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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4007/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽¹⁾, signed on 27 April 1976, provides for the opening by the Community of an annual Community tariff quota of 8 250 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1987;

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community as constituted on 31 December 1985;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be

respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Morocco over a representative reference period and also to the economic outlook for the quota period in question;

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

Member State	1983	1984	1985
Benelux	1	2	6
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
France	97	98	94
Ireland	—	—	—
Italy	—	—	—
United Kingdom	2	—	—

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

Benelux	5,5
Denmark	1,3
Germany	6,5
Greece	0,3
France	75,7
Ireland	1,3
Italy	1,3
United Kingdom	8,1

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 1.

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 55 % of the quota volume;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1987, the customs duty applicable in the Community, as constituted on 31 December 1985, on the following products, shall be suspended at the level and within the limits of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Tariff quota duty (%)
09.1105	ex 20.06 B II c) 1 aa)	Apricot pulp originating in Morocco	8 250	11,9

Article 2

1. A first instalment amounting to 3 700 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1987 shall be as follows:

	(tonnes)
Benelux	200
Denmark	50
Germany	240
Greece	10
France	2 800
Ireland	50
Italy	50
United Kingdom	300

2. The second instalment amounting to 4 550 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the

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

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

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

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in

those paragraphs if there are grounds for believing that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial shares as, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1987, of the total quantities of the products in question imported up to 15 September 1987 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, shall

notify the amount of that balance to the Member State making the last drawing.

Article 7

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4008/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾, signed on 25 April 1976, provides for the opening by the Community of an annual Community tariff quota of 4 300 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1987;

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must adopt the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community as constituted on 31 December 1985;

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

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

Member State	1983	1984	1985
Benelux	—	—	—
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
France	100	100	100
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

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

Benelux	2,4
Denmark	2,4
Germany	4,4
Greece	0,5
France	78,1
Ireland	2,4
Italy	2,4
United Kingdom	7,4

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 50 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 1.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1987 the customs duty applicable in the Community, as constituted on 31 December 1985, on the following products, shall be suspended at the level and within the limits of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Tariff quota duty (%)
09.1203	ex 20.06 B II c) 1 aa)	Apricot pulp originating in Tunisia	4 300	11,9

Article 2

1. A first instalment amounting to 2 050 tonnes of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1987, shall be as follows:

	(tonnes)
Benelux	50
Denmark	50
Germany	90
Greece	10
France	1 600
Ireland	50
Italy	50
United Kingdom	150

2. The second instalment amounting to 2 250 tonnes shall constitute the reserve.

Article 3

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

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial

share as, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1987, of the total quantities of the products in question imported up to 15 September 1987 and charged against the tariff quota and of any quantity of the initial shares returned to the reserves.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3

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

Done at Brussels, 16 December 1986.

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4009/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the State of Israel ⁽¹⁾, provides for the opening by the Community of an annual Community tariff quota of 150 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1987;

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must adopt the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community as constituted on 31 December 1985;

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

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of total imports of the product in question originating in Israel:

Member State	1983	1984	1985
Benelux	100	100	100
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
France	—	—	—
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas these data cannot be considered as representative to serve as a basis for allocation of the quota volume among the Member States; whereas it is difficult to estimate imports by Member States for 1987 because of the situation in previous years; whereas to allocate the quota volume on a fair basis, the approximate percentages of initial quota shares may be fixed as follows:

Benelux	77,7
Denmark	1,7
Germany	1,7
Greece	1,7
France	1,7
Ireland	1,7
Italy	1,7
United Kingdom	12,1

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

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share

⁽¹⁾ OJ No L 136, 28. 5. 1975, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

From 1 January to 31 December 1987, the customs duty applicable in the Community, as constituted on 31 December 1985, on the following products, shall be suspended at the level and within the limits of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Tariff quota duty (%)
09.1301	ex 20.06 B II c) 1 aa)	Apricot pulp, originating in Israel	150	11,9

Article 2

1. A first instalment amounting to 116 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the respective shares which, subject to Article 5, shall be valid until 31 December 1987, shall be as follows:

	(tonnes)
Benelux	90
Denmark	2
Germany	2
Greece	2
France	2
Ireland	2
Italy	2
United Kingdom	14

2. The second instalment amounting to 34 tonnes shall constitute the reserve.

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

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

This process shall continue until the reserve is used up.

