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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4174/87

of 21 December 1987

opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, falling within code No 0802 21 00 or 0802 22 00 of the combined nomenclature and originating in Turkey (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Annex to Council Regulation (EEC) No 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 shall be admitted on importation into the Community at zero duty within the limits of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1988;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted 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 Council has also adopted Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal, on the one hand, and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey, on the other ⁽³⁾; whereas the tariff quota in question applies therefore to the Community as constituted on 31 December 1980;

Whereas the Community has adopted, with effect from 1 January 1988, a combined nomenclature for goods which meets the requirements of the Common Customs Tariff and the Nomenclature of Goods for the External Trade Statistics of the Community and Statistics of Trade between Member States; whereas in order to accommodate specific Community rules this nomenclature has been expanded by the establishment of an integrated tariff of the European Communities (Taric); whereas, from that date, the combined nomenclature and, where appropriate, the Taric code numbers should therefore be used for the description of the products covered by this Regulation;

Whereas equal and continuous access to the quota should be ensured for all importers of the Member States and the rate laid down for the quota should be applied consistently to all imports of the products in question into the said Member States until the quota is exhausted; whereas, in the light of these principles, allocation of the tariff quota among the Member States would seem to preserve the Community nature of the quota; whereas in order to correspond as closely as possible to the real trend of the market for the products in question the allocation should reflect the requirements of the Member States based on statistics of imports of the said products from Turkey during a representative reference period and on the economic outlook for the quota period in question;

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 1984, 1985 and 1986; whereas they represent the following percentages of total imports into the Community from Turkey:

⁽¹⁾ OJ No L 343, 31. 12. 1984, p. 6.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽³⁾ OJ No L 250, 1. 9. 1987, p. 1.

Member State	1984		1985		1986	
	Tonnes	%	Tonnes	%	Tonnes	%
Benelux	6 816	8,36	5 266	7,10	6 202	8,24
Denmark	997	1,23	792	1,07	872	1,16
Germany	53 830	66,06	47 225	63,65	49 716	66,08
France	9 013	11,06	9 416	12,69	9 169	12,19
Ireland	22	0,03	28	0,03	0	0
Italy	2 904	3,56	5 206	7,02	3 179	4,23
United Kingdom	7 901	9,70	6 264	8,44	6 098	8,10
Total	81 483		74 197		75 236	

Whereas, in view of these factors and of market forecasts for the products concerned for 1988 and, in particular, the estimates submitted by certain Member States, initial percentage shares can be expressed approximately as follows:

Benelux	7,99
Denmark	1,22
Germany	65,29
France	12,50
Ireland	0,03
Italy	4,25
United Kingdom	8,78;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts, the first being allocated among the Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial shares; whereas, to afford importers in each Member State some degree of certainty, the first part of the tariff quota should be set at a relatively high level, which in this case could be approximately 75 % of the quota volume;

Whereas Member States may use up their initial shares at different rates; whereas, to provide for this eventuality and to avoid any break in the continuity of supplies, any Member State which has used up its initial share should draw additional shares in quantities corresponding to their real requirements, as many times as the reserve allows; whereas this form of administration requires close cooperation between Member States and the Commission and the latter must be able to monitor the extent to which the quota volume

has been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused, it is essential that the Member State concerned should return a significant proportion thereof to the reserve in order to prevent part of the Community tariff quotas from remaining unused in one Member State when it could be used in others; whereas in view of the seasonal nature of the imports, it seems appropriate to set the threshold for such returns to the reserve at 40 % of the initial share;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duty applicable to imports into the Community as constituted on 31 December 1980 of the following products shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (tonnes)	Rate of quota duty (%)
09.0201	0802 21 00 0802 22 00	Fresh or dried hazelnuts, shelled or not, originating in Turkey	25 000	0

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

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

Article 2

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

2. The first part, amounting to 18 750 tonnes, shall be allocated among the Member States; the quota shares, which subject to Article 5 shall be valid until 31 December 1988, shall be as follows:

	(tonnes)
Benelux	1 485
Denmark	228
Germany	12 242
France	2 343
Ireland	7
Italy	799
United Kingdom	1 646.

