry of each such 10-day period.

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3666/85

of 20 December 1985

on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

HAS ADOPTED THIS REGULATION:

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

Having regard to Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾ and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, under Annex 6 of the Additional Protocol laying down the conditions, procedures and timetables for implementing the transitional phase pursuant to Article 4 of the Agreement establishing an association between the European Economic Community and Turkey, and under Article 1 of the Interim Agreement between the European Economic Community and Turkey consequent on the accession of new Member State to the Community, the Community must totally or partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary on a provisional basis to adjust or supplement some of the advantages provided for in the abovementioned Annex 6; whereas the Community should therefore, with regard to the products originating in Turkey contained in the list annexed to this Regulation, suspend until 31 December 1986 either the fixed component of the charge applicable to the goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products, at the levels indicated for each of them;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 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 in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas, this Regulation therefore applies to the Community of Nine.

Article 1

1. From 1 January until 31 December 1986 the products originating in Turkey listed in the Annex shall be admitted for import into the Community of Nine at the customs duties indicated for each of them.

2. For the purposes of application of this Regulation, 'originating products' shall mean those products which fulfil the conditions laid down in Association Council Decision No 4/72 annexed to Regulation (EEC) No 428/73⁽³⁾, as amended by Decision No 1/75 annexed to Regulation (EEC) No 1431/75⁽⁴⁾.

The methods of administrative cooperation which ensure that the products listed in the Annexes benefit from the total or partial suspension shall be those laid down in Association Council Decision No 5/72 annexed to Regulation (EEC) No 428/73, as last amended by Decision No 1/83, annexed to Regulation (EEC) No 993/83⁽⁵⁾.

Article 2

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

Article 3

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

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽³⁾ OJ No L 59, 5. 3. 1973, p. 73.

⁽⁴⁾ OJ No L 142, 4. 6. 1975, p. 1.

⁽⁵⁾ OJ No L 112, 8. 4. 1983, p. 1.

2. Where the Commission has been requested by a Member State to take action it shall take a decision within a maximum period of 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer the Commission's action to be Council, within a period of 10 working days following the day of its notification. The intervention of

the Council shall not have a suspensory effect. The Council shall meet without delay. It may by a qualified majority amend or annul the measure taken.

Article 4

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

ANNEX

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

CCT heading No	Description	Rate of duty
07.01	Vegetables, fresh or chilled: T. Other: ex II. Aubergines, from 1 to 14 January ex III. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	9 % Free
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: ex E. Other vegetables: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	 Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Horse-radish (<i>Cochlearia armoracia</i>)	 Free
08.01	Daters, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: ex B. Bananas: — Dried	 Free
ex 08.09	Other fruit, fresh: — Rose-hips fruit — Watermelons, from 1 November to 31 March	Free 6,5 %
08.10	Fruit, (whether or not cooked), preserved by freezing, not containing added sugar: ex D. Other: — Rose-hips fruit	 Free

CCT heading No	Description	Rate of duty
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: ex E. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B and F and 08.09, excluding pineapples, melons and watermelons	Free
18.06	Chocolate and other food preparations containing cocoa: A. Cocoa powder, not otherwise sweetened than by the addition of sucrose C. Chocolate and chocolate goods, whether or not filled, sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	3 % + vc 9 % + vc with a max. of 27 % + ads
19.02	Malt extract: preparation of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B. Other: ex II. Other: — Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	2 % + vc
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a density exceeding 1,33 g/cm³ at 20 °C: III. Other: ex a) Of a value exceeding 30 ECU per 100 kg net weight: — Fruit falling within subheading 08.01 A — Fruit falling within heading Nos 08.01 B to H, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex c) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	Free 8 % 8 % + (L)

CCT heading No	Description	Rate of duty
21.07	Food preparations not elsewhere specified or included: A. Cereals in grain or ear form, pre-cooked or otherwise prepared: I. Maize II. Rice III. Other	 3 % + vc 3 % + vc 2 % + vc

Abbreviations:

(L) = levy,
vc = variable component,
ads = additional duty on sugar.

COUNCIL REGULATION (EEC) No 3667/85

of 20 December 1985

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 (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Annex to Council Regulation (EEC) No 3590/82 of 21 December 1982 on imports into the Community of 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 1986;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 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 in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and

Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure in question applies therefore to the Community of Nine;

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

Whereas on the basis of the currently available statistical data imports of the product in question from Turkey into the Member States have developed as follows over the years 1982, 1983 and 1984; whereas they represent the following percentage of the total imports into the Community from Turkey:

Member States	1982		1983		1984	
	Tonnes	%	Tonnes	%	Tonnes	%
Benelux	7 017	9,40	6 332	9,37	6 815	8,36
Denmark	1 183	1,58	1 249	1,85	999	1,23
Germany	49 562	66,37	45 649	67,58	53 831	66,06
France	9 529	12,76	7 786	11,53	9 013	11,06
Ireland	50	0,07	30	0,04	22	0,03
Italy	2 533	3,39	746	1,10	2 904	3,56
United Kingdom	4 798	6,44	5 760	8,53	7 901	9,70
Total	74 672		67 552		81 485	

⁽¹⁾ OJ No L 375, 31. 12. 1982, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

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 for 1986 at approximately the following percentages:

Benelux	9,02
Denmark	1,51
Germany	66,66
France	11,73
Ireland	0,05
Italy	2,77
United Kingdom	8,26

Whereas, 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 allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States, who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 80 % of the quota volume;

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to take this into account and to avoid a break in continuity, any Member State which has used up almost all of its initial share should draw an additional share from the reserve; whereas this should be done by each Member State each time one of its additional shares is almost used up, and so on 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 form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity of its initial share remains unused in any Member State, it is essential that it should return a significant proportion thereof to the reserve, to prevent part of the Community quota remaining unused in one Member State when it could be used in others; whereas, taking into account the seasonal nature of imports, it seems appropriate to fix the transfer limit 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, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986 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 Community tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

1. The Community tariff quota referred to in Article 1 (1) shall be divided into two instalments.
2. A 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 1986, shall be as follows:

	(tonnes)
Benelux	1 804
Denmark	302
Germany	13 332
France	2 346
Ireland	10
Italy	554
United Kingdom	1 652

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

Article 3

1. If 90 % or more of a Member State's initial share, as specified in Article 2 (2), or of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.
2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share.