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

Article 3

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial

share as, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1987, of the total quantities of the products in question imported up to 15 September 1987 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4010/86

of 16 December 1986

establishing ceilings and Community surveillance of imports of certain products originating in Malta (1987)

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 provisions of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾ have lapsed;

Whereas, pending the entry into force of a new Protocol, it is necessary to extend, for 1987, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas, the Council adopted Regulation (EEC) No 2357/86 determining the arrangements to be applied with regard to imports into Greece of certain products originating in Malta ⁽²⁾;

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas this Regulation applies, therefore, to the Community as constituted on 31 December 1985;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be re-established; whereas the ceilings to be applied in 1987 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the

products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being re-established as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish custom tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987 imports into the Community, as constituted on 31 December 1985, of the products listed in the Annex and in Malta shall be subject to annual ceilings and Community surveillance.

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

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

⁽¹⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽²⁾ OJ No L 205, 29. 7. 1986, p. 9.

⁽³⁾ OJ No L 111, 28. 4. 1976, p. 3.

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

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

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

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

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

ANNEX

List of products subject to import ceilings in 1987

Serial No	CCT heading No	Description	NIMEXE- code	Level of ceiling (tonnes)
1	2	3	4	5
11.0010	55.05	Cotton yarn, not put up for retail sale	55.05-all numbers	Ceiling delayed
11.0020	55.09	Other woven fabrics of cotton	55.09-all numbers	Ceiling delayed
11.0030	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all numbers	Ceiling delayed
11.0040	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05-all numbers	Ceiling delayed
11.0050	61.01	Men's and boys' outer garments	61.01-all numbers	1 326

COUNCIL REGULATION (EEC) No 4011/86

of 16 December 1986

opening, allocating and providing for the administration of autonomous tariff quotas for coffee, unroasted and not freed of caffeine, and cocoa beans, whole or broken, falling within subheading 09.01 A I a) and heading No 18.01 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation from the Commission,

Whereas in the context of the accession negotiations, and so as to take into account the traditional trade flows between Spain and Latin America, the Community proposes that, for the first three years of the transitional period, duty-free autonomous Community tariff quotas be opened of 40 000 tonnes for coffee, unroasted and not freed of caffeine falling within subheading 09.01 A I a) of the Common Customs Tariff and of 10 000 tonnes for cocoa beans, whole or broken, falling within heading No 18.01 of the Common Customs Tariff; whereas these quotas should be opened for their second year of application, namely for the period 1 January to 31 December 1987;

Whereas, in particular, equal and continuous access to the quotas should be ensured for all importers, and the rate of duty for the tariff quotas should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quotas based on an allocation among Member States would seem to be consistent with the Community nature of the quotas; whereas, to correspond as closely as possible to the actual trend in the market in the products in question, allocation of the quotas should be in proportion to the requirements 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, however, it has not been possible to collect complete and accurate statistical data on all Member States' imports of the products in question from third countries that do not benefit from an equivalent tariff

preference; whereas, on the basis of the available data, and taking into account the special nature of these quotas, the percentages of the initial participation in the quotas may be estimated as being the following:

	09.01 A I a)	18.01
Benelux	0,83	1,72
Denmark	0,22	0,01
Germany	2,23	2,48
Greece	0,11	0,12
Spain	95,00	95,00
France	0,57	0,21
Ireland	0,01	0,01
Italy	0,76	0,15
Portugal	0,05	0,01
United Kingdom	0,22	0,29

Whereas, to take account of the possible import trends for these products, the quota volumes should be divided into two parts, the first being allocated between the Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial share; whereas, to give importers some degree of certainty, the first instalment of Community tariff quotas should be fixed at a high level, which in this case could be about 99 % of the quota amounts;