3. The second part of the quota, amounting to 6 250 tonnes, shall constitute the reserve.

Article 3

If a Member State's initial share as specified in Article 2 (2), or of that share less any portion returned to the reserve where Article 5 has been applied has been used up entirely, the following provisions shall apply.

If an importer presents, in a Member State, a declaration as to entry into free circulation comprising a request for preferential treatment for a product covered by this Regulation, and this request is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the reserve referred to in Article 2 (3).

Requests to draw on the reserve together with the date of acceptance of the customs declarations must be forwarded to the Commission without delay.

Drawings shall be granted by the Commission on the basis of the date of acceptance of goods for entry into free circulation by the customs authorities of the Member State concerned, provided a sufficient amount remains in the reserve.

If a Member State does not use the quantities drawn, it shall return them to the reserve as soon as possible.

If requests for drawings exceed the amount remaining in the reserve, an allocation shall be made pro rata. The Member States shall be informed by the Commission in accordance with the same procedure.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1988.

Article 5

By 1 October 1988 at the latest Member States must return to the reserve the unused portion of their initial share which, on 15 September 1988, is in excess of 40 % of the initial volume. They may return a greater portion if there is reason to believe that it might not be used.

By 1 October 1988 at the latest Member States must notify the Commission of the total quantities of the products concerned imported on or before 15 September 1988 and charged against the Community quota and of any portion of their initial share that they are returning to the reserve.

Article 6

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

It shall inform the Member States not later than 5 October 1988 of the state of the reserve following any return of quota shares pursuant to Article 5.

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

Article 7

1. Member States shall take all appropriate measures to ensure that additional drawings of shares pursuant to Article 3 enable imports to be charged without interruption against their accumulated share of the Community tariff quota.

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

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

4. The extent to which a Member State has used up its 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 quota 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 the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 21 December 1988.

For the Council

The President

B. HAARDER

COUNCIL REGULATION (EEC) No 4175/87

of 21 December 1987

opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community surveillance for imports thereof (1988)

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 Association Agreement 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 refined in Turkey falling within Chapter 27 of the Common Customs Tariff within the limits 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 amounting, after successive increases, to 705 000 tonnes, above which the customs duties applicable to third countries may be re-established;

Whereas the Community has adopted, with effect from 1 January 1988, a combined nomenclature for goods which meets the requirements of the Common Customs Tariff and the external trade statistics of the Community and statistics of trade between Member States; whereas in order to accommodate specific Community measures this nomenclature has been expanded into an integrated tariff of the European Communities (Taric); whereas, from the date given above, the combined nomenclature and, where appropriate, the Taric code numbers should be used for the description of the products covered by this Regulation;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted 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 ⁽³⁾; whereas, the Council has also adopted Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal, on the one hand, and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey, on the

other ⁽⁴⁾; whereas the tariff quota in question applies therefore to the current Community with the exception of Greece;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in Turkey; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceiling at Community level as and when these products are entered with the customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceiling is reached at Community level;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the duties applicable to imports into the current Community with the exception of Greece of the petroleum products refined in Turkey indicated below shall be suspended in full within the limits of a Community ceiling of 705 000 tonnes.

Within the limits of this ceiling, the Kingdom of Spain and the Portuguese Republic shall apply the duties calculated in accordance with Regulation (EEC) No 2573/87.

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.

⁽⁴⁾ OJ No L 250, 1. 9. 1987, p. 1.