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

The process shall continue to apply until the reserve is used up.

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

Article 4

The additional share drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall return to the reserve, not later than 1 October 1986, the unused portion of their initial shares which on 15 September 1986 is in excess of 40 % of the initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1986, of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1986 and, where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

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

It shall notify the Member States, not later than 5 October 1986, of the state of the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

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

2. Member States shall ensure that importers of the products have free access to the shares allocated to them or which they have taken from the reserve.

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3668/85

of 20 December 1985

totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1986)

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 Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing agricultural products⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1985 and at the levels indicated for each of them;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey⁽³⁾; whereas in the absence of Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measure referred to in Articles 180 and 367 of that Act; whereas this Regulation applies therefore to the Community of Nine,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986 the products originating in Malta listed in the Annex shall be admitted

for import into the Community of Nine at the customs duties indicated for each of them.

2. For the purposes of the application of this Regulation, the rules of origin shall be those in force at the time as regards the implementation of the Agreement establishing an Association between the European Economic Community and Malta.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

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

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

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

Article 4

This Regulation shall enter into force on 1 January 1986.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 61, 14. 3. 1971, p. 3.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen: A. Meat: III. of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, C. Other: ex I. Frog's legs II. Other	5 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: ex B. Other: — Cut flowers, not further prepared than dried — Other cut flowers	 7 % 15 %
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: III. Horse-radish (<i>Cochlearia armoracia</i>) T. Other: ex III. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (Drumsticks)	 13 % Free

CCT heading No	Description	Rate of duty
1	2	3
07.02	Vegetables (whether or not cooked); preserved by freezing: ex B. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	13 %
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: E. Other vegetables: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: ex B. Other: Horse-radish (<i>Cochlearia armoracia</i>) — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free 11 %
08.08	Berries, fresh: F. Other	5 %
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal: — Game — Rabbit III. Other: b) Other: 1. Containing bovine meat or offal: ex bb) Other: — Prepared or preserved bovine tongue	14 % 8 % 14 % 17 %

CCT heading No	Description	Rate of duty
1	2	3
16.02 <i>(cont'd)</i>	B. III. b) 2. Other: aa) Of sheep or goats: — Sheep — Goats bb) Other	 18 % 16 % 16 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:	
	B. Truffles	14 %
	D. Asparagus	20 %
	E. Sauerkraut	15 %
	ex F. Capers	12 %
	ex H. Other, including mixtures: — Moringa oleifera (drumsticks)	 Free
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:	
	A. Of a density exceeding 1,33 g/cm³ at 20 °C	
	III. Other:	
	ex a) Of a value exceeding 30 ECU per 100 kg net weight: — Fruits falling within subheading 08.01 A — Fruit falling within heading Nos 08.01 B to H, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	 Free 8 %
	ex b) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pinapples, melons and watermelons	 8 % + (L)
	B. Of a density of 1,33 g/cm³ or less at 20 °C:	
	II. Other:	
	a) Of a value exceeding 30 ECU per 100 kg net weight:	
	2. Grapefruit juice	8 %
	3. Lemon juice and other citrus fruit juices:	
	ex aa) Containing added sugar: — Excluding lemon juices	 13 %
	ex bb) Other: — Excluding lemon juices	 13 %
	6. Other fruit and vegetable juices, excluding apricot and peach juices:	
	ex aa) Containing added sugar: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapple, melons and watermelons	 8 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	B. II. a) 6. ex aa) — Other, excluding apricot and peach juices ex bb) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices 7. Mixtures: ex bb) Other excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. Containing added sugar 22. Other b) Of a value of 30 ECU or less per 100 kg net weight: 2. Grapefruit juice aa) With an added sugar content exceeding 30 % by weight bb) Other 4. Other citrus fruit juices: aa) With an added sugar content exceeding 30 % by weight bb) With an added sugar content of 30 % or less by weight cc) Not containing added sugar 7. Other fruit and vegetable juices: ex aa) With an added sugar content exceeding 30 % by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices ex bb) With an added sugar content of 30 % or less by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices	17 % 8 % 18 % 17 % 18 % 8 % + (L) 8 % 14 % + (L) 14 % 15 % 8 % + (L) 17 % + (L) 8 % 17 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	B. II. b) 7. ex cc) Not containing added sugar: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices 8. Mixtures: - ex bb) Other, excluding mixtures containing either, separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	8 % 18 % 17 % + (L) 17 % 18 %
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeast: II. Baker's yeast: a) Dried b) Other	4 % + vc 4 % + vc
23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free

Abbreviations:

(L) = levy.

vc = variable component.

COUNCIL REGULATION (EEC) No 3669/85

of 20 December 1985

on the treatment applicable to imports of wine originating in Algeria

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 20 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽¹⁾, signed on 26 April 1976, established the treatment applicable until 30 June 1981 to imports of wine originating in Algeria;

Whereas, as a transitional measure, this treatment was last extended until 31 December 1985 by Regulation (EEC) No 3296/84 ⁽²⁾;

Whereas, as an interim measure, the provisions applicable on 30 June 1981 to imports of wine originating in Algeria should again be unilaterally extended,

HAS ADOPTED THIS REGULATION:

Article 1

The import treatment applicable on 30 June 1981 to wine originating in Algeria pursuant to Article 20 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria shall be maintained until 31 December 1986.