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, and the Commission 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 such State should return a significant proportion thereof to the reserve in order to prevent a part of the Community tariff quotas from

remaining unused in one Member State while it could be used in others;

HAS ADOPTED THIS REGULATION:

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,

Article 1

1. From 1 January to 31 December 1987, the Common Customs Tariff duties on the following products shall be suspended at the level and within the limit of Community tariff quotas as shown herewith:

Order No	CCT heading No	Description	Quota volume (tonnes)	Duty of tariff quota (%)
09.1933	09.01 A I a)	Coffee, unroasted and not freed of caffeine	40 000	0
09.1935	18.01	Cocoa beans, whole or broken	10 000	0

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.

Article 2

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

2. A first instalment of 39 500 and 9 900 tonnes respectively, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid from 1 January to 31 December 1987 shall be as follows:

	09.01 A I a)	18.01
Benelux	326	170
Denmark	88	1
Germany	880	245
Greece	43	12
Spain	37 525	9 405
France	226	21
Ireland	1	1
Italy	301	15
Portugal	22	1
United Kingdom	88	29

3. The second instalment, of 500 and 100 tonnes respectively, shall constitute the corresponding reserve.

Article 3

1. If a Member State has used 90 % or more of one of its initial shares 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 10 % of its initial share, rounded up as necessary to the next whole number.

2. If a Member State, after exhausting one or the other of its initial shares, 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 whole number.

3. If a Member State, after exhausting one or the other of its second shares, 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 each of the reserves is used up.

4. By way of derogation from paragraphs 1, 2 and 3, each 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 1987.

Article 5

Member States shall, not later than 1 October 1987, return to the reserve the unused portion of each of their initial shares which, on 15 September 1987, 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 1987, notify the Commission of the total quantities of the products in question imported up to and including 15 September 1987 and charged against the Community quotas 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 shall, as soon as the information reaches it, inform each State of the extent to which the reserves have been used up.

It shall, not later than 5 October 1987, inform the Member States of the amount still in the reserves, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts one of the reserves 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 importation may be charged without interruption against their accumulated shares of the Community quota.

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

Done at Brussels, 16 December 1986.

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

3. The 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 the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, the Member States shall inform it of 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 1987.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4012/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for 'Šljivovica' plum spirit falling within subheading ex 22.09 C IV a) of the Common Customs Tariff and originating in Yugoslavia (1987)

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 21 of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾ provides that plum spirit marketed under the name Šljivovica, falling within subheading ex 22.09 C IV a) of the Common Customs Tariff and originating in Yugoslavia, shall be imported into the Community at customs duties of 0,3 ECU per hectolitre per % volume of alcohol plus 3 ECU per hectolitre, within the limits of an annual Community tariff quota of 5 420 hectolitres; whereas these goods must be accompanied by a certificate of authenticity; whereas the tariff quota in question should be opened for 1987;

Whereas, since a Protocol as provided for in Articles 179 und 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community as constituted on 31 December 1985;

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

proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Yugoslavia over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, in this case, however, neither Community nor national statistics 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 products on the markets of the various Member States;

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

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

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

any tariff quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987 the Common Customs Tariff duty in the Community, as constituted on 31 December 1985, on the following products, shall be suspended at the level and within the limits of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amount of tariff quota (hectolitre)	Tariff quota duty
09.1503	ex 22.09 C IV a)	Plum spirit, marketed under the name Sljivovica in containers holding two litres or less, originating in Yugoslavia	5 420	0,3 ECU per hectolitre per % volume of alcohol plus 3 ECU per hectolitre

2. Such goods, when imported, shall be accompanied by a certificate of authenticity, issued by the competent Yugoslav authority, conforming with the model annexed to this Regulation.