Order No	CN code	Description
13.0010	2710 00	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:
		– Light oils:
		– – For other purposes:
		– – – Special spirits:
	2710 00 21	– – – – White spirit
	2710 00 25	– – – – Other
		– – – Other:
		– – – – Motor spirit:
	2710 00 31	– – – – – Aviation spirit:
		– – – – – Other, with a lead content:
	2710 00 33	– – – – – Not exceeding 0,013 g/l
	2710 00 35	– – – – – Exceeding 0,013 g/l
	2710 00 37	– – – – Spirit type jet fuel
	2710 00 39	– – – – Other light oils
		– Medium oils:
		– – For other purposes:
		– – – Kerosene:
	2710 00 51	– – – – Jet fuel
	2710 00 55	– – – – Other
	2710 00 59	– – – Other
		– Heavy oils:
		– – Gas oils:
	2710 00 69	– – – For other purposes
		– – Fuel oils:
	2710 00 79	– – – For other purposes
		– – Lubricating oils; other oils:
	2710 00 95	– – – To be mixed in accordance with the terms of additional note 6 (CN) to this chapter ⁽¹⁾
	2710 00 99	– – – For other purposes
	2711	Petroleum gases and other gaseous hydrocarbons:
	2711 12	– – Propane:
		– – – Other:
	2711 12 99	– – – – For other purposes
	2711 13	– – Butanes:
	2711 13 90	– – – For other purposes
	2712	Petroleum jelly, paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured:
	2712 10	– Petroleum jelly:
	2712 10 10	– – Crude
	2712 10 90	– – Other
	2712 20 00	– Paraffin wax containing by weight less than 0,75 % of oil

Order No	CN code	Description
13.0010 (cont'd)	2712 90	— Other:
		— — Other:
		— — — Crude:
	2712 90 39	— — — — For other purposes
	2712 90 90	— — — Other
	2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals:
	2713 90	— Other residues of petroleum oils or of oils obtained from bituminous minerals:
	2713 90 90	— — Other

(¹) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

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

4. Quantities shall be charged against the ceiling as and when products are entered with the customs authorities for free circulation.

5. The extent to which the ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in paragraph 4.

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

Article 2

As soon as the ceiling referred to Article 1 (1) has been reached at Community level, the Commission may adopt a Regulation re-establishing, until the end of the calendar year, the collection of Common Customs Tariff duties.

Article 3

Member States shall send the Commission statements of the quantities charged for the preceding month no later than the 15th day of each month. At the Commission's request, they shall send statements of the quantities charged for periods of ten days, to be forwarded within five clear days of the end of each ten-day period.

Article 4

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 5

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council
The President
B. HAARDER

COUNCIL REGULATION (EEC) No 4176/87

of 21 December 1987

suspending wholly or in part the Common Customs Tariff duties on certain agricultural products
originating in Turkey (1988)

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 to 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 wholly or in part 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 1988 either the fixed component of the charge applicable to the goods falling within the scope of Regulation (EEC) No 3033/80 or the customs duty applicable to the other products, at the levels indicated for each of them;

Whereas the Community has adopted, with effect from 1 January 1988, a combined nomenclature for goods which meets the requirements of the Common Customs Tariff and the external trade statistics of the Community and statistics of trade between Member States; whereas in order to accommodate specific Community measures this nomenclature has been expanded into an integrated tariff of the European Communities (Taric); whereas, from the date given above, the combined nomenclature and, where appropriate, the Taric code numbers should be used for the description of the products covered by this Regulation;

Whereas, in accordance with Article 119 of the Act of Accession of Greece, the Council adopted 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 ⁽⁵⁾; whereas the Council has also adopted Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal, on the one hand, and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey, on the other ⁽⁶⁾; whereas this Regulation applies therefore to the Community as constituted on 31 December 1980,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1988 the customs duties on imports into the Community as constituted on 31 December 1980 of the products originating in Turkey listed in the Annex shall be those indicated for each of them, in the said Annex.

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 ⁽⁷⁾, as amended by Decision No 1/75 attached to Regulation (EEC) No 1431/75 ⁽⁸⁾.

The methods of administrative cooperation for ensuring 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 ⁽⁹⁾.

Article 2

When imports of products qualifying for the arrangements provided for in Article 1 come into the Community in quantities or at prices which cause or threaten to cause

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No 217, 29. 12. 1964, p. 3687/64.

⁽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 250, 1. 9. 1987, p. 1.

⁽⁷⁾ OJ No L 59, 5. 3. 1973, p. 73.

⁽⁸⁾ OJ No L 142, 4. 6. 1975, p. 1.

