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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4111/86

of 22 December 1986

totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (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 Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1987 and at the levels indicated for each of them;

Whereas, the Council adopted Regulation (EEC) No 2357/86 determining the arrangements to be applied with regard to imports of certain products into Greece originating in Malta⁽³⁾;

Whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures

referred to in Articles 180 and 367 of the said Act; whereas this Regulation applies therefore to the Community as constituted on 31 December 1985,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987 the products originating in Malta listed in the Annex shall be admitted for import into the Community as constituted on 31 December 1985 at the customs duties indicated for each of them.

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

Article 2

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

Article 3

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

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 61, 14. 3. 1971, p. 3.

⁽³⁾ OJ No L 205, 29. 7. 1986, p. 9.

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

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council

shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

ANNEX

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
16.0001	02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen: A. Meat: III. of swine: b) Other	Free
16.0003	02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons	5 %
16.0005		ex B. Furred game	Free
16.0007		C. Other: ex I. Frogs' legs	Free
16.0009		II. Other	Free
16.0011	04.06	Natural honey	25 %
16.0013	05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
16.0023	06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: ex B. Other: — Cut flowers, not further prepared than dried	7 %
16.0025		— Other cut flowers	15 %
16.0027	07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: III. Horse-radish (<i>Cochlearia armoracia</i>)	13 %
16.0029		T. Other: ex III. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (Drumsticks)	Free
16.0031	07.02	Vegetables (whether or not cooked); preserved by freezing: ex B. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	13 %
16.0033	07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: E. Other vegetables: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
	07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared:	
		ex B. Other:	
16.0035		— Horse-radish (<i>Cochlearia armoracia</i>)	Free
16.0037		— Okra (<i>Hibiscus esculentus</i> L., or <i>Abelmoschus esculentus</i> (L.) Moench)	11 %
	08.08	Berries, fresh:	
		F. Other:	
16.0039		II. Other	5 %
	15.10	Fatty acids, acid oils from refining; fatty alcohols:	
16.0041		C. Other fatty acids; acid oils from refining	Free
	16.02	Other prepared or preserved meat or meat offal:	
		A. Liver:	
16.0043		I. Goose or duck liver	14 %
		B. Other:	
		II. Game or rabbit meat or offal:	
16.0045		— Game	8 %
16.0047		— Rabbit	14 %
		III. Other:	
		b) Other:	
		1. Containing bovine meat or offal:	
		ex bb) Other:	
16.0049		— Prepared or preserved bovine tongue	17 %
		III. b) 2. Other:	
		aa) Of sheep or goats:	
16.0051		— Sheep	18 %
16.0053		— Goats	16 %
16.0055		bb) Other	16 %
	20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:	
16.0057		B. Truffles	14 %
16.0059		D. Asparagus	20 %
16.0061		E. Sauerkraut	15 %
16.0063		ex F. Capers	12 %
		ex H. Other, including mixtures:	
16.0065		— <i>Moringa oleifera</i> (drumsticks)	Free
	20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:	
		A. Of a density exceeding 1,33 g/cm ³ at 20 °C	

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
	20.07 (cont'd)	A. III. Other:	
16.0067		ex a) Of a value exceeding 30 ECU per 100 kg net weight:	
16.0069		— Fruits falling within suheading 08.01 A	Free
		— Fruit falling within heading Nos 08.01 B to H, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0071		ex b) Other:	
		— Fruit falling within heading 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 % + (L)
		B. Of a density of 1,33 g/cm ³ or less at 20 °C:	
		II. Other:	
16.0073		a) Of a value exceeding 30 ECU per 100 kg net weight:	
		2. Grapefruit juice	8 %
		3. Lemon juice and other citrus fruit juices:	
16.0075		ex aa) Containing added sugar:	
		— Excluding lemon juices	13 %
16.0077		ex bb) Other:	
		— Excluding lemon juices	13 %
		6. Other fruit and vegetable juices, excluding apricot and peach juices:	
16.0079		ex aa) Containing added sugar:	
		— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0081		— Other, excluding apricot and peach juices	17 %
16.0083		ex bb) Other:	
		— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0085		— Other, excluding apricot and peach juices	18 %
		7. Mixtures:	
16.0087		ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:	
16.0089		11. Containing added sugar	17 %
		22. Other	18 %
		b) Of a value of 30 ECU or less per 100 kg net weight:	
16.0091		2. Grapefruit juice	
16.0093		aa) With an added sugar content exceeding 30 % by weight	8 % + (L)
		bb) Other	8 %
16.0095		4. Other citrus fruit juices:	
16.0097		aa) With an added sugar content exceeding 30 % by weight	14 % + (L)
16.0099		bb) With an added sugar content of 30 % or less by weight	14 %
		cc) Not containing added sugar	15 %

Order No	CCT heading No	Description	Rate of duty
1	2	3	4
	20.07 (cont'd)	B. II. b) 7. Other fruit and vegetable juices:	
16.0101		ex aa) With an added sugar content exceeding 30 % by weight:	
		— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 % + (L)
16.0103		— Other, excluding apricot and peach juices	17 % + (L)
16.0105		ex bb) With an added sugar content of 30 % or less by weight:	
		— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0107		— Other, excluding apricot and peach juices	17 %
16.0109		ex cc) Not containing added sugar:	
		— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
16.0111		— Other, excluding apricot and peach juices	18 %
		8. Mixtures:	
16.0113		ex bb) Other, excluding mixtures containing either, separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice	
16.0115		11. With an added sugar content exceeding 30 % by weight	17 % + (L)
16.0117		22. With an added sugar content of 30 % or less by weight	17 %
		33. Not containing added sugar	18 %
	21.06	Natural yeasts (active or inactive); prepared baking powders:	
		A. Active natural yeast:	
		II. Baker's yeast:	
16.0119		a) Dried	4 % + vc
16.0121		b) Other	4 % + vc
	23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves:	
16.0123		B. Flours and meals of fish, crustaceans of molluscs	Free

Abbreviations:

(L) = levy.

vc = variable component.

COUNCIL REGULATION (EEC) No 4112/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Yugoslavia (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 22 of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾ stipulates that certain wines having a registered designation of origin falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Yugoslavia and specified in the Agreement in the form of an exchange of letters of 18 July 1983, shall be imported into the Community at customs duties equal to 70 % of the duties of the Common Customs Tariff within the limits of an annual Community tariff quota of 12 000 hectolitres; whereas these wines must be put in containers holding two litres or less and must be accompanied by a certificate of designation of origin in accordance with the model appearing in the Annex to this Regulation; whereas a tariff quota of 12 000 hectolitres should therefore be opened for the period up to 31 December 1987;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽²⁾, as last amended by Regulation (EEC) No 3805/85 ⁽³⁾, must be complied with;

Whereas, since a Protocol as provided for in Articles 79 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 equal and uninterrupted access for all Community importers to the abovementioned quota, and uninterrupted application of the rates laid down for this quota to all imports of the products concerned into the Member States until the quota has been used up; whereas, having regard to the above

principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference to both the statistics relating to imports of the said products from Yugoslavia over a representative reference period and the economic outlook for the quota period concerned;

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

Whereas, to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 85 % of the quota volume;

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

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 39.