Article 2

1. A first instalment amounting to 4 050 hectolitres of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1987, shall be as follows:

	(hectoliters)
Benelux	200
Denmark	100
Germany	3 725
Greece	5
France	5
Ireland	5
Italy	5
United Kingdom	5

2. The second instalment amounting to 1 370 hectolitres shall constitute the reserve.

Article 3

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

share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial share as, on 15 September 1987, is in excess of 20 % of the

initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1987, of the total quantities of the products in question imported up to 15 September 1987 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

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

without interruption against their accumulated shares of the tariff quota.

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	2 No	ORIGINAL					
	3 Quota year Année contingentaire	4 Country of destination Pays de destination					
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	6 Issuing authority Organisme émetteur						
	7 CERTIFICATE OF AUTHENTICITY CERTIFICAT D'AUTHENTICITÉ Plum spirit 'Šljivovica' Eau-de-vie de prunes «Šljivovica» (CCT subheading ex 22.09 C IV a) [Sous-position du TDC: ex 22.09 C IV a)]						
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	<table border="1"> <tr> <td data-bbox="87 925 1015 1583" rowspan="2"> 9 Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis </td> <td data-bbox="1015 925 1170 1583"> 10 % vol of alcohol % vol d'alcool </td> <td data-bbox="1170 925 1317 1583"> 11 Litres Litres </td> </tr> </table>			9 Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis	10 % vol of alcohol % vol d'alcool	11 Litres Litres	
9 Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis					10 % vol of alcohol % vol d'alcool	11 Litres Litres	
	12 % vol of alcohol and litres (in words) % vol d'alcool et litres (en lettres)						
13 CERTIFICATE BY THE ISSUING AUTHORITY — VISA DE L'ORGANISME ÉMETTEUR I hereby certify that the plum spirit 'Šljivovica' described in this certificate corresponds with the definition given on the reverse. Je certifie que l'eau-de-vie de prunes «Šljivovica» décrite dans ce certificat correspond à la définition figurant au verso. <table> <tr> <td>Place</td> <td>Date</td> </tr> <tr> <td>Lieu</td> <td>Date</td> </tr> </table> (Stamp and signature) (Cachet et signature)				Place	Date	Lieu	Date
Place	Date						
Lieu	Date						

DEFINITION

Plum spirit with an alcoholic strength of 40 % vol or more, marketed under the name ŠLJIVOVICA, corresponding to the specifications laid down in the Regulation relating to the quality of spirituous beverages, published in the Official Journal of the Socialist Federal Republic of Yugoslavia on 7 October 1971.

DÉFINITION

Eau-de-vie de prunes ayant un titre alcoométrique égal ou supérieur à 40 % vol, commercialisée sous la dénomination ŠLJIVOVICA correspondant à la spécification reprise dans la réglementation relative à la qualité des boissons alcooliques publiée au Journal officiel de la république socialiste fédérative de Yougoslavie le 7 octobre 1971.

COUNCIL REGULATION (EEC) No 4013/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for certain tobaccos falling within subheading ex 24.01 B of the Common Customs Tariff and originating in Yugoslavia (1987)

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 23 of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾ provides that tobacco of the 'Prilep' type, falling within subheading ex 24.01 B of the Common Customs Tariff, originating in and coming from Yugoslavia and specified in an Agreement in the form of an exchange of letters of 11 July 1980 shall be imported into the Community at a rate of customs duty of 7 % with a minimum amount of 13 ECU per 100 kilograms and a maximum of 45 ECU per 100 kilograms within the limits of an annual Community tariff quota of 1 500 tonnes; whereas the tobacco must be accompanied by a certificate of origin and authenticity; whereas the tariff quota in question should be opened for 1987;

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community as constituted on 31 December 1985;

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

question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Yugoslavia over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, in this case, however, neither Community nor national statistics 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 products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 74 % of the quota volume;

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

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

any tariff quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987, the Common Tariff Customs duty in the Community, as constituted on 31 December 1985, on the following products, shall be suspended at the level and within the limits of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amount of tariff (tonnes)	Tariff quota duty
09.1505	ex 24.01 B	Tobacco of the 'Prilep' type originating in and coming from Yugoslavia	1 500	7 <i>ad valorem</i> with a minimum amount of 13 ECU per 100 kilograms and a maximum of 45 ECU per 100 kilograms

2. Such goods, when imported, shall be accompanied by a certificate of authenticity issued by the competent Yugoslav authority, conforming with the model annexed to this Regulation.