⁽⁹⁾ OJ No L 112, 8. 4. 1983, p. 1.

serious injury to the Community producers of similar products or directly competitive products, the Common Customs Tariff duties may be partially or wholly re-established for the products in question. These measures may also be taken in the event of serious injury or the threat of serious injury limited to a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide by means of a Regulation to re-establish 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 the Council, within a period of 10 working days following the day of its notification.

Referring the matter to 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 the day following that of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council
The President
B. HAARDER

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	CN code	Description	Rate of duty
15.0001	ex 0709 30 00	Vegetables, fresh or chilled: — Aubergines, from 1 to 14 January	9 %
15.0003	ex 0807 10 10	Melons (including watermelons) and papaws (papayas), fresh: — Watermelons, from 1 November to 31 March	6,5 %
15.0005	ex 1806 10 10 ex 1806 10 30 ex 1806 10 90	Chocolate and other food preparations containing cocoa: — Cocoa powder, not otherwise sweetened than by the addition of sucrose	3 % + MOB
15.0007	ex 1806 20 10 ex 1806 20 30 ex 1806 20 50 ex 1806 20 90 1806 31 00 1806 32 10 1806 32 90 1806 90 11 1806 90 19 1806 90 31 1806 90 39 1806 90 50	Chocolate and chocolate goods, whether or not filled, sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	9 % + MOB with a max. of 27 % + AD S/Z
15.0009	ex 1901 90 90	— Preparation based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
15.0011	ex 1903 00 00	Tapioca, other than tapioca prepared from potato starch	2 % + MOB
15.0013	0710 40 00 0711 90 30 2001 90 30 2004 90 10 2005 80 00 2008 99 85	Preparations: — — Of maize	3 % + MOB
15.0015	1904 90 10	— — Of rice	3 % + MOB
15.0017	1904 90 90	— — Of other cereals	2 % + MOB

Abbreviations:

MOB = variable component,

AD S/Z = additional duty on sugar.

COUNCIL REGULATION (EEC) No 4177/87

of 21 December 1987

opening, allocating and providing for the administration of a Community tariff quota for certain wine of designated origin falling within subheading ex 2204 21 25, ex 2204 21 29, ex 2204 21 35 or ex 2204 21 39 of the combined nomenclature and originating in Algeria (1988)

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⁾ as amended by the Additional Protocol to that Agreement consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community ⁽²⁾ provides that certain wine of designated origin falling within subheading ex 2204 21 25, ex 2204 21 29, ex 2204 21 35 or ex 2204 21 39 of the combined nomenclature and originating in Algeria shall be exempt from customs duties on import into the Community within the limits of a Community tariff quota of 200 000 hectolitres; whereas the wine must be put up in containers holding two litres or less; whereas the wine must be accompanied either by a certificate of designation of origin in accordance with the model given in Annex D to the Agreement or, by way of derogation, by a document VI 1 or a VI 2 extract annotated in compliance with Article 9 of Regulation (EEC) No 3590/85 ⁽³⁾;

Whereas, however, Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the other ⁽⁴⁾ provides for the Portuguese Republic to defer until 31 December 1990 the application of the preferential arrangements for the products in question; whereas, consequently this Regulation does not apply to Portugal; whereas the Community tariff quota in question should be opened for 1988;

Whereas the wine in question is subject to compliance with the free-at-frontier reference price; whereas, in order that such wine may benefit from this tariff quota, Article 54 of Regulation (EEC) No 822/87 ⁽⁵⁾ as last amended by Regulation (EEC) No 3992/87 ⁽⁶⁾, must be complied with;