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

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

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the

1. From 1 January to 31 December 1987 the Common Customs Tariff duties in respect of the following products originating in Yugoslavia shall be suspended in the Community as constituted on 31 December 1985 at the levels and within the limit of a Community tariff quota as shown herewith:

Order No	CCT heading No	Descriptions	Volume of the quota (in hl)	Rates of duty
09.1501	22.05	Wine of fresh grapes; grape must with fermentations arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers, holding: ex a) Two litres or less: — wines entitled to one of the following designations of origin: — Ljutomersko — Ormoške gorice, Laški Rizling — Ohrid, Merlot — Heržegovina — Mostar: — Žilavka — Blatina — Fruška Gora, Talijanski Rizling — Oplenac, Lipovac — Istra, Merlot — Tikveš: — Krater — Kratošija — Srednja i južna dalmacija: — Dingač — Kaštelet — Crna Gora, Vranac II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers, holding: ex a) Two litres or less: — wines entitled to one of the following designations of origin: — Ljutomersko — Ormoške gorice, Laški Rizling — Ohrid, Merlot — Heržegovina — Mostar: — Žilavka — Blatina — Fruška Gora, Talijanski Rizling — Oplenac, Lipovac — Istra, Merlot — Tikveš: — Krater — Kratošija — Srednja i južna dalmacija: — Dingač — Kaštelet — Crna Gora, Vranac	12 000	10,1 ECU/hl 11,8 ECU/hl

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

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

Article 2

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

2. A first instalment, amounting to 10 150 hectolitres 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:

	(hectolitres)
Benelux	900
Denmark	700
Germany	7 500
Greece	10
France	500
Ireland	20
Italy	10
United Kingdom	510

3. The second instalment, amounting to 1 850 hectolitres, shall constitute the reserve.

Article 3

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

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

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

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

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

Article 4

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

Article 5

Member States shall 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 quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1987, 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 share that they are returning to the reserve.

Article 6

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

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

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

Article 7

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

without interruption against their aggregate shares in the Community quota.

Article 8

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

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

Article 9

3. 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.

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

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

Article 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, 22 December 1986.

For the Council

The President

G. SHAW

1. Exporter — Exportateur	CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE YUGOSLAV WINES VINS YOUGOSLAVES No 000000		
2. Consignee — Destinataire	3. ISSUING AUTHORITY — ORGANISME ÉMETTEUR		
	4. Designation of origin — Appellation d'origine		
5. Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis		6. Gross mass (kg) Masse brute (kg)	7. Litres Litres
8. Litres (in words) — Litres (en lettres)			
9. CERTIFICATION BY THE ISSUING AUTHORITY — VISA DE L'ORGANISME ÉMETTEUR The wine described in this certificate is wine produced within the wine district of and is considered by Yugoslav legislation as entitled to the designation of origin ' Le vin décrit dans le présent certificat a été produit dans la zone viticole de et est reconnu, suivant la loi yougoslave, comme ayant droit à la dénomination d'origine « ». Place — Lieu : Date — Date : Signature and stamp — Signature et cachet :			

COUNCIL REGULATION (EEC) No 4113/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus (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, in Regulation (EEC) No 3700/83 ⁽¹⁾, the Community has established the arrangements applicable to trade with Cyprus for 1984; whereas Article 2 of this Regulation provides for the opening of an annual Community tariff quota of 300 tonnes of sweet peppers, falling within subheading 07.01 S of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50 % of the customs duty in the Common Customs Tariff;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Regulation; whereas the abovementioned Community tariff quota should be opened for the period 1 January to 31 December 1987;

Whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to the Community as constituted on 31 December 1985;

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 rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, in the present case, it seems advisable not to allocate this quota among the Member States without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quota is used up and 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

1. From 1 January to 31 December 1987 on the import into the Community as constituted on 31 December 1985 the customs duty for the following products 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 (in tonnes)	Quota duty (%)
09.1409	07.01 S	Sweet peppers, originating in Cyprus	300	4,5

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall

inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.
2. Each Member State shall ensure that importers of the said goods have access to the quota so long as the residual balance of the quota volume so permits.
3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered for free circulation.
4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

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

Article 5

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, 22 December 1986.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4114/86

of 22 December 1986

extending the provisional arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other

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 Regulation (EEC) No 691/86 ⁽¹⁾ establishing provisional arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other, pending the entry into force of the additional protocol to the Third ACP-EEC Convention provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, expires on 31 December 1986;

Whereas it will not be possible for the said protocol to enter into force on the date indicated;

Whereas Article 2 of ACP-EEC Decision No 11/86 extending ACP-EEC Decision No 6/86 provides that the ACP States, the Member States and the Community are obliged, each to the extent to which it is concerned, to take the measures entailed by the implementation of this Decision;

Whereas the period of validity of Regulation (EEC) No 691/86 should, therefore, be extended beyond 31 December 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulation (EEC) No 691/86 is hereby extended until the closure of the negotiations for the conclusion of the protocol referred to in Articles 179 and 366 of the Act of Accession of Spain and Portugal or 30 June 1987, whichever is the earlier.

Article 2

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

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

⁽¹⁾ OJ No L 63, 5. 3. 1986, p. 3.

COUNCIL REGULATION (EEC) No 4115/86

of 22 December 1986

on import into the Community of agricultural products in Turkey

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, by its Decision No 1/80, the EEC-Turkey Association Council decided to abolish the customs duties will applicable to imports into the Community of agricultural products originating in Turkey which may not yet be imported into the Community free of customs duty;

Whereas in respect of such products:

- (a) duties equivalent to or less than 2 % are to be abolished from 1 January 1981;
- (b) duties of more than 2 % are to be abolished in four stages according to the following timetable:

Time table	Rate of reduction
As from 1 January 1981	30 %
As from 1 January 1983	60 %
As from 1 January 1985	80 %
As from 1 January 1987	100 %

- (c) duties reaching a level of 2 % or less during the process of tariff dismantling are to be abolished completely;

Whereas it is necessary to take measures for the fourth period beginning 1 January 1987;

Whereas, in the case of products for which Community rules require a certain import price to be observed, application of the tariff preference is subject to observance of that price;

Whereas, for certain products, detailed rules of application have been established as regards quantities of seasonal restrictions by the exchange of letters of 20 January 1981 between the Community and Turkey ⁽¹⁾, account having been taken of the interests of both parties;

Whereas the step-by-step elimination of the customs duties applied by the Community to imports originating in Turkey does not conflict with the principles and machinery of the common agricultural policy;

Whereas the elimination of customs duties by the Community, as provided for in Article 1 of this Regulation, is subject to the observance of normal conditions of competition by Turkey;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽²⁾;

Whereas the adaptation protocols consequent on the enlargement of the Community have not yet been concluded between the Community and Turkey; whereas, in accordance with Articles 179 and 366 of the Act of Accession of Spain and Portugal, these Member States apply the most favoured nation treatment to Turkey;

Whereas this Regulation therefore applies to the Member States other than Greece, Spain and Portugal,

HAS ADOPTED THIS REGULATION:

Article 1

1. Products originating in Turkey which are listed in Annex II to the EEC Treaty, other than those listed in the Annex hereto, shall be put into free circulation in the Member States other than Greece, Spain and Portugal free of customs duty.

2. Products originating in Turkey which are listed in the Annex hereto shall be put into free circulation in the Member States other than Greece, Spain and Portugal at the levels of customs duty indicated in each case.

Article 2

1. In case of products for which Community rules require a certain import price to be observed, application of the preferential tariff shall be subject to observance of that price.

⁽¹⁾ OJ No L 65, 11. 3. 1981, p. 36.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

In the case of fishery products for which a reference price is fixed, application of the preferential tariff shall be subject to observance of that reference price.

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

3. The methods of administrative cooperation for ensuring that imports of the products referred to in Article 1 benefit from the reduced customs duties shall be those laid down in Association Council Decision No 5/72 annexed to Regulation (EEC) No 428/73, as last amended by Decision No 1/78 annexed to Regulation (EEC) No 2152/78 ⁽³⁾.

Article 3

1. The reduction of customs duties by the Community as provided for in Article 1 shall be subject to observance by Turkey of the normal conditions of competition defined in Articles 43 to 47 of the Additional Protocol; if a given product is found to have been the subject of dumping, aids or measures incompatible with the principles set out in the Articles referred to, the Community may, without prejudice to the other provisions of those Articles, reimpose

the full duty on imports of that product into the Community until such time as the dumping, aids or other measures have been discontinued.