Article 2

1. A first instalment amounting to 1 090 tonnes of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1987, shall be as follows:

	(tonnes)
Benelux	5
Denmark	5
Germany	590
Greece	5
France	5
Ireland	5
Italy	470
United Kingdom	5

2. The second instalment amounting to 410 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall

forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial

share as, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1987, of the total quantities of the products in question imported up to 15 September 1987 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	2 No	ORIGINAL
	3 Quota year Année contingentaire	4 Country of destination Pays de destination
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	6 Issuing authority Organisme émetteur	
	7 CERTIFICATE OF AUTHENTICITY CERTIFICAT D'AUTHENTICITÉ Tobacco — Tabac 'Prilep' (CCT subheading ex 24.01 B) (Sous-position du TDC: ex 24.01 B)	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	10 Net weight (kg) Poids net (kg)	
9 Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis		
11 Net weight (kg) (in words) Poids net (kg) (en lettres)		
12 CERTIFICATE BY THE ISSUING AUTHORITY — VISA DE L'ORGANISME ÉMETTEUR I hereby certify that the tobacco described in this certificate is 'Prilep' tobacco within the meaning of the Agreement. Je certifie que le tabac décrit dans ce certificat est le tabac «Prilep» au sens de l'accord. Place Lieu Date Date (Stamp and signature) (Cachet et signature)		

COUNCIL REGULATION (EEC) No 4014/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for certain petroleum products falling within Chapter 27 of the Common Customs Tariff and refined in Spain (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 30 and 31 thereof,

Having regard to the proposal from the Commission,

Whereas, under Articles 30 and 31 of the Act of Accession, the duties applicable on the import into the Community of Ten of certain petroleum products falling within Chapter 27 of the Common Customs Tariff and refined in Spain, within the limits of a Community tariff quota of 1 424 000 tonnes, shall be progressively abolished; whereas these duties will be reduced to 77,5 % of the basic duties on 1 January 1987; whereas, by derogation from Article 30 of the Act of Accession, Regulation (EEC) No 443/86 ⁽¹⁾ provides that the basic duties shall be those which actually have been applied on 1 January 1986; whereas, therefore, to establish the duties applicable on the import of these products, a Community tariff quota should be opened for the period 1 January to 31 December 1987 for 1 424 000 tonnes of these petroleum products refined in Spain, at the duties shown in the list in Article 1;

Whereas Article 1 of Protocol 3 annexed to the Act of Accession provides for particular rules for the import into Portugal of the products in question, originating in Spain; whereas, consequently, the Community tariff quota is applicable in the Community of Ten;

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

question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Spain over a representative period and also to the economic outlook for the quota period concerned;

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

Member State	1983	1984	1985
Benelux	4,1	2,4	2,3
Denmark	—	—	—
Germany	1,1	1,5	1,0
Greece	0,3	0,9	—
France	57,5	23,9	48,9
Ireland	—	—	2,8
Italy	8,7	8,0	13,4
United Kingdom	28,3	63,3	31,6

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

Benelux	4,3
Denmark	2,6
Germany	2,2
Greece	0,4
France	22,1
Ireland	9,0
Italy	5,4
United Kingdom	54,0

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

⁽¹⁾ OJ No L 50, 28. 2. 1986, p. 9.

present circumstances be fixed at about 65 % of the quota;

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

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

remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1987, on import into the Community of Ten, the customs duties for the following products, refined in Spain, shall be suspended at the levels shown below within the limits of a Community tariff quota of 1 424 000 tonnes:

Order No	CCT heading No	Description	Rate of duty (%)
09.0313	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:	
		A. Light oils:	
		III. For other purposes	1,8
		B. Medium oils:	
		III. For other purposes	1,8
		C. Heavy oils:	
		I. Gas oil:	
		c) For other purposes	1,0
		II. Fuel oil:	
		c) For other purposes	1,0
		III. Lubricating oils; other oils:	
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	1,2
		d) For other purposes	1,8
	27.11	Petroleum gases and other gaseous hydrocarbons:	
		B. Other:	
		I. Commercial propane and commercial butane:	
		c) For other purposes	0,4
	27.12	Petroleum jelly:	
		A. Crude:	
		III. For other purposes	0,5
		B. Other	1,4

Order No	CCT heading No	Description	Rate of duty (%)
09.0313 (cont'd)	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:	
		B. Other:	
		I. Crude:	0,5
		c) For other purposes	1,3
		II. Other	
	27.14	Petroleum bitumén, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals:	
		C. Other:	
		II. Other	0,5

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

Article 2

1. A first instalment amounting to 926 000 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 31 December 1987 shall be as follows:

	(tonnes)
Benelux	40 000
Denmark	24 000
Germany	20 000
Greece	4 000
France	205 000
Ireland	83 000
Italy	50 000
United Kingdom	500 000

2. The second instalment of 498 000 tonnes shall constitute the reserve.

Article 3

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

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

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

This process shall continue until the reserve is used up.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial share as, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a greater quantity if there are grounds for believing that it may not be used.

Member States shall, not later than 1 October 1987, notify the Commission of the total quantities of the products in question imported up to 15 September 1987 and charged against the Community tariff quota and of any quantities of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amounts still in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4015/86

of 16 December 1986

opening, allocating and providing for the administration of a Community tariff quota for other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff and originating in Spain (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 30 and 31 thereof,

Having regard to the proposal from the Commission,

Whereas, under Articles 30 and 31 of the Act of Accession, the customs duties applicable, on the import into the Community of Ten, of other woven fabrics of cotton falling within tariff heading 55.09 and originating in Spain within the limits of a Community tariff quota of 2 013 tonnes shall be progressively abolished; whereas these duties will be reduced to 77,5 % of the basic duties on 1 January 1987; whereas by derogation from Article 30 of the Act of Accession, Regulation (EEC) No 443/86 ⁽¹⁾ provides that the basic duties shall be those which were actually applied on 1 January 1986; whereas, therefore, to establish the duties applicable on the import of these products, a Community tariff quota should be opened for the period 1 January to 31 December 1987 for 2 013 tonnes of other woven fabrics of cotton, originating in Spain, falling within heading 55.09 of the Common Customs Tariff at the duties as shown in the list in Article 1;

Whereas Article 1 of Protocol 3 annexed to the Act of Accession provides for particular rules for the import into Portugal of the products in question, originating in Spain; whereas, consequently, the Community tariff quota is applicable only in the Community of Ten;

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

to the statistics of imports from Spain over a representative period and also to the economic outlook for the quota period concerned;

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

Member State	1983	1984	1985
Benelux	0,7	7,2	8,7
Denmark	0,1	2,9	1,9
Germany	4,1	11,9	5,7
Greece	1,1	1,3	—
France	58,2	39,4	49,1
Ireland	27,8	13,9	2,2
Italy	4,2	10,8	15,7
United Kingdom	3,8	12,6	16,7

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

Benelux	4,5
Denmark	3,4
Germany	5,6
Greece	0,6
France	53,4
Ireland	21,2
Italy	8,5
United Kingdom	2,8

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of those Member States having used up their initial quota shares; whereas in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under present circumstances be fixed at 88 % of the quota;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into

⁽¹⁾ OJ No L 50, 28. 2. 1986, p. 9.