Whereas the nomenclature used in the Common Customs Tariff will be replaced from 1 January 1988 by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must therefore take account of that fact by indicating the combined nomenclature codes and, where appropriate, the Taric code numbers of the products concerned;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the products in question into the Member States until the quota is exhausted; whereas, in the light of these principles, allocation of the tariff quota among the Member States would seem to preserve the Community nature of the quota; whereas in order to correspond as closely as possible to the real trend of the market for the products in question the allocation should reflect the requirements of the Member States based on statistics of imports of the said products from Algeria during a representative reference period and on the economic outlook for the quota period in question;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each type of wine in question are available and no reliable forecasts of future imports can be made; whereas in these circumstances the quota volumes should be allocated in initial shares, account being taken of possible demand for such wine on the markets of the various Member States;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts, the first being allocated among the Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial share; whereas, to afford importers in each Member State some degree of certainty, the first part of the tariff quota should be set at a certain level, which in this case could be 40 % of the quota volume;

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to avoid any break in the continuity of supplies on this account, it should be provided that any Member State which has almost used up its initial share should draw an additional share from the

⁽¹⁾ OJ No L 263, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 297, 21. 10. 1987, p. 2.

⁽³⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽⁴⁾ OJ No L 250, 1. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁶⁾ OJ No L 377, 31. 12. 1987, p. 20.

reserve; whereas each time its additional share is almost used up a Member State should draw a further share and so on as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this form of administration requires close cooperation between the Member States and the Commission and the latter must be able to monitor the extent to which the quota volume has been used up and inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duties applicable in the Community, with the exception of Portugal, to imports of the following products shall be suspended at the level and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (hl)	Quota duty (%)
09.1000	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	Wine of fresh grapes, including fortified wines, grape must other than that of heading No 2009: – White – Other – White – Other: – – Wines entitled to one of the following designations of origin: Aïn Besem-Bouira, Médéa, Coteaux du Zaccar, Dahra, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding two litres or less, originating in Algeria	200 000	Free

Within the limit of this tariff quota the Kingdom of Spain shall apply customs duties calculated in accordance with Regulation (EEC) No 2573/87.

2. The wine in question is subject to observance of the free-at-frontier reference price.

The wine in question shall benefit from this tariff quota on condition that Article 54 of Regulation (EEC) No 822/87 is complied with.

3. Each wine, when imported, shall be accompanied either by a certificate of designation of origin, issued by the relevant Algerian authority or, by way of derogation, by a VI 1 document or a VI 2 extract annotated in compliance with Article 9 of Regulation (EEC) No 3590/85, 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 parts.

2. The first part of the quota shall be allocated among the Member States; the quota shares, which subject to Article 5, shall be valid up to 31 December 1988, shall be as follows:

	(hectolitres)
Benelux	12 800
Denmark	7 760
Germany	16 560
Greece	320
Spain	880
France	16 000
Ireland	5 280
Italy	7 600
United Kingdom	12 800

3. The second part of the quota, amounting to 120 000 hectolitres, shall constitute the reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as specified in Article 2 (2), or of that share less any portion returned to the reserve pursuant to Article 5, it shall forthwith by notifying the Commission and to the extent that the reserve so permits, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number.

2. If, after its initial quota share has been used up, a Member State has used 90 % or more of the second share as well, it shall forthwith, using the procedure provided for in paragraph 1, and to the extent that the reserve so permits, draw a third share equal to 7,5 % of its initial share.

3. If, after its second share has been used up, a Member State has used 90 % or more of its third share, it shall, using the procedure provided for 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, Member States may draw smaller shares than those specified in the said paragraphs if there is reason to believe that they might not be used in full. Member States shall inform the Commission of their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1988.

Article 5

By 1 October 1988 at the latest Member States must return to the reserve the unused portion of their initial share which, on 15 September 1988, is in excess of 20 % of the initial volume. They may return a greater portion if there is reason to believe that it might not be used.

By 1 October 1988 at the latest Member States must notify the Commission of the total quantities of the product concerned imported on or before 15 September 1988 and charged against the Community quota and of any portion of their initial share that they are returning to the reserve.

Article 6

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

It shall inform the Member States not later than 5 October 1988 of the state of the reserve following any return of quota shares pursuant to Article 5.

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

Article 7

1. Member States shall take all appropriate measures to ensure that additional drawings of shares pursuant to Article 3 enable imports to be charged without interruption against their accumulated shares of the Community quota.