2. The procedure applicable for implementing paragraph 1 shall be that stipulated in Council Regulation (EEC) No 1842/71 of 21 June 1971 on the protective measures provided for in the Additional Protocol to the Agreement of Association between the European Economic Community and Turkey and in the Interim Agreement between the European Economic Community and Turkey ⁽⁴⁾, without prejudice to the procedures defined in the Articles mentioned in paragraph 1.

3. In the event of disturbances or the threat of disturbances on the Community market resulting either from quantities or prices of exports of products originating in Turkey for which customs duties have been removed, consultations shall be held in the Association Council as soon as possible, without prejudice to the application, in the event of an emergency, of measures provided for in Community legislation.

Article 4

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

It shall apply from 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

⁽¹⁾ OJ No L 59, 5. 3. 1973, p. 73.

⁽²⁾ OJ No L 142, 4. 6. 1975, p. 1.

⁽³⁾ OJ No L 253, 15. 9. 1978, p. 1.

⁽⁴⁾ OJ No L 192, 26. 8. 1971, p. 14.

ANNEX

CCT heading No	Description	Rate of duty (%)
07.01	Vegetables, fresh or chilled:	
	A. Potatoes:	
	II. New potatoes:	
	a) From 1 January to 15 May:	
	— From 1 January to 31 March	Free
	— From 1 April to 15 May	15
	b) From 16 May to 30 June	21
	F. Leguminous vegetables, shelled or unshelled:	
	II. Beans (of the species Phaseolus):	
	a) From 1 October to 30 June:	
	— From 1 October bis 31 October	13 with a min. of 2 ECU per 100 kg net
	— From 1 November to 30 April	Free
	— From 1 May to 30 June	13 with a min. of 2 ECU per 100 kg net
	b) From 1 July to 30 September	17 with a min. of 2 ECU per 100 kg net
	III. Other:	
	— Broad beans (<i>Vicia faba major</i> L.):	
	— From 1 May to 30 June	14
	— From 1 July to 30 April	Free
	— Other	Free
	H. Onions, shallots and garlic:	
	— Onions:	
	— From 16 May to 14 February	12
	— From 15 February to 15 May	Free
	— Shallots and garlic	Free
	T. Other:	
	I. Vegetable marrows (including courgettes):	
	— From 1 March to 30 November	16
	— From 1 December to end February	Free
	II. Aubergines:	
	— From 1 May to 14 January	16
	— From 15 January to 30 April	Free

CCT heading No	Description	Rate of duty (%)
07.01 (cont'd)	T. III. Other: — Celery sticks: — From 1 January to 30 April — From 1 May to 31 December — Pumpkins: — From 1 December to end February — From 1 March to 30 November — Other	Free 16 Free 16 Free
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes: a) From 1 November to 14 July: 2. Other: — From 1 November to 14 November — From 15 November to 30 April — From 1 May to 17 June — From 18 June to 14 July b) From 15 July to 31 October: — From 15 July to 17 July — From 18 July to 31 October	 18 Free 18 Free Free 22
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: ex G. Other: — Hazelnuts	 4 (a)
08.07	Stone fruit, fresh: D. Plums: I. From 1 July to 30 September II. From 1 October to 30 June: — From 1 October to 30 April — From 1 May to 15 June — From 16 June to 30 June	15 with a min. of 3 ECU per 100 kg net 8 Free 8
08.09	Other fruit, fresh: — Melons: — From 1 November to 31 May — From 1 June to 31 October — Water melons: — From 1 April to 15 June — From 16 June to 31 March — Other	Free 11 Free 11 Free

(a) Duty exemption within the limits of an annual Community tariff quota of 25 000 tonnes.

CCT heading No	Description	Rate of duty (%)
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: C. Tomatoes	Free (a)
20.06	Fruit, otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4,5 kg or more: aa) Apricots: — Pulp — Other	17 (b) Free

(a) Under the conditions which have been determined by an exchange of letters (OJ No L 65, 11. 3. 1981, p. 36 and OJ No C 325, 12. 12. 1981, p. 15).

(b) Free within the limits of an annual tariff quota of 90 tonnes.

COUNCIL REGULATION (EEC) No 4116/86

of 22 December 1986

on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (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 Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾ and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, under Annex 6 of the Additional Protocol laying down the conditions, procedures and timetables for implementing the transitional phase referred to in Article 4 of the Agreement establishing an association between the European Economic Community and Turkey ⁽²⁾ and under Article 9 of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community ⁽³⁾, which was signed in Ankara on 30 June 1973 and entered into force on 1 March 1986 ⁽⁴⁾, the Community must totally or partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary, on a provisional basis, to adjust or supplement some of the advantages provided for in the abovementioned Annex 6; whereas the Community should, therefore, with regard to the products originating in Turkey contained in the list annexed to this Regulation, suspend until 31 December 1987 either the fixed component of the charge applicable to the goods falling within Regulation (EEC) No 3033/80 or the customs duty applicable to the other products, at the levels indicated for each of them;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 ⁽⁵⁾, determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria,

Tunisia or Turkey ⁽⁶⁾; whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas, this Regulation therefore applies to the Community of Ten,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1987 the products originating in Turkey listed in the Annex shall be admitted for import into the Community of Nine at the customs duties indicated for each of them.

2. For the purposes of application of this Regulation, 'originating products' shall mean those products which fulfil the conditions laid down in Association Council Decision No 4/72 attached to Regulation (EEC) No 428/73 ⁽⁶⁾, as amended by Decision No 1/75 attached to Regulation (EEC) No 1431/75 ⁽⁷⁾.

The methods of administrative cooperation which ensure that the products listed in the Annexes benefit from the total or partial suspension shall be those laid down in Association Council Decision No 5/72 attached to Regulation (EEC) No 428/73, as last amended by Decision No 1/83, attached to Regulation (EEC) No 993/83 ⁽⁸⁾.

Article 2

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

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No 217, 29. 12. 1964, p. 3683/64.

⁽³⁾ OJ No L 361, 31. 12. 1977, p. 2.

⁽⁴⁾ OJ No L 48, 26. 2. 1986, p. 36.

⁽⁵⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽⁶⁾ OJ No L 59, 5. 3. 1973, p. 73.

⁽⁷⁾ OJ No L 142, 4. 6. 1975, p. 1.

⁽⁸⁾ OJ No L 112, 8. 4. 1983, p. 1.

Article 3

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

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

3. Any Member State may refer the Commission's action to be Council, within a period of 10 working days following the day of its notification. The intervention of the Council shall not have a suspensory effect. The Council shall meet without delay. It may by a qualified majority amend or annul the measure taken.