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

part of any Community quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

Whereas if, at a given date in the quota period, a substantial quantity of an initial share remains unused in a Member State, it is essential that that Member State should return a significant proportion to the reserve, to prevent a

From 1 January to 31 December 1987, on the imports into the Community of Ten, the duties for the following products originating in Spain shall be suspended at a level and within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (tonnes)	Rate of duty (%)
09.0315	55.09	Other woven fabrics of cotton:	2 013	
		A. Containing 85 % or more by weight of cotton:		
		I. Of a width of less than 85 cm		3,1
		II. Other		3,1
		B. Other:		
		I. Of a width of less than 85 cm		3,1
		II. Other		3,1

Article 2

1. A first instalment amounting to 1 770 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 31 December 1987 shall be as follows:

	(tonnes)
Benelux	80
Denmark	60
Germany	100
Greece	10
France	945
Ireland	375
Italy	150
United Kingdom	50

2. The second instalment of 243 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the

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

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

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

This process shall continue until the reserve is used up.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

The Member States shall return to the reserve, not later than 1 October 1987, such unused portion of their initial share which, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that it may not be used.

The Member States shall, not later than 1 October 1987, notify the Commission of the total quantities of the products in question up to 15 September 1987 and charged against the tariff quota and of any quantities of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1987, of the amount in the reserve after quantities have been returned pursuant to Article 5.

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

and, to this end, shall notify the amount of that balance to the Member State which makes such last drawing.

Article 7

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 16 December 1986.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4016/86

of 18 December 1986

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 (1987) 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 1987, 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:

	1983	1984	1985
Benelux	5,82	5,59	3,81
Denmark	0,01	0	0,01
Germany	11,01	18,66	15,18
Greece	0	0	0,01
Spain	1,71	1,17	1,05
France	0,81	0,20	0,82
Ireland	1,36	1,08	1,10
Italy	1,65	2,10	2,34
Portugal	1,23	0	0,09
United Kingdom	76,40	71,20	75,59

— from other countries:

	1983	1984	1985
Benelux	16,28	5,83	1,75
Denmark	0,39	0,04	0
Germany	26,73	40,75	39,39
Greece	14,09	5,55	10,11
Spain	16,08	20,32	24,52
France	2,32	4,43	2,20
Ireland	0,04	0,01	0,01
Italy	2,46	0,81	0,53
Portugal	1,67	6,13	7,79
United Kingdom	19,94	16,13	13,70

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 1987, 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	8,35	1,03
Denmark	0,11	0,21
Germany	18,40	40,66
Greece	0,28	27,81
Spain	0,37	2,57
France	1,20	3,59
Ireland	1,29	0,02
Italy	0,92	4,45
Portugal	0,07	2,57
United Kingdom	61,01	17,09

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 91% and 78% 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 to 31 December 1987 the Common Customs Tariff duty, on the following product, shall be suspended at the levels and within the limits of the Community tariff quotas shown herewith:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Rate of duty (%)
09.0015	48.01 A	Newsprint ⁽¹⁾ : — from Canada	600 000	0
09.0017		— from other third countries	50 000	0

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

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

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

Article 2

From 30 November 1987 the residue of the amounts referred to in Article 1 which have not actually been used by 29 November 1987, or which are not expected to be used before 31 December 1987, 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 1 consisting of 543 400 tonnes for the amount referred to under order No 09.0015 and 38 910 tonnes for the amount referred to under order No 09.0017, shall be allocated among the Member States; their shares which, subject to Article 6 shall be valid from 1 January to 31 December 1987, shall be as follows:

	Amount referred to under order No 09.0015	Amount referred to under order No 09.0017
Benelux	45 400	400
Denmark	600	80
Germany	100 000	15 820
Greece	1 500	10 820
Spain	2 000	1 000
France	6 500	1 400
Ireland	7 000	10
Italy	5 000	1 730
Portugal	400	1 000
United Kingdom	375 000	6 650

2. The second tranches, amounting respectively to 56 600 tonnes and 11 090 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 paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 5

The additional shares drawn pursuant to Article 4 shall be valid until 31 December 1987.

Article 6

The Member States return to the reserve, not later than 1 October 1987, the unused portion of their initial shares which on 15 September 1987 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 1987, notify the Commission of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1987 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.

It shall, not later than 5 October 1987, 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 10

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

Article 9

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

Article 11

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 18 December 1986.

For the Council

The President

M. JOPLING