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

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

4. The extent to which a Member State has used up its 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 quota 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 the day following that of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council
The President
B. HAARDER

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. اعداد ونوع الطرود ، الانواع والارقام — 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 المرسلة — 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 alcohoh 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 4178/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for certain prepared or preserved sardines falling within subheading ex 1604 13 10 or ex 1604 20 50 of the combined nomenclature and originating in Tunisia (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia⁽¹⁾, supplemented by Council Regulation (EEC) No 1080/83 of 18 April 1983 laying down the arrangements applicable to trade between Greece and Tunisia⁽²⁾ and the Additional protocol to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia⁽³⁾, provides that certain prepared and preserved sardines falling within code No ex 1604 13 10 or ex 1604 20 50 of the combined nomenclature 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 that Exchange of Letters has not yet taken place, the Community arrangements which applied in 1987 should be renewed until 31 December 1988; whereas a duty-free Community tariff quota of 100 tonnes should therefore be opened; whereas this tariff quota is to apply from 1 January 1988 either until 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 Community import arrangements for the products concerned are applied, but at the latest until 31 December 1988;

Whereas, within the limits of the tariff quota, the Kingdom of Spain and the Portuguese Republic are to apply duties calculated in accordance with Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the other⁽⁴⁾;

Whereas from 1 January 1988 the nomenclature used in the Common Customs Tariff will be replaced by the combined

nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes and, where appropriate, the Taric code numbers of the products concerned;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas in this case the quota should not be allocated 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 laid down in Article 1 (2); whereas this method of administration 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 and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1988 until the conclusion of 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 Community import arrangements are applied, but at the latest until 31 December 1988, the customs duty applicable to imports into the Community of the following products originating in Tunisia shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 1.

⁽²⁾ OJ No L 120, 6. 5. 1983, p. 1.

⁽³⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽⁴⁾ OJ No L 250, 1. 9. 1987, p. 1.

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1201	ex 1604 13 10 ex 1604 20 50	Prepared or preserved fish, caviar and caviar substitutes prepared from fish eggs: — sardines of the species <i>Sardina pilchardus</i>	100	Free

Within the limits of this tariff quota the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia consequent on the accession of the Kingdom of Spain and the Portuguese Republic of the Community.

2. If an importer gives notification of imminent imports of the product in question into a Member State and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

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) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

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

Done at Brussels, 21 December 1987.

3. Member States shall charge imports of the goods against their drawings as and when the goods are entered with the customs authorities 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 cooperate closely to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 January 1988.

For the Council
The President
B. HAARDER

COUNCIL REGULATION (EEC) No 4179/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature and originating in Tunisia (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾, as supplemented by the Additional Protocol to that Agreement ⁽²⁾, provides for the opening by the Community of an annual Community tariff quota of 4 300 tonnes of apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature and originating in Tunisia;

Whereas, within the limits of this tariff quota, customs duties are to be abolished progressively over the same periods and in accordance with the same timetables as those laid down in Articles 75 and 243 of the Act of Accession of Spain and Portugal; whereas, for 1988, the quota duty is to be equal to 62,5 % of the customs duty actually applied in respect of third countries; whereas, within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic are to apply customs duties calculated in accordance with Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the other ⁽³⁾; whereas the Community tariff quota in question should therefore be opened for 1988;

Whereas the Community has adopted, with effect from 1 January 1988, a combined nomenclature for goods which meets the requirements of the Common Customs Tariff and the Nomenclature of Goods for the External Trade Statistics

of the Community and Statistics of Trade between Member States; whereas, from the date given above, the combined nomenclature should be used for the description of the products covered by this Regulation;

Whereas equal and continuous access to the abovementioned quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas, in the present case, this quota should not be allocated 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 administration 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 and inform the Member States accordingly;

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 1988, the customs duty applicable to imports into the Community of the following products originating in Tunisia shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 1.

⁽²⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽³⁾ OJ No L 250, 1. 9. 1987, p. 1.

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1203	2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:		
	2008 50	— Apricots:		
		— — Not containing added spirit:		
		— — — Not containing added sugar, in immediate packings of a net content:		
	ex 2008 50 91	— — — — Of 4,5 kg or more:		
		— Apricot pulp	4 300	10,6

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with Regulation (EEC) No 2573/87.