Article 4

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

ANNEX

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

Order No	CCT heading No	Description	Rate of duty
15.0001	07.01	Vegetables, fresh or chilled: T. Other: ex II. Aubergines, from 1 to 14 January	9 %
15.0003	ex 08.09	Other fruit, fresh: — Watermelons, from 1 November to 31 March	6,5 %
15.0005	18.06	Chocolate and other food preparations containing cocoa: A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	3 % + vc
15.0007		C. Chocolate and chocolate goods, whether or not filled, sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	9 % + vc with a max. of 27 % + ads
15.0009	19.02	Malt extract; preparation of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B. Other: ex II. Other: — Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
15.0011	21.07	Food preparations not elsewhere specified or included: A. Cereals in grain or ear form, pre-cooked or otherwise prepared: I. Maize	3 % + vc
15.0013		II. Rice	3 % + vc
15.0015		III. Other	2 % + vc

Abbreviations:

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

COUNCIL REGULATION (EEC) No 4117/86

of 22 December 1986

opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community supervision of imports thereof (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 7 of the Supplementary Protocol to the Agreement on the association between the European Economic Community and Turkey consequent on the accession of new Member States to the Community ⁽¹⁾, which was signed in Ankara on 30 June 1973 and entered into force on 1 March 1986 ⁽²⁾, provides for the total suspension of customs duties applicable to certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Turkey, within the limit of an annual Community tariff quota of 340 000 tonnes; whereas, for the products concerned, a provisional adjustment should be made to those tariff preferences, consisting essentially of substituting for the Community tariff quota a Community ceiling which amounts, after successive increases, to 705 000 tonnes, above which the customs duties applicable to third countries may be reintroduced;

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

Whereas the application of the ceiling requires that the Community should be regularly informed of the trend of

imports of these products; whereas the import of these products should therefore be subject to a system of supervision;

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

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

HAS ADOPTED THIS REGULATION

Article 1

1. From 1 January to 31 December 1987 the Common Customs Tariff duties shall, subject to Article 2, be totally suspended in the Community of Nine for certain petroleum products referred to hereinafter and refined in Turkey, within the limits of a Community ceiling of 705 000 tonnes.

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

⁽¹⁾ OJ No L 361, 31. 12. 1977, p. 2.

⁽²⁾ OJ No L 48, 26. 2. 1986, p. 36.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

Order No	CCT heading No	Description
13.0010	27.10	Petroleum oils and oils obtained from bituminous minerals other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oil or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: A. Light oils: III. For other purposes B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes III. Lubricating oils, other oils: c) To be mixed in accordance with the terms of Additional Note 7 to this chapter (a) d) For other purposes
	27.11	Petroleum gases and other gaseous hydrocarbons B. Other: I. Commercial propane and commercial butane: c) For other purposes
	27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other
	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, pest wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other
	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other

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

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

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

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

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

Article 2

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

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

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4118/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for prepared or preserved sardines falling within subheading 16.04 D 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 Community and Tunisia⁽¹⁾, completed by Council Regulation (EEC) No 1080/83 of 18 April 1983 laying down the arrangements applicable to trade between Greece and Tunisia⁽²⁾, provides that prepared and preserved sardines, falling within subheading 16.04 D of the Common Customs Tariff and originating in Tunisia, may be imported into the Community free of duty; whereas the detailed arrangements must be fixed by an exchange of letters between the Community and Tunisia; whereas, since this exchange of letters has not yet taken place, it is advisable to renew until 31 December 1987 the Community arrangements which were applied in 1986; whereas it is advisable to open a Community tariff quota for the importation into the Community of the products in question of 100 tonnes free of duty; whereas this tariff quota is to apply from 1 January 1987 until either the conclusion of the exchange of letters provided for in Article 18 of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia or until such time as Community arrangements for imports of the products in question are applied, but until 31 December 1987 at the latest;

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 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 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, on the one hand, by reference to the statistics for imports from Tunisia over a representative reference period and, on the other hand, by reference to the economic outlook for the quota period in question;

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

Member State	1983	1984	1985
Benelux	—	—	—
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
France	—	—	100 (= 6 t)
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas these data cannot be considered as representative and cannot serve as a basis for allocation of the quota among the Member States; whereas it is difficult to forecast the Member States' imports for 1987 because of their situation in previous years; whereas, in order that the quota may be allocated fairly, the initial quota shares may be fixed approximately at the following percentages:

Benelux	8
Denmark	4
Germany	16
Greece	2
France	50
Ireland	2
Italy	2
United Kingdom	16

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

(¹) OJ No L 265, 27. 9. 1978, p. 1.

(²) OJ No L 120, 6. 5. 1983, p. 1.

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 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 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 1987 until the conclusion or the exchange of letters referred to in Article 18 of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia or until such time as Community import arrangements are applied or until 31 December 1987, whichever shall be the earliest, the customs duty applicable, on import into the Community of Ten, for the following products shall be suspended at the level and within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duty (%)
09.1201	16.04 D	Prepared or preserved sardines, originating in Tunisia	100	free

Article 2

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

2. A first instalment, amounting to 50 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 the end of the period specified in Article 1, shall be as follows:

	(tonnes)
Benelux	4
Denmark	2
Germany	8
Greece	1
France	25
Ireland	1
Italy	1
United Kingdom	8

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

Article 3

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

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period specified in Article 1.

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.

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

Done at Brussels, 22 December 1986.

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

Article 7

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

For the Council

The President

G. HOWE

COUNCIL REGULATION (EEC) No 4119/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for
liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff and
originating in Cyprus (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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Cyprus ⁽¹⁾ came to an end on 31 December 1980; whereas to avoid interruption of its trade relations with that country, the Community has made applicable for 1984 the provisions of the abovementioned Protocol in Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus ⁽²⁾;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Supplementary Protocol;

Whereas the abovementioned Supplementary Protocol provides for the opening of an annual Community tariff quota of 250 000 hectolitres of liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 30% of the Common Customs Tariff; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1987;

Whereas entry under the above Community tariff quota must be conditional on the wines being described as 'liqueur wines' in the V.I.1 document or the V.I.2 extract provided for in Regulation (EEC) No 3590/85 ⁽³⁾;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 3805/85 ⁽⁵⁾, must be complied with;

Whereas, in the absence of a Protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to 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 rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

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

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota could, under present circumstances, be fixed at approximately 84 % of the quota volume;

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

⁽¹⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽²⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽³⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 367, 31. 12. 1985, p. 39.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987 on the import into the Community of Ten the customs duties for the following products, originating in Cyprus, shall be suspended at the levels and within the limits of a Community tariff quota of 250 000 hectolitres as follows:

Order No	CCT heading No	Description	Quota duty
09.1417	22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol, in containers holding: ex a) Two litres or less: — Liqueur wines of an actual alcoholic strength by volume of 15 % vol ex b) More than two litres: — Liqueur wines of an actual alcoholic strength by volume of 15 % vol III. Of an actual alcoholic strength by volume 15 % vol but not exceeding 18 % vol, in containers holding: a) Two litres or less: ex 2. Other: — Liqueur wines b) More than two litres: ex 3. Other: — Liqueur wines IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding: a) Two litres or less: ex 2. Other: — Liqueur wines b) More than two litres: ex 3. Other: — Liqueur wines	5,0 ECU per hl 3,9 ECU per hl 6,1 ECU per hl 5,0 ECU per hl 6,9 ECU per hl 6,9 ECU per hl

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

Article 2

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

2. A first instalment, amounting to 210 100 hectolitres, 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:

	(hectolitres)
Benelux	2 000
Denmark	2 000
Germany	4 000
Greece	20
France	20
Ireland	2 000
Italy	20
United Kingdom	200 040

3. The second instalment, amounting to 39 900 hectolitres, shall constitute the reserve.

Article 3

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

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

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

This process shall continue until the reserve is used up.

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

Member States shall return to the reserve, not later than 1 October 1987, the 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 this quantity may not be used.

Each Member State 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 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 indicate the amount thereof to the Member State which makes such last drawing.

Article 7

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4120/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Cyprus ⁽¹⁾ came to an end on 31 December 1980, whereas to avoid interruption of its trade relations with that country, the Community has made applicable for 1984 the provisions of the abovementioned Protocol in Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus ⁽²⁾;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Protocol;

Whereas the abovementioned Protocol provides for the opening of an annual Community tariff quota of 10 000 hectolitres of certain wines of fresh grapes, in containers holding two litres or less, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 25 % of the customs duty in the Common Customs Tariff, whereas the Community tariff quota should be opened for the period 1 January to 31 December 1987;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽³⁾ as last amended by Regulation (EEC) No 3805/85 ⁽⁴⁾, must be complied with;

Whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain

and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to 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 rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports of the products in question from Cyprus over a representative reference period and also to the economic outlook for the quota period concerned;

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

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

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

⁽¹⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽²⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 39.