Article 2

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

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

Done at Brussels, 20 December 1985.

*For the Council**The President*

R. KRIEPS

⁽¹⁾ OJ No L 263, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 308, 27. 11. 1984, p. 1.

COUNCIL REGULATION (EEC) No 3670/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for certain wines falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Algeria (1986)

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 People's Democratic Republic of Algeria ⁽¹⁾ provides in Article 20 for preferential treatment for the importation of certain wines having a designation of origin and falling within subheading ex 22.05 C of the Common Customs Tariff; whereas the application of this treatment is limited until 30 June 1981;

Whereas Council Regulation (EEC) No 3669/85 ⁽²⁾ provides for the treatment which the Community has applied until 31 December 1985 to be extended until 31 December 1986; whereas this treatment provides that certain wines having a designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Algeria shall be exempt from customs duties on importation into the Community within the limits of a Community tariff quota of 450 000 hectolitres; whereas the wines must be put up in containers holding a maximum of two litres; whereas these wines must be accompanied by a certificate of designation of origin in accordance with the model given in Annex D to the Agreement; whereas the Community tariff quota in question should therefore be opened for the period 1 January to 31 December 1986;

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 ⁽³⁾, as last amended by Regulation (EEC) No 2342/84 ⁽⁴⁾, must be complied with;

Whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measures in question applies therefore to the Community of Ten;

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quota, and uninterrupted application of the rates laid down for this quota to all imports of the products concerned into the 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 most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference to both the statistics relating to imports of the said products from Algeria over a representative reference period and the economic outlook for the quota period concerned;

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

Whereas, 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 allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 50 % of the quota volume;

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to take this into account and to avoid a break in continuity, any Member State which has used up almost all of its initial share should draw an additional share from the reserve; whereas this should be done by each Member State each time one of its additional shares is almost used up, and so on as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the

⁽¹⁾ OJ No L 263, 28. 9. 1978, p. 2.

⁽²⁾ See page 19 of this Official Journal.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁴⁾ OJ No L 217, 14. 8. 1984, p. 6.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986, a Community tariff quota of 450 000 hectolitres shall be opened in the Community of Ten for the following products originating in Algeria:

CCT heading No	Description
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: ex C. Other: — Wines entitled to one of the following designations of origin: Ain Bessem-Bouira, Médéa, Coteaux du Zaccar, Dahra, Coteaux de Mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding two litres or less

2. Within this tariff quota the Common Customs Tariff duties applicable to these wines shall be totally suspended.

3. The wines in question are subject to compliance with the free-at-frontier reference price.

The wines in question shall benefit from this tariff quota on condition that Article 18 of Regulation (EEC) No 337/79 shall be complied with.

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

Article 2

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

2. A first instalment of the quota shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid up to 31 December 1986, shall be as follows:

	(hectolitres)
Benelux	37 350
Denmark	22 500
Germany	48 000
Greece	1 000
France	46 000
Ireland	15 300
Italy	22 500
United Kingdom	37 350

3. The second instalment amounting to 220 000 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 of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share.

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

This process shall continue to apply until the reserve is used up.

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

Article 4

The additional share drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall return to the reserve, not later than 1 October 1986, the unused portion of their initial shares which on 15 September 1986 is in excess of 20 % of the initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1986, of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1986 and, where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

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

It shall notify the Member States, not later than 5 October 1986, of the state of the reserve after quantities have been returned thereto pursuant to Article 5.

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

Done at Brussels, 20 December 1985.

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

Article 7

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

2. Member States shall ensure that importers of the products 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 be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1986.

For the Council

The President

R. KRIEPS

ANNEX

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

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

Alkohol tilsat denne vin er alkohol fremstillet af vin.

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

Der diesem Wein zugefügte Alkohol ist aus Wein gewonnener Alkohol.

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

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

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

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

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

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

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

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

Πιστοποιούμε ότι ο οίνος ο περιγραφόμενος σ' αυτό το πιστοποιητικό παρήχθη στη ζώνη και αναγνωρίζεται, σύμφωνα με τη νομοθεσία της Αλγερίας, ότι δικαιούται της ονομασίας προελεύσεως « ».

Η αλκοόλη που έχει προστεθεί σ' αυτόν τον οίνο είναι οινικής προελεύσεως.

16. (¹)

يحتفظ بهذه الخانة لمعلومات أخرى من الدولة المصدرة

(¹) Rubrik forbeholdt eksportlandets andre angivelser.

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

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

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

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

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

(¹) Χώρος που προορίζεται για άλλες ενδείξεις της χώρας εξαγωγής.

COUNCIL REGULATION (EEC) No 3671/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Yugoslavia (1986)

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 22 of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾ stipulates that certain wines having a registered designation of origin falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Yugoslavia and specified in the Agreement in the form of an exchange of letters of 18 July 1983, shall be imported into the Community at customs duties equal to 70 % of the duties of the Common Customs Tariff within the limits of an annual Community tariff quota of 12 000 hectolitres; whereas these wines must be put in containers holding two litres or less and must be accompanied by a certificate of designation of origin in accordance with the model appearing in the Annex to this Regulation; whereas a tariff quota of 12 000 hectolitres should therefore be opened for the period up to 31 December 1986;

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 ⁽²⁾, as last amended by Regulation (EEC) No 2342/84 ⁽³⁾, must be complied with;

Whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure in question applies therefore to the Community of Ten;

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quota, and uninterrupted application of the rates laid down for this quota to all imports of the

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

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

Whereas, 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 allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 85 % of the quota volume;

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to take this into account and to avoid a break in continuity, any Member State which has used up almost all of its initial share should draw an additional share from the reserve; whereas this should be done by each Member State each time one of its additional shares is almost used up, and so on as many times as the reserve allows; whereas the initial and additional shares must be valid until end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas, if at a given date in the quota period a substantial quantity of its initial share remains unused in any Member State, it is essential that it should return a significant

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽³⁾ OJ No L 217, 14. 8. 1984, p. 6.

proportion thereof to the reserve, to prevent part of the Community quota remaining unused in one Member State when it could be used in others;

HAS ADOPTED THIS REGULATION:

Article 1

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, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members.

1. From 1 January to 31 December 1986 the Common Customs Tariff duties in respect of the import into the Community of Ten of the following products originating in Yugoslavia shall be suspended at the levels shown below within the limits of a Community tariff quota of 12 000 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: — wines entitled to one of the following designations of origin: — Ljutomersko — Ormoške gorice, Laški Rizling — Ohrid, Merlot — Heržegovina — Mostar: — Žilavka — Blatina — Fruška Gora, Talijanski Rizling — Oplenac, Lipovac — Istra, Merlot — Tikveš: — Krater — Kratošija — Srednja i južna dalmacija: — Dingač — Kaštelet — Crna Gora, Vranac 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: — wines entitled to one of the following designations of origin: — Ljutomersko — Ormoške gorice, Laški Rizling — Ohrid, Merlot — Heržegovina — Mostar: — Žilavka — Blatina — Fruška Gora, Talijanski Rizling — Oplenac, Lipovac — Istra, Merlot — Tikveš: — Krater — Kratošija — Srednja i južna dalmacija: — Dingač — Kaštelet — Crna Gora, Vranac	10,1 ECU/hl 11,8 ECU/hl

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.

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

Article 2

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

2. A first instalment, amounting to 10 200 hectolitres shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1986, shall be as follows:

	(hectolitres)
Benelux	330
Denmark	2 510
Germany	5 770
Greece	10
France	100
Ireland	30
Italy	110
United Kingdom	1 340

3. The second instalment, amounting to 1 800 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 of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5% of its initial share.

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

This process shall continue to apply until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall return to the reserve, not later than 1 October 1986, the unused portion of their initial shares which on 15 September 1986 is in excess of 20 % of the initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1986, of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1986 and, where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

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

It shall notify the Member States, not later than 5 October 1986, of the state of the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

1. Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged

without interruption against their aggregate shares in the Community quota.

2. Member States shall ensure that importers of the products 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 request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3672/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff (1986)

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 Community has undertaken to open an annual Community tariff quota of at least 600 000 m³ for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff; whereas, under Protocol 11 to the Act of Accession⁽¹⁾, the Community is required to open each year autonomous nil duty Community tariff quotas for the same products, the volume thereof to be decided annually when it is established that all possibilities of supply on the internal market of the Community have been exhausted during the period for which the quotas are open; whereas the condition laid down by the said Protocol does not seem to be met at the moment; whereas, in these circumstances, it is appropriate to limit oneself in the first stage to the contractual volume of 600 000 m³; whereas the fixing of the quota volume at this level does not exclude, moreover, recourse to the provisions of the abovementioned Protocol 11 during the quota period; whereas therefore, the tariff quota in question should be opened on 1 January 1986 and allocated among Member States, taking into account Spain's and Portugal's participation as from 1 March 1986; whereas this participation can initially be confined to the possible application of Article 2 (4);

Whereas, to take more precise account of future, trends in imports of the products concerned, the quota should be divided into two tranches, the first being allocated among the Member States of the Community of Ten held and the second held as a reserve to cover the subsequent requirements of Member States which have exhausted their initial shares as well as those of the new Member States; whereas, in order to offer importers some degree of security, the first tranche of the quota should be fixed at a relatively high level, or about 98 % of its full amount; whereas, on the basis of Member States estimates for their needs, the initial shares may be fixed as set out in Article 2;

Whereas Member States may use up their initial shares at different rates; whereas, to provide for this eventuality and to avoid disruption of supplies, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas, each time its

additional share is almost used up, a Member State should draw an additional share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between Member States and the Commission, which latter must, in particular be able to keep a record of the extent to which the quota has been used up and to inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986 a Community tariff quota of 600 000 m³ shall be opened for the following products falling within heading No ex 44.15 of the Common Customs Tariff:

- (a) plywood of coniferous species, without the addition of other substances, of a thickness greater than 8,5 mm, the faces of which are not further prepared than the peeling process;
- (b) plywood of coniferous species, without the addition of other substances, sanded, and of a thickness greater than 18,5 mm.

2. Imports of the products in question may not be charged against this tariff quota if they are already free of customs duties under other preferential tariff arrangements.

3. The Common Customs Tariff duty shall be totally suspended within the limits of the above quota.

Within the limits of this tariff quota, Spain and Portugal shall apply duties calculated in accordance with the relevant provisions set out in the 1985 Act of Accession.

⁽¹⁾ OJ No L 73, 27. 2. 1972, p. 170.

Article 2

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

2. A first tranche of 590 000 m³ shall be allocated among the Member States of the Community of Ten; these shares, which, subject to Article 5, shall be valid until 31 December 1986 shall be as follows:

	(cubic metres)
Benelux	152 695
Denmark	64 490
Germany	93 220
Greece	50
France	10 915
Ireland	8 850
Italy	23 780
United Kingdom	236 000

3. The second tranche of 10 000 m³ shall constitute the reserve.

4. If, from 1 March 1986, an importer notifies an imminent importation of the product in question in Spain or Portugal and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

Article 3

1. If 90 % or more of a Member State's initial share as fixed in Article 2 (2), or of that share minus any portion returned to the reserve where Article 5 has been applied has been used up, that Member State shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share, rounded up as necessary to the next whole number.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up as necessary to the next whole number.