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,

Article 1

1. From 1 January to 31 December 1987 on the import into the Community of Ten the customs duties for the following products, originating in Cyprus shall be suspended at the levels and within the limits of a Community tariff quota of 10 000 hectolitres as follows:

Order No	CCT heading No	Description	Quota duty
09.1415	22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers, holding: ex a) Two litres or less: — Wine of fresh grapes II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol in containers holding: ex a) Two litres or less: — Wine of fresh grapes other than liqueur wines of an actual alcoholic strength by volume of 15 % vol	3,6 ECU per hl 4,2 ECU per hl

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

Article 3

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

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

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

	<i>(hectolitres)</i>
Benelux	10
Denmark	380
Germany	540
Greece	10
France	10
Ireland	340
Italy	10
United Kingdom	6 700

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

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 Member States in accordance with 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.

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

Done at Brussels, 22 December 1986.

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

Article 8

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

Article 9

The Member States and the Commission shall cooperate closely in order 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. SHAW

COUNCIL REGULATION (EEC) No 4121/86

of 22 December 1986

opening and providing for the administration of a Community tariff quota for salad
beetroots falling within subheading ex 07.01 G IV of the Common Customs Tariff and
originating in Cyprus (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, in Regulation (EEC) No 3700/83 ⁽¹⁾, the Community laid down the arrangements applicable to trade with Cyprus for 1984; whereas Article 2 of that Regulation provides for the opening of a Community tariff quota of 1 500 tonnes of salad beetroots, falling within subheading ex 07.01 G IV of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 50 % of the customs duty in the Common Customs Tariff;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Regulation; whereas, therefore, the Community tariff quota in question should be opened for the period from 1 January to 31 December 1987;

Whereas, in the absence of a Protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to 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 rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, in the present case, it seems advisable not to allocate this quota among the Member States without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quota is used up and 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, all transactions concerning the administration of 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, on import into the Community of Ten, the customs duty for the following products is suspended at a level and within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duty (%)
09.1411	ex 07.01 G IV	Beetroots, originating in Cyprus	1 500	8,5

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall

inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.
2. Each Member State shall ensure that importers of the said goods have access to the quota so long as the residual balance of the quota volume so permits.
3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered for free circulation.
4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

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

Done at Brussels, 22 December 1986.

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1987.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4122/86

of 22 December 1986

establishing ceilings and Community surveillance of imports of certain textile products
originating in Cyprus (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 under Article 2 of Annex I to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus ⁽¹⁾, the arrangements applicable to trade with Cyprus, as last amended by Regulation (EEC) No 3700/83 ⁽²⁾, provide for 1984 the exemption of customs duties for:

- man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, and for
- men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff,

Within the limits of annual ceilings respectively of 100 tonnes and 525 tonnes above which the customs duties actually applied to third countries may be reintroduced until the end of the calendar year;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984 it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned provisions; whereas, therefore, the ceilings for 1987 must be established; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Cyprus; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas, in the absence of a protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures referred to in Articles 180 and 367 of the said Act; whereas

the tariff measure in question therefore applies to the Community of Ten;

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 free circulation; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between 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 Member States informed; whereas this cooperation has to be all the more close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987 imports into the Community of Ten of the products listed in the Annex and originating in Cyprus 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 Additional Protocol to the Agreement establishing an association between the European Economic Community and Cyprus ⁽³⁾.

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 2.

⁽²⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽³⁾ OJ No L 339, 28. 12. 1977, p. 19.

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 first and second 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 are reached, the Commission may adopt a Regulation reimposing 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, 22 December 1986.

For the Council

The President

G. SHAW

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
14.0010	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	100
14.0020	61.01	Men's and boys' outer garments	61.01-all Nos	525

COUNCIL REGULATION (EEC) No 4123/86
of 22 December 1986
on the treatment applicable to imports of wine originating in Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Article 1

Having regard to the proposal from the Commission,

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

The import treatment applicable on 30 June 1981 on wine originating in Algeria pursuant to Article 20 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria shall be maintained until a new regime comes into force following the entry of Spain and Portugal or until 31 December 1987, whichever is the earlier.

Whereas, as a transitional measure, this treatment was last extended until 31 December 1986 by Regulation (EEC) No 3669/85 ⁽²⁾;

Article 2

Whereas, as an interim measure, the treatment applicable on 30 June 1981 should again be unilaterally extended,

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

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

⁽¹⁾ OJ No L 263, 27. 9. 1978, p. 2.

⁽²⁾ OJ NO L 354, 30. 12. 1985, p. 19.

COUNCIL REGULATION (EEC) No 4124/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for certain wines falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Algeria (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 20 of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽¹⁾ provides for preferential treatment for the importation of certain wines having a designation of origin and falling within subheading ex 22.05 C of the Common Customs Tariff; whereas the application of this treatment is limited until 30 June 1981; whereas the period for this treatment was last extended until 31 December 1986 by Regulation (EEC) No 3669/85 ⁽²⁾;

Whereas Council Regulation (EEC) No 4123/86 ⁽³⁾ provides for the treatment which the Community has applied until 31 December 1986 to be extended until 31 December 1987; whereas this treatment provides that certain wines having a designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Algeria shall be exempt from customs duties on importation into the Community within the limits of a Community tariff quota of 450 000 hectolitres; whereas the wines must be put up in containers holding a maximum of two litres; whereas these wines must be accompanied by a certificate of designation of origin in accordance with the model given in Annex D to the Agreement; whereas the Community tariff quota in question should therefore be opened for the period 1 January to 31 December 1987;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order that such wines may benefit from this tariff quota, Article 18 of Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 3805/85 ⁽⁵⁾, must be complied with;

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 of Ten;

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

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

Whereas, to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 51 % of the quota volume;

⁽¹⁾ OJ No L 263, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 354, 30. 12. 1985, p. 19.

⁽³⁾ See page 41 of this Official Journal

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 367, 31. 12. 1985, p. 39.

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to take this into account and to avoid a break in continuity, any Member State which has used up almost all of its initial

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987 the customs duties applicable in the Community of Ten 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 (hl)	Tariff quota duty
09.1001	ex 22.05 C	Wine of fresh grapes: ex C. Other: — Wines entitled to one of the following designations of origin: Aïn Bessem-Bouira, Médéa, Coteaux du Zaccar, Dahra, Coteaux de Mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding two litres or less, originating in Algeria	450 000	free

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

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

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

The example of certificate which appears in the Annex to Regulation (EEC) No 3670/85⁽¹⁾ may, however, be accepted until 31 December 1987.

Article 2

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

2. A first instalment of the quota shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid up to 31 December 1987, shall be as follows:

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

3. The second instalment amounting to 220 000 hectolitres shall constitute the reserve.

Article 3

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

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

⁽¹⁾ OJ No L 354, 30. 12. 1985, p 20.

been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share.

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

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

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

Article 4

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

Article 5

Member States shall 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 quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1987, of the total imports of the products concerned effected under the Community quotas up to and initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Article 6

The Commission shall keep an account of the shares opened by Member States pursuant to Articles 2 and 3 and,

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

Done at Brussels, 22 December 1986.

as soon as it has been notified, shall inform each Member State of the extent to which the reserve has been used up.