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

This procedure shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw lesser shares than those specified therein if there are grounds for believing that those

specified may not be used in full. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall return to the reserve, not later than 1 October 1986, the unused portions of their initial shares which, on 15 September 1986, are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall notify the Commission, not later than 1 October 1986, of the total quantities of the products in question imported up to 15 September 1986 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1986, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

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

Article 7

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

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

3. Member States shall charge imports of the products in question against their shares as and when the products 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 imports charged against that share in accordance with paragraph 3.

Article 8

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

Article 9

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 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3673/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1986) and extending this quota to include certain other types of paper

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, for newsprint falling within subheading 48.01 A of the Common Customs Tariff, the Community has decided to conclude an agreement which provides in particular for the opening of a Community tariff quota of 650 000 tonnes, of which 600 000 tonnes are reserved until 30 November each year, in accordance with Article XIII of the General Agreement on Tariffs and Trade, exclusively for products from Canada; whereas this Agreement provides equally that from 30 November each year the residue which has not been used by 29 November can be applied to imports of newsprint of any origin; whereas, therefore, an overall duty-free Community tariff quota of 650 000 tonnes should be opened for the product in question for 1986, subdivided as indicated above;

Whereas provision should be made for extending the tariff quota in question to include certain types of paper fulfilling all the conditions set out in the Additional Note to Chapter 48 except those relating to watermarks;

Whereas, in particular, equal and continuous access to the said quotas should be ensured for all importers and the rate of duty for the tariff quota should be applied without interruption to all imports of the product in question until these quotas are exhausted; whereas in the light of these principles, arrangements for the utilization of Community tariff quotas based on an allocation among Member States would seem to be consistent with the Community nature of the said quotas; whereas, in order that it may correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics on imports from third countries which do not benefit from a similar preference, during a representative reference period, and to the economic outlook for the year covered by the quota in question;

Whereas for the past three years for which complete statistics are available, the corresponding imports of each of the Member States represent, with reference to the total imports of the products in question coming from third

countries which do not benefit from equivalent preference, the following percentages:

— from Canada:

	1981	1982	1983
Benelux	8,93	7,40	5,99
Denmark	0	0,01	0,01
Germany	12,50	14,34	11,35
Greece	0	0,03	0
France	1,19	0,93	0,83
Ireland	0,95	1,51	1,40
Italy	0,01	0,30	1,70
United Kingdom	76,42	75,48	78,72

— from other countries:

	1981	1982	1983
Benelux	8,11	26,79	19,79
Denmark	0	0,01	0,47
Germany	31,59	40,83	32,50
Greece	35,47	21,85	17,13
France	3,65	2,94	2,82
Ireland	0	0	0,05
Italy	4,17	4,42	3,00
United Kingdom	17,01	3,16	24,24

Whereas, in view of the above and of the foreseeable trend on the market in newsprint in general, and of Community production in particular during 1986, the percentages of initial participation in the quota amounts may be allocated, approximately, as follows:

	Amount of 600 000 tonnes	Amount of 50 000 tonnes
Benelux	7,52	5,19
Denmark	0,11	0,21
Germany	16,37	41,08
Greece	0,19	28,10
France	1,02	3,64
Ireland	1,30	0,02
Italy	0,93	4,49
United Kingdom	72,56	17,27

Whereas, to take account of import trends for the product concerned, the quotas should be divided into two tranches, the first being allocated among the Member States and the

second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, to give importers some degree of certainty and yet enable Community production to be disposed of on satisfactory terms, the first tranche of the Community quotas should be fixed at about 90 % and 77 % of the quota volumes;

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

Whereas, if at a given date in the quota period a quantity of a Member State's initial share remains unused, it is essential, to prevent a part of the Community tariff while it could be used in others, that such State should return a significant proportion thereof to the reserve;

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 transaction in respect of the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1986 until 31 December 1986 a Community tariff quota with a total volume of 650 000 tonnes shall be opened in the Community for newsprint falling within subheading 48.01 A of the Common Customs Tariff⁽¹⁾.

2. The Common Customs Tariff duty shall be totally suspended within the limit of the above quota.

3. Imports of newsprint shall not be charged against this tariff quota if they are already free of customs duties under other preferential treatment.

4. Without prejudice to the international obligations of the Community, Member States may charge against this tariff quota the other types of paper complying, except as

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities.

regards the criteria governing watermarks, with the definition of newsprint contained in the Additional Note to Chapter 48.

Article 2

1. The tariff quota referred to in Article 1 (1) shall be divided as follows:

- (a) 600 000 tonnes for imports from Canada;
- (b) 50 000 tonnes for imports from other third countries.

2. However, from 30 November 1986 the residue of the amounts referred to in paragraph 1 which have not actually been used by 29 November 1986 or which are not expected to be used before 31 December 1986 can be applied to imports of the products in question whether from Canada or from another third country.

Article 3

1. A first tranche of each of the amounts referred to in Article 2 (1) consisting of 537 500 tonnes for the amount referred to in subparagraph (a) and 38 510 tonnes for the amount referred to in subparagraph (b), shall be allocated among the Member States; their shares which, subject to Article 6 shall be valid from 1 January to 31 December 1986, shall be as follows:

	Amount Article 2 (1) (a)	Amount Article 2 (1) (b)
Benelux	40 400	2 000
Denmark	600	80
Germany	88 000	15 820
Greece	1 000	10 820
France	5 500	1 400
Ireland	7 000	10
Italy	5 000	1 730
United Kingdom	390 000	6 650

2. The second tranches, amounting respectively to 62 500 tonnes and 11 490 tonnes, shall constitute the reserves.

Article 4

1. If 90 % or more of one of any Member State's initial shares, as laid down in Article 3 (1) or 90 % of that share less the amount returned into the corresponding reserve, where Article 6 has been applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 10 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares has been used up, 90 % or more of the second share drawn by one of the Member States has been used up, that Member State shall, in the manner provided for in paragraph 1, draw a third share equal to 5 % of its initial share.