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

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

Article 7

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

For the Council

The President

G. SHAW

1. المصدر — Exporter — Exportateur :	2. الرقم — Number — Numéro :	00000	
4. المرسل إليه — Consignee — Destinataire :	3. (Name of authority guaranteeing the designation of origin — Nom de l'organisme garantissant la dénomination d'origine)		
6. وسيلة النقل — Means of transport — Moyen de transport :	5. شهادة التسمية الاصلية CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE		
8. مكان الاخراج — Place of unloading — Lieu de déchargement :	7. (Designation of origin — Nom de la dénomination d'origine)		
9. الانواع والارقام ، عدد ونوع الطرود — Marks and numbers, number and kind of packages — Marques et numéros, nombre et nature des colis :	10. الوزن الخام Gross weight Poids brut	11. لترات Litres Litres	
12. لترات (بالحروف) — Litres (in words) — Litres (en lettres) :			
13. تأشيرة الهيئة المرسله — Certificate of the issuing authority — Visa de l'organisme émetteur :			
14. تأشيرة الجمارك — Customs stamp — Visa de la douane :	(See the translation under No 15 — Voir traduction au n° 15)		

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

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

16. (¹)

يحتفظ بهذه الخانة لمعلومات أخرى من الدولة المصدرة

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

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

COUNCIL REGULATION (EEC) No 4125/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for certain dried grapes, falling within subheading No 08.04 B I of the Common Customs Tariff and originating in Cyprus (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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Cyprus ⁽¹⁾ came to an end on 31 December 1980; whereas, to avoid interruption of its trade relations with that country, the Community has made applicable, for 1984, the provisions of the abovementioned Protocol in Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus ⁽²⁾;

Whereas, pending the definition of arrangements applicable beyond 31 December 1984, it is necessary to extend provisionally for 1987 the arrangements which the Community applies currently to trade with Cyprus on the basis of the abovementioned Protocol;

Whereas the abovementioned Protocol provides for the opening of an annual duty-free Community tariff quota of 500 tonnes of certain dried grapes falling within subheading 08.04 B I of the Common Customs Tariff and originating in Cyprus; whereas this Community tariff quota should be opened for the period 1 January to 31 December 1987;

Whereas, in the absence of a Protocol such as that provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, the Community must take the measures

referred to in Articles 180 and 367 of the said Act; whereas the tariff measure in question therefore applies to 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 rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, in the present case, it seems advisable not to allocate this quota among the Member States without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quota is used up and 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 the jointly represented by the Benelux Economic Union, all transactions concerning the administration of 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, on import into the Community of Ten, the duty for the following products shall be totally suspended within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duty (%)
09.1413	08.04 B I	Dried grapes, in immediate containers of a net capacity of 15 kg or less and originating in Cyprus	500	free

⁽¹⁾ OJ No L 172, 28. 6. 1978, p. 2.

⁽²⁾ OJ No L 369, 30. 12. 1983, p. 1.

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said goods have access to the quota so long as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods

against their drawings as and when the goods are entered for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

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

Article 5

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, 22 December 1986.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4126/86

of 22 December 1986

opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Annex to Council Regulation (EEC) No 3721/84 of 18 December 1984 on imports into the Community of agricultural products originating in Turkey ⁽¹⁾ provides that fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey are admitted on importation into the Community at zero duty, within the limit of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1987;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted Regulation (EEC) No 3555/80 determining the arrangements to be applied with regard to imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽²⁾;

Whereas in the absence of a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and

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

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

Whereas on the basis of the currently available statistical data imports of the product in question from Turkey into the Member States have developed as follows over the years 1983, 1984 and 1985; whereas they represent the following percentage of the total imports into the Community from Turkey:

Member States	1983		1984		1985	
	Tonnes	%	Tonnes	%	Tonnes	%
Benelux	6 332	9,37	6 815	8,36	5 266	7,10
Denmark	1 249	1,85	999	1,23	792	1,07
Germany	45 649	67,58	53 831	66,06	47 224	63,65
France	7 786	11,53	9 013	11,06	9 416	12,69
Ireland	30	0,04	22	0,03	28	0,03
Italy	746	1,10	2 904	3,56	5 206	7,02
United Kingdom	5 760	8,53	7 901	9,70	6 264	8,44
Total	67 552		81 485		74 196	

⁽¹⁾ OJ No L 343, 31. 12. 1984, p. 6.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

Whereas, in view of these factors, and of market forecasts for the products concerned and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed for 1987 at approximately the following percentages:

Benelux	8,24
Denmark	1,60
Germany	65,60
France	12,19
Ireland	0,03
Italy	3,43
United Kingdom	8,91

Whereas, to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be approximately 81 % of the quota volume;

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

close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Order No	CCT heading No	Description	Amount of tariff quota (in tonnes)	Rate of duty (in %)
09.0201	ex 08.05 G	Fresh or dried hazelnuts, shelled or not, originating in Turkey	25 000	0

2. Imports of the product in question benefiting from the same customs duties under preferential arrangements shall not be charged against this tariff quota.

3. This Community tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

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

2. A first instalment amounting to 24 000 tonnes shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1987, shall be as follows:

	(tonnes)
Benelux	1 680
Denmark	326
Germany	13 384
France	2 486
Ireland	6
Italy	700
United Kingdom	1 818

3. The second instalment amounting to 4 600 tonnes shall constitute the reserve:

Article 3

1. If 90 % or more of a Member State's initial share, as specified in Article 2 (2), or of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

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

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

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

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

Article 4

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

Article 5

Member States shall 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 40 % of the initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 1 October 1987, 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 share that they are returning to the reserve.

Article 6

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

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

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

Article 7

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4127/86

of 22 December 1986

opening, allocating and providing for the administration of Community tariff quotas for prepared or preserved sardines, falling within subheading 16.04 D 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 Community and Morocco ⁽¹⁾, supplemented by Council Regulation (EEC) No 3511/81 of 3 December 1981 laying down the arrangements applicable to trade between Greece and Morocco ⁽²⁾, provides that prepared and preserved sardines, falling within subheading 16.04 D of the Common Customs Tariff and originating in Morocco, may be imported into the Community free of duty; whereas the detailed arrangements must be fixed by an exchange of letters between the Community and Morocco; whereas, since this exchange of letters has not yet taken place, it is advisable to renew until 31 December 1987 the Community arrangements which were applied in 1986; whereas it is advisable to open two Community tariff quotas for importations into the Community of the products in question, one duty-free tariff quota of 14 000 tonnes and the other of 6 000 tonnes at a rate of duty of 10 %; whereas these tariff quotas are to apply from 1 January 1987 until either the conclusion of the exchange of letters provided for in Article 19 of the Cooperation Agreement between the Community and Morocco or until such time as Community arrangements for imports of the products in question are applied, but until 31 December 1987 at the latest;

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 of Ten;

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

be respected by allocating the Community tariff quotas 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 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 into each of the Member States represent the following percentages of the imports into the Community from Morocco of the products concerned:

Member States	1983	1984	1985
Benelux	7,27	4,3	6,3
Denmark	0,00	0,0	0,0
Germany	15,62	18,8	19,8
Greece	1,02	1,6	2,1
France	57,00	57,6	53,0
Ireland	0,00	0,5	0,8
Italy	0,76	1,5	1,1
United Kingdom	18,33	15,7	16,9

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

Benelux	6,0
Denmark	0,3
Germany	17,9
Greece	1,6
France	54,8
Ireland	0,6
Italy	1,2
United Kingdom	17,6

Whereas, in order to take into account import trends for the products concerned in the various Member States, each quota 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 quotas

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 358, 3. 12. 1981, p. 1.

should, under the circumstances, be fixed at 75 % respectively of the quota volumes;

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

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

prevent a part of 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 1987 until the conclusion of the exchange of letters referred to in Article 19 of the Cooperation Agreement between the Community and Morocco, until such time as Community import arrangements are applied or until 31 December 1987, whichever shall be the earliest the customs duty applicable on the import into the Community of Ten for the following products shall be suspended at the levels and within the limits of Community tariff quotas as follows:

Order No	CCT heading No	Description	Quota volume (in tonnes)	Quota duties (%)
09.1101	16.04 D	Prepared or preserved sardines originating in Morocco	14 000	0
09.1103	16.04 D	Prepared or preserved sardines originating in Morocco	6 000	10

Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two instalments.