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

This procedure shall be followed until the reserve has been exhausted.

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

Article 5

The additional shares drawn pursuant to Article 4 shall be valid until 31 December 1986.

Article 6

The Member States return to the reserve, not later than 1 October 1986, the unused portion of their initial shares which on 15 September 1986 is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1986 notify the Commission of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1986 and, where appropriate, the proportion of their initial shares that they are returning to each of the reserves.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4, and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

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

Done at Brussels, 20 December 1985.

It shall, not later than 5 October 1986, notify the Member States of the state of each of these reserves after the return of shares pursuant to Article 6.

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

Article 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 4 are opened in such a way that imports may be charged without interruption against their accumulated share of the quota.

2. Member States shall take all measures necessary to ensure that the types of paper referred to in Article 1 fulfil the prescribed conditions before they can benefit from the present tariff quota.

In such a case, the control of the use of the goods for the prescribed end use shall be carried out by applying the relevant Community provisions.

3. Member States shall ensure that importers of the products in question have free access to the shares allocated to it.

4. The extent to which a Member States has used up its shares shall be determined on the basis of imports of the products in question entered with the customs authorities for free circulation.

Article 9

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

Article 10

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

Article 11

This Regulation shall enter into force on 1 January 1986.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3674/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for ferro-silicon, falling within subheading 73.02 C of the Common Customs Tariff (1986)

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, as regards ferro-silicon falling within subheading 73.02 C, the European Economic Community has undertaken to open an annual duty-free tariff quota of 20 000 tonnes; whereas this should, however, be reduced to 12 600 tonnes take account of the traditional imports from EFTA countries which have been free of customs duty under the Agreements concluded with those countries, as well as obligations entered into in relation to a third country which has the right of the previous negotiator for this quota volume; whereas the quota concerned should therefore be opened on 1 January 1986 and allocated among the Member States by providing for Spain's and Portugal's participation as from 1 March 1986; whereas this participation can initially be confined to the possible application of Article 2 (4);

Whereas equal and continuous access to the quota should be ensured for all importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is exhausted; whereas arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, to correspond as closely as possible to the actual trend to the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, during the last three years for which complete statistics are available, the corresponding imports into each of the Member States represented the following percentages of imports of the products in question from third countries not benefiting from an equivalent preferential arrangement:

	1982	1983	1984
Benelux	7,75	11,24	11,35
Denmark	0	0	0
Germany	72,26	76,83	73,57
Greece	0,01	0,04	0
France	1,31	0,30	0,56
Ireland	0,01	0	0
Italy	13,62	2,63	4,00
United Kingdom	5,04	8,96	10,52

Whereas, in view of these factors and of market forecasts for ferro-silicon for 1986, the initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	9,64
Denmark	0,01
Germany	70,83
Greece	0,02
France	1,67
Ireland	0,02
Italy	10,85
United Kingdom	6,96

Whereas, to take account of future import trends for the product concerned, the quota volume should be divided into two instalments, the first being allocated among Member States of the Community of Ten and the second held as a reserve to cover subsequent the requirements of Member States which have used up their initial share as well as the requirements of the new Member States; whereas, to give importers some degree of certainty, the first instalment of the tariff quota should be fixed at a high level, which in this case could be approximately 95 % of the volume of the quota;

Whereas initial shares may be used up at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost up a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which latter must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986 a Community tariff quota of 12 600 tonnes shall be opened in the Community for ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff.
2. Imports of the product in question may not be charged against this tariff quota if they are already free of customs duties under other preferential tariff arrangements.
3. Within this quota the Common Customs Tariff duty shall be totally suspended.
4. Within the limits of this tariff quota, Spain and Portugal shall apply duties calculated in accordance with the relevant provisions in the 1985 Act of Accession.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.
2. A first instalment of 12 000 tonnes shall be allocated among the Member States of the Community of Ten; the shares, which, subject to Article 5, shall be valid from 1 January to 31 December 1986 shall be as follows:

	(tonnes)
Benelux	1 157
Denmark	1
Germany	8 500
Greece	2
France	200
Ireland	2
Italy	1 302
United Kingdom	836

3. The second instalment of 600 tonnes shall constitute the reserve.

4. If, from 1 March 1986, an importer notifies an imminent importation of the product in question in Spain or Portugal and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (2), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 5 % of its initial share rounded up as necessary to the next whole number.
2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 2,5 % of its initial share rounded up as necessary to the next whole number.
3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall, not later than 1 Oktober 1986, return to the reserve the unused portion of their initial share which, on 15 September 1986, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 Oktober 1986, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1986,

and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

Member States may restrict the charging of imports against their shares to products for certain intended uses. In that case the Community provisions on the matter shall be applied for checking that the product has been used for the stipulated purpose.

Article 7

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 the information reaches it, inform each State of the extent to which the reserve had been used up.

It shall, not later than 5 October 1986 inform the Member States of the amount still in reserve, following any return of shares 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.

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

Done at Brussels, 20 December 1985.

Article 8

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

2. Member States shall ensure that importers of the product in question have free access to the shares allocated to them.

3. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the product in question entered with the customs authorities for free circulation.

Article 9

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

Article 10

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

Article 11

This Regulation shall enter into force on 1 January 1986.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3675/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for ferro-silico-manganese, falling within subheading 73.02 D of the Common Customs Tariff (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 13 thereof,

Having regard to the proposal from the Commission,

Whereas, as regards ferro-silico-manganese falling within subheading 73.02 D, the European Economic Community has undertaken to open an annual duty-free Community tariff quota of 50 000 tonnes; whereas this should however be reduced to 18 550 tonnes to take account of the traditional imports from EFTA countries which have been free of customs duty under the Agreements concluded with those countries; whereas the tariff quota concerned should therefore be opened on 1 January 1986 and allocated among the Member States by providing for Spain's and Portugal's participation as from 1 March 1986; whereas this participation can initially be confined to the possible application of Article 2 (3);

Whereas equal and continuous access to the quota should be ensured for all importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, in order that it may correspond as closely as possible to the actual market trends in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistical data on imports from third countries during a representative reference period and to the economic prospects for the quota period in question;

Whereas, during the last three years for which complete statistics are available, the corresponding imports into each of the Member States represented the following percentages of imports of the product in question from third countries, not benefiting from an equivalent preferential arrangement:

	1982	1983	1984
Benelux	3,21	2,52	3,59
Denmark	0	0	0
Germany	49,14	73,83	74,88
Greece	0,14	0	0
France	11,80	2,22	0,28
Ireland	0	0	0
Italy	19,98	15,23	12,50
United Kingdom	15,73	6,20	8,75

Whereas, in view of the factors and of market forecasts for ferro-silico-manganese for 1986 the initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	3,13
Denmark	0,01
Germany	61,52
Greece	0,07
France	4,53
Ireland	0,01
Italy	18,04
United Kingdom	12,69

Whereas, to take account of future trends in imports of the product in question, the quota volume should be divided into two instalments, the first being allocated between the Member States of the Community of Ten, and the second forming a reserve intended to cover any subsequent requirements to Member States which have used up their initial share, as well as the requirements of the new Member States; whereas, in order to give importers some degree of certainty, the first instalment of the tariff quota should be fixed at a high level, which in this case should be approximately 95% of the volume of the quota;

Whereas initial shares may be used up at different rates; whereas, to avoid disruption of supplies on this account, it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost used up a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which latter must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986 a Community tariff quota of 18 550 tonnes shall be opened in the Community for ferro-silico-manganese falling within subheading 73.02 D of the Common Customs Tariff.
2. Imports of the product in question may not be charged against this tariff quota if they are already free of customs duties under other preferential tariff arrangements.
3. Within this quota the Common Customs Tariff duty shall be totally suspended.
4. Within the limits of this tariff quota, Spain and Portugal shall apply duties calculated in accordance with the relevant provisions in the 1985 Act of Accession.

Article 2

1. A first instalment of 17 650 tonnes of this Community tariff quota shall be allocated among the Member States of the Community of Ten; the shares, which subject to Article 5 shall be valid from 1 January to 31 December 1986 shall be as follows:

	(tonnes)
Benelux	552
Denmark	2
Germany	10 858
Greece	12
France	800
Ireland	2
Italy	3 184
United Kingdom	2 240

2. The second instalment of 900 tonnes shall constitute the reserve.
3. If, from 1 March 1986, an importer notifies an imminent importation of the product in question in Spain

or Portugal and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.
2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share rounded up as necessary to the next whole number.
3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall, not later than 1 October 1986, return to the reserve the unused portion of their initial share which, on 15 September 1986, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1986, notify the Commission of the total quantities of the production in question imported up to and including 15 September 1986 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

Member States may restrict the charging of imports against their shares to products for certain intended uses. In that case the Community provisions on the matter shall be applied for checking that the product has been used for the stipulated purpose.

Article 7

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

It shall, not later than 5 October 1986, inform the Member States of the amount still in reserve, following any return of shares 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 States making the last drawing.

Article 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged

without interruption against their aggregate shares of the Community quota.

2. Member States shall ensure that importers of the product in question have free access to the shares allocated to them.

3. Member States shall charge imports of the product in question against their shares as and when the product is entered with the 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 9

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

Article 10

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

Article 11

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3676/85

of 20 December 1985

opening, allocating and providing for the administration of a Community tariff quota for ferro-chromium containing not more than 0,10 % by weight of carbon and more than 30 % but not more than 90 % by weight of chromium (super-refined ferro-chromium), falling within subheading ex 73.02 E I of the Common Customs Tariff (1986)

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, as regards ferro-chromium containing by weight not more than 0,10 % of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium), falling within subheading ex 73.02 E I, the European Economic Community has undertaken to open an annual duty-free tariff quota of 3 000 tonnes; whereas this should however, be reduced to 2 950 tonnes to take account of the traditional imports from EFTA countries which have been free of customs duty under the Agreements concluded with those countries; whereas the tariff quota concerned should therefore be opened on 1 January 1986 and allocated among the Member States by providing for Spain's and Portugal's participation as from 1 March 1986; whereas this participation can initially be confined to the possible application of Article 2 (3);

Whereas equal and continuous access to the quota should be ensured for all importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is used up; whereas arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas ferro-chromium of this quite specific quality is not singled out in the Member States' statistical nomenclatures; whereas their corresponding imports from third countries not already benefiting from an equivalent preferential arrangement could not be detailed in their entirety for the abovementioned reference period; whereas, taking into

account the foreseeable evolution of the market in such ferro-chromium for 1986 and in particular the forecasts made by the Member States, the initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	15,93
Denmark	0,03
Germany	27,71
Greece	0,17
France	29,10
Ireland	0,03
Italy	8,66
United Kingdom	18,37