2. A first instalment of each quota shall be shared among the Member States; the respective shares which, subject to Article 5, shall be valid until the end of the period specified in Article 1 shall be as follows:

Member States	Order No 09.1101	Order No 09.1103
Benelux	630	270
Denmark	30	10
Germany	1 890	810
Greece	170	70
France	5 790	2 480
Ireland	60	30
Italy	130	60
United Kingdom	1 860	800
	10 560	4 530

3. The second instalment of each quota, i.e. 3 440 and 1 470 tonnes respectively, shall constitute corresponding reserves.

Article 3

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

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period specified in Article 1.

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 State of the extent to which the reserves have been used up.

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

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, 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 extent to which a Member State has used up its shares shall be determined on the basis of the imports of the products concerned originating in Morocco and entered with customs authorities for free circulation.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

COUNCIL REGULATION (EEC) No 4128/86

of 22 December 1986

opening, allocating and providing for the administration of Community tariff quotas for certain types of manufactured tobacco falling within heading No 24.02 of the Common Customs Tariff and processed in the Canary Islands (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession of Spain and Portugal ⁽¹⁾, and in particular Article 2 of Protocol No 2 thereto,

Having regard to the proposal from the Commission,

Whereas Article 2 of Protocol No 2 and Article 10 of Protocol No 3 to the Act of Accession stipulate that, as from 1 January 1986, manufactured tobacco falling within heading No 24.02 of the Common Customs Tariff and processed in the Canary Islands is to be exempt, in the customs territory of the Community, from customs duties within the limit of annual Community tariff quotas; whereas this tariff preference is applicable only to products of which there have been imports in the last five years; whereas, calculated on the basis of the said Article 2, the quota volumes for cigarettes falling within subheading 24.02 A of the Common Customs Tariff and cigars falling within subheading 24.02 B of the Common Customs Tariff amount to 19 400 million and 316,3 million items respectively; whereas there are no imports of other products falling within heading No 24.02 of the Common Customs Tariff; whereas the tariff quotas in question should therefore be opened for 1987;

Whereas rules should be laid down to cover the marking of the products concerned;

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

products concerned processed in the Canary Islands 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, imports into each of the Member States were as follows;

Member States	24.02 A cigarettes (million items)			24.02 B cigars (thousand items)		
	1982	1983	1984	1982	1983	1984
Benelux	—	—	—	1 140	468	1 276
Denmark	—	—	—	—	—	—
Germany	—	—	—	17	—	—
Greece	—	—	—	—	—	—
Spain	on average 19 400 per year			on average 312 300 per year		
France	—	—	—	—	—	208
Ireland	—	—	—	—	—	—
Italy	—	—	—	—	—	—
Portugal	—	—	—	—	—	—
United Kingdom	—	—	—	38	9	5

Whereas, during the last three years, the products in question were imported only by certain Member States and not at all by the other Member States; whereas, under these circumstances, initial shares should be allocated to the importing Member States and the other Member States should be guaranteed access to the benefit of the tariff quotas upon imports into those States of the products concerned being notified; whereas these arrangements for allocation will equally ensure the uniform application of the Common Customs Tariff;

Whereas, in order to take into account import trends for the products concerned in the various Member States, each quota should be divided into two instalments, the first being shared among certain Member States and the second constituting a reserve to cover the subsequent requirements of these Member States where they have used up their initial shares and any additional requirements which might arise in the other Member States; whereas, in order to give importers in each Member State a certain degree of security, it is appropriate to fix the first instalment of the Community quotas at a level which, in the circumstances, could be 95 and 99 % respectively of each of the quota volume;

⁽¹⁾ OJ No L 302, 15. 11. 1985, p. 23.

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

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

prevent a part of 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 duties applicable to imports of the products listed below shall be suspended at the levels, and within the limits of the Community tariff quotas, indicated in respect of each of them:

Order Number	Common Customs Tariff Heading No	Description	Volume of quota (million items)	Quota duties
09.0401	24.02 A	Cigarettes, manufactured in the Canary Islands	19 400	free
09.0403	24.02 B	Cigars, manufactured in the Canary Islands	316,3	free

2. Products covered by this Regulation cannot qualify under the quotas unless, when they are presented to the authorities responsible for the import formalities for the purposes of release into free circulation in the customs territory of the Community, they are presented in packaging bearing the words, in clearly visible and perfectly legible characters, 'Manufactured in the Canary Islands', or a translation thereof in another official Community language.

Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two instalments.

2. A first instalment of each quota shall be shared among certain Member States; the respective shares, which, subject to Article 5, shall be valid until 31 December 1987, shall be as follows:

- (a) 24.02 A of the Common Customs Tariff: cigarettes
 - Spain: 18 430 million items;
- (b) 24.02 B of the Common Customs Tariff: cigars
 - Benelux: 1,4 million items
 - Spain: 311,0 million items
 - France: 0,3 million items
 - United Kingdom: 0,3 million items.

3. The second instalment of each quota, that is 970 million items 24.02 A of the Common Customs Tariff and 3,3 million items 24.02 B of the Common Customs Tariff respectively, shall constitute the corresponding reserve.

4. If an importer notifies the imminent import of the products in question into the other Member States and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve so permits.

Article 3

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

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then that Member State shall, in accordance

with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up where necessary to the next unit.

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

This process shall continue until the reserve is used up.

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

Article 4

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

Article 5

The Member States shall return to the reserve, not later than 15 November 1987, such unused portion of their initial share as, on 1 November 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 15 November 1987 of the total quantities of the products in question imported up to 1 November 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 State of the extent to which the reserves have been used up.

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

Done at Brussels, 22 December 1986.

It shall inform the Member States, not later than 20 November 1987 of the amount in each reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

1. The Member States shall take every measure 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. 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 shares shall be determined on the basis of the imports of the products concerned processed in the Canary Islands and charged in accordance with paragraph 3.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

For the Council

The President

G. SHAW

II

(Acts whose publications is not obligatory)

COUNCIL

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL,

of 22 December 1986

establishing ceilings and Community supervision for imports of certain goods falling under
the ECSC Treaty originating in Yugoslavia (1987)

(86/642/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Cooperation Agreement between the European Economic
Community and the Socialist Federal Republic of
Yugoslavia ⁽²⁾.

In agreement with the Commission,

Goods shall be set off against the ceilings only if the
movement certificate has been submitted before the date on
which customs duties are reimposed.

HAVE DECIDED AS FOLLOWS:

The reaching of a ceiling shall be determined at
Community level on the basis of imports set off against it in
the manner defined in the preceding subparagraphs.

Article 1

1. From 1 January to 31 December 1987 imports of
certain products originating in Yugoslavia and indicated in
Article 3 of the Agreement between the Member States of
the European Coal and Steel Community, of the one part,
and the Socialist Federal Republic of Yugoslavia, of the
other part ⁽¹⁾, shall be subject to annual ceilings and to
Community supervision in the Community as constituted
on 31 December 1985.

The Member States shall periodically inform the
Commission of imports effected in accordance with the
above rules; such information shall be supplied under the
conditions laid down in paragraph 4.

The description of the goods referred to in the preceding
subparagraph, their tariff headings and statistical numbers
and the levels of the indicative ceilings are given in the
Annex hereto.

3. As soon as the ceilings are reached at Community level,
Member States may at any time, at the request of any one
of them or of the Commission, and in respect of the whole
of the Community, reintroduce the levying of the customs
duties applicable to third countries.