Whereas, to take account of future import trends for the product concerned, the quota should be divided into two instalments, the first being allocated between the Member States and the Community of Ten and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial share, as well as the requirement of the new Member States; whereas, to give importers some degree of certainty, the first instalment of the tariff quota should be fixed at a high level, which in this case could be approximately 91 % of the volume of the quota;

Whereas initial shares may be used up at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost used up a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, which latter must be in a position to keep account of the extent to which the quotas have been used up and inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1986 a Community tariff quota of 2 950 tonnes shall be opened in the Community for ferro-chromium containing by weight not more than 0,10 % of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium), falling within subheading ex 73.02 E I of the Common Customs Tariff.
2. Imports of the product in question may not be charged against this tariff quota if they are already free of customs duties under other preferential tariff arrangements.
3. Within this quota, Common Customs Tariff duty shall be totally suspended.
4. Within the limits of this tariff quota, Spain and Portugal shall apply duties calculated in accordance with the relevant provisions in the 1985 Act of Accession.

Article 2

1. A first instalment of 2 700 tonnes of this Community tariff quota shall be allocated among the Member States of the Community of Ten; the shares, which subject to Article 5 shall be valid from 1 January to 31 December 1986, shall be as follows:

	(tonnes)
Benelux	430
Denmark	1
Germany	748
Greece	4
France	786
Ireland	1
Italy	234
United Kingdom	496

2. The second instalment of 250 tonnes shall constitute the reserve.
3. If, from 1 March 1986, an importer notifies an imminent importation of the product in question in Spain or Portugal and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.
2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share rounded up as necessary to the next whole number.
3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

Member States shall, not later than 1 October 1986, return to the reserve the unused portion of their initial share which, on 15 September 1986, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1986, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1986 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

Member States may restrict the charging of imports against their shares to products for certain intended uses. In that

case the Community provisions on the matter shall be applied for checking that the product has been used for the stipulated purpose.

Article 7

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 the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 October 1986, inform the Member States of the amount still in reserve, following any return of shares 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 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged

without interruption against their aggregate share of the Community quota.

2. Member States shall ensure that importers of the product in question have free access to the shares allocated to them.

3. The extent to which the Member States have used up their shares shall be determined on the basis of imports of the products in question entered with the customs authorities for free circulation.

Article 9

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

Article 10

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

Article 11

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

COUNCIL REGULATION (EEC) No 3677/85

of 20 December 1985

amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 396 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas pursuant to the Act of Accession of Spain and Portugal, and in particular Article 27 thereof, Regulation (EEC) No 3164/76 ⁽³⁾, as last amended by Regulation (EEC) No 3243/85 ⁽⁴⁾, should be amended in order to allocate an appropriate number of Community authorizations to Spain and Portugal;

Whereas, by virtue of Article 2 (3) of the Treaty of Accession, the institutions of the Communities may adopt, before accession, the measures referred to in Article 396 of the Act, such measures entering into force subject to, and on the date of, the entry into force of the said Treaty;

Whereas the enlargement of the Community will result in an increase in the road haulage market; whereas an additional number of Community authorizations should therefore be fixed for the ten present Member States;

Whereas a number of technical amendments should also be made to Regulation (EEC) No 3164/76,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3164/76 is hereby amended as follows:

1. Article 3 (4) shall be replaced by the following:

'4. For 1986, the number of Community authorizations allocated to each of the Member States shall be as follows:

Belgium	707
Denmark	625
Germany	1 112
Greece	170
Spain	673
France	957
Ireland	204
Italy	883
Luxembourg	245
Netherlands	955
Portugal	233
United Kingdom	673'

2. Article 4 (2) shall be replaced by the following:

'2. The competent authorities of the Member States shall forward to the Commission in anonymous form the information received in respect of each quarter, in the form of a table, a model of which is contained in Annex III, within three months following the end of the quarter concerned.

The Community shall reimburse to the authorities of the Member States the cost of analyzing the statistical data and of compiling the tables referred to in the first subparagraph.'

3. Footnote 1 on page (a) of Annexes I, Ia, II and IIa shall be replaced by the following:

'International distinguishing signs of Member States:

Belgium (B), Denmark (DK), Germany (D), Greece (GR), Spain (E), France (F), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), United Kingdom (GB).';

4. The heading 'Column 5' on page (C) of Annexes II and IIa shall be replaced by the following:

'Column 5; Use the following international distinguishing signs:

Belgium: B	Spanien: E
Denmark: DK	France: F
Germany: D	Ireland: IRL
Greece: GR	Italy: I

⁽¹⁾ OJ No C 284, 7. 11. 1985, p. 6.

⁽²⁾ Opinion delivered on 27 November 1985 (not yet published in the Official Journal).

⁽³⁾ OJ No L 357, 29. 12. 1976, p. 1.

⁽⁴⁾ OJ No L 309, 21. 11. 1985, p. 1.

Luxembourg: L
Netherlands: NL

Portugal: P
United Kingdom: GB

Article 2

5. Annex III is replaced by the Annex appearing in this Regulation.

This Regulation shall enter into force on 1 January 1986, subject to the entry into force of the Treaty of Accession of Spain and Portugal.

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

Done at Brussels, 20 December 1985.

For the Council

The President

R. KRIEPS

ANNEX

ANNEX III

Transport operations carried out in (quarter) (year) under cover of Community transport authorizations issued by (international distinguishing sign of the country)

Member State of		Number of	
Loading	Unloading	Tonnes carried	Tonne-kilometres worked (thousands)
D	F I NL B L GB IRL DK GR E P		
	Total		
F	D I NL B L GB IRL DK GR E P		
	Total		
I etc.	D F NL B L GB etc.		
	Grand total		