2. Amounts shall be set off against the ceilings as and
when the goods are entered with customs authorities for
free circulation and accompanied by a movement certificate
conforming to the rules contained in Protocol 3 to the

Within the framework of the foregoing provisions, the
Commission shall coordinate the procedures for
reintroducing the customs duties applicable to third
countries, in particular by notifying the date common to
the whole of the Community and directly applicable in each
Member State. This notification shall be published in the
Official Journal of the European Communities.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 113.

⁽²⁾ OJ No L 41, 14. 2. 1983, p. 2.

4. Member States shall forward to the Commission, not later than the 15th day of each month, statements of the amounts set off during the preceding month. They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days of expiry of the preceding 10-day period.

Article 2

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

Article 3

Member States shall take all measures necessary to implement this Decision.

Done at Brussels, 22 December 1986.

The President

G. SHAW

ANNEX

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
06.0010	73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms: A. Spiegeleisen B. Haematite pig iron and cast iron C. Phosphoric pig iron and cast iron D. Other pig iron and cast iron: II. Other	73.01-10 73.01-21, 23, 25, 27 73.01-31, 35 73.01-49	23 125
06.0020	73.08	Iron or steel coils for re-rolling	73.08-all Nos	33 572
06.0030	73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: a) Hot-rolled or extruded	73.10-11, 12, 14, 15, 17, 18 73.10-42	22 121
06.0040	73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling	73.11-11, 12, 14, 16, 19 73.11-41 73.11-50	3 157
06.0050	73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate C. Clad, coated or otherwise surface-treated: III. Tinned: a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): a) Not further worked than clad: 1. Hot-rolled	73.12-11, 19 73.12-21 73.12-51 73.12-71	6 524

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
06.0060	73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: b) More than 1 mm but less than 3 mm c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: b) Tinned c) Zinc-coated or lead-coated d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other	73.13-11, 16 73.13-17, 19, 21, 23, 26, 32, 34, 36 73.13-43, 45 73.13-47, 49 73.13-50 73.13-64, 65 73.13-67, 68, 72, 74 73.13-76, 78, 79, 82, 84, 86, 87, 88, 89 73.13-92	40 461
06.0070	73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheets bars: b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: aa) Hot-rolled VII. Sheets and plates: a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked	73.61-20, 50 73.62-10 73.62-30 73.63-21, 29 73.63-72 73.64-20 73.64-72 73.65-21, 23, 25 73.65-55 73.65-70 73.65-81	22 041

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
06.0070 (cont'd)	73.15 (cont'd)	B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other: 1. Ingots: bb) Other 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: aa) Hot-rolled VII. Sheets and plates: a) 'Electrical' sheets and plates b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: aa) Cut into shapes other than rectangular	73.71-23, 24, 29 73.71-51, 52, 54, 55, 56, 59 73.72-11, 13, 19 73.72-33, 39 73.73-23, 24, 25, 26, 29, 33, 34, 35, 36, 39 73.73-72 73.74-21, 23, 29 73.74-72 73.75-11, 19 73.75-23, 24, 29, 33, 34, 39, 43, 44, 49 73.75-63, 64, 69 73.75-73, 79 73.75-83, 84, 89	

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL

of 22 December 1986

extending the provisional arrangements for trade between Spain and Portugal on the one
hand and the African, Caribbean and Pacific States (ACP States) on the other in products
falling within the ECSC Treaty

(86/643/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

HAS DECIDED AS FOLLOWS:

Article 1

Whereas the Member States have concluded the Treaty
establishing the European Coal and Steel Community;

The period of validity of Decision 86/49/ECSC shall be
extended until the closure of negotiations for the
conclusion of the Protocol referred to in Articles 174 and
366 of the Act of Accession or 30 June 1987, whichever is
the earlier. However, this Decision shall cease to have
effect should the transitional arrangements adopted jointly
with the ACP States no longer be in force.

Whereas Decision 86/49/ECSC ⁽¹⁾ establishing provisional
arrangements for trade between Spain and Portugal on the
one hand and the African, Caribbean and Pacific States
(ACP States) on the other in products falling within the
ECSC Treaty, pending the entry into force of the additional
protocol to the Third ACP-EEC Convention provided for
in Articles 179 and 366 of the Act of Accession of Spain
and Portugal, expires on 31 December 1986;

Article 2

Whereas it will not be possible for the said protocol to
enter into force on the date indicated;

Member States shall take the measures necessary to
implement this Decision.

Whereas Article 2 of ACP-EEC Decision No 11/86
extending ACP-EEC Decision No 6/86 provides that the
ACP States, the Member States and the Community are
obliged, each to the extent to which it is concerned, to take
the measures entailed by the implementation of this
Decision;

Article 3

Whereas the period of validity of Decision 86/49/ECSC
should, therefore, be extended beyond 31 December
1986;

This Decision shall be published in the *Official Journal of
the European Communities*.

It shall take effect on the day of its publication.

In agreement with the Commission,

Done at Brussels, 22 December 1986.

The President

G. SHAW

⁽¹⁾ OJ No L 63, 5. 3. 1986, p. 187.

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL

of 22 December 1986

extending the arrangements for trade between Spain and Portugal on the one hand and the
overseas countries (OCT) on the other in products covered by the ECSC Treaty

(86/644/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

HAVE DECIDED AS FOLLOWS:

Article 1

Whereas the Member States have concluded the Treaty
establishing the European Coal and Steel Community;

The term of validity of Decision 86/50/ECSC is hereby
extended until 31 December 1990.

Article 2

Whereas Decision 86/50/ECSC⁽¹⁾ establishes for the
transitional period laid down by the Act of Accession of
Spain and Portugal the arrangements for trade between
Spain and Portugal on the one hand and the overseas
countries and territories (OCT) on the other in products
covered by the ECSC Treaty;

Member States shall take the measures necessary to
implement this Decision.

Article 3

Whereas the said Decision expires on 31 December 1986;

This Decision shall be published in the *Official Journal of
the European Communities*.

Whereas, in order to avoid an interruption of the
progressive opening of the Spanish and Portuguese markets
to products originating in the OCT, the period of validity
of Decision 86/50/ECSC should be extended, without
prejudice to any further adjustment that may prove
necessary following the conclusion of the protocol referred
to in Articles 179 and 366 of the Act of Accession of Spain
and Portugal;

It shall take effect on the day of its publication.

Done at Brussels, 22 December 1986.

In agreement with the Commission,

The President

G. SHAW

⁽¹⁾ OJ No L 63, 5. 3. 1986, p. 189.

COUNCIL DECISION

of 22 December 1986

extending the arrangements for trade between Spain and Portugal on the one hand and the
overseas countries and territories (OCT) on the other

(86/645/EOK)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 136
thereof,

Having regard to the draft Decision presented by the
Commission,

Whereas Decision 86/47/EEC ⁽¹⁾ establishes arrangements
for trade between Spain and Portugal on the one hand and
the overseas countries and territories (OCT) on the other
for the transition period laid down by the Act of Accession
of Spain and Portugal;

Whereas the said Decision expires on 31 December 1986;

Whereas, in order to avoid an interruption of the
progressive opening of the Spanish and Portuguese markets
to products originating in the OCT, the period of validity
of Decision 86/47/EEC should be extended, without
prejudice to any further adjustments that may prove
necessary following the conclusion of the protocol referred
to in Articles 179 and 366 of the Act of Accession of Spain
and Portugal,

Article 1

The period of validity of Decision 86/47/EEC is hereby
extended until 31 December 1990.

Article 2

This Decision shall be published in the *Official Journal of
the European Communities*.

It shall take effect on the day of its publication.

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

⁽¹⁾ OJ No L 63, 5. 3. 1986, p. 95.

SINGLE EUROPEAN ACT AND FINAL ACT

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REPORT ON SOCIAL DEVELOPMENTS

YEAR 1985

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**Addendum to the 'Nineteenth General Report on the Activities of the European Communities'
in accordance with Article 122 of the EEC Treaty**

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