2. If an importer gives notification of imminent imports of the product in question into a Member State and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

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 steps to ensure that their drawings pursuant to Article 1 (2) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time 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 with the customs authorities 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 their quota shares.

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council
The President
B. HAARDER

COUNCIL REGULATION (EEC) No 4180/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for onions
originating in Egypt (1988)

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 Additional Protocol to the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt ⁽¹⁾ provides in Article 1 for a Community tariff quota to be opened for the importation into the Community of 4 900 tons of onions falling within code No 0712 20 00 of the combined nomenclature and originating in Egypt; whereas, within the limits of this tariff quota the customs duty shall progressively be abolished over the same periods and in accordance with the same timetables as those laid down in Articles 75 and 243 of the Act of Accession of Spain and Portugal; whereas, for 1988, the quota duty will be equal to 6,2 % as long as the *erga omnes* quota of 12 000 tonnes at 10 %, laid down by Regulation (EEC) No 4072/87 ⁽²⁾, is not exhausted; whereas, after the possible exhaustion of the said *erga omnes* quota, a preferential duty of 10 % will apply;

Whereas, within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic will apply the customs duty calculated according to Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the other ⁽³⁾; whereas the Community tariff quota in question should therefore be opened for 1988;

Whereas from 1 January 1988 the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on Harmonized Commodity Description and Coding System;

whereas this Regulation takes account of that fact by using the combined nomenclature code of the products concerned;

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 this 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 1988, the duty applicable to imports into the Community of the products listed below originating in Egypt shall be suspended at the level, and within the limit of a Community tariff quota, as shown herewith:

Order No	CN code	Description	Volume of quota (tonnes)	Quota duty (%)
09.1701	0712 20 00	Onions	4 900	6,2 ⁽¹⁾

⁽¹⁾ This duty shall apply until exhaustion of the *erga omnes* tariff quota opened by Regulation (EEC) No 4072/87.

⁽¹⁾ OJ No L 297, 21. 10. 1987, p. 11.

⁽²⁾ OJ No L 381, 31. 12. 1987, p. 10.

⁽³⁾ OJ No L 250, 1. 9. 1987, p. 1.

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with Regulation (EEC) No 2573/87.

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

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

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 1988.

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

Done at Brussels, 21 December 1987.

For the Council
The President
B. HAARDER

COUNCIL REGULATION (EEC) No 4181/87

of 21 December 1987

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature originating in Israel (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the State of Israel ⁽¹⁾ provides for the opening by the Community of an annual Community tariff quota of 150 tonnes of apricot pulp falling within code No 2008 50 91 of the combined nomenclature and originating in Israel; whereas the customs duty applicable within this tariff quota is equal to 70 % of the customs duty actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1988;

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 the said Act; whereas the tariff measure in question therefore applies to the Community as constituted on 31 December 1985;

Whereas, from 1 January 1988, the nomenclature in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation takes account of that fact by using the combined nomenclature codes of the products concerned;

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 real trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Tunisia over a representative reference period

and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, imports into each of the Member States were as follows:

(tonnes)			
Member State	1984	1985	1986
Benelux	1	55	64
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
Spain	—	—	—
France	—	—	33
Ireland	—	—	—
Italy	—	—	—
Portugal	—	—	—
United Kingdom	—	—	—

Whereas in the last three years the products in question were only imported regularly by certain Member States and not at all or only occasionally by the other Member States; whereas, in these circumstances, in the first phase initial shares should be allocated to the genuine importing Member States and the other Member States should be guaranteed access to the tariff quotas when imports into those States are notified; whereas these arrangements for allocation will also ensure the uniform levy of the applicable duties;

Whereas, in order to take into account import trends for the products concerned in the various Member States, quotas should be divided into two parts, 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, the first part of the Community quota should, in these circumstances, be fixed at 67 % 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

(¹) OJ No L 136, 28. 5. 1975, p. 1.

State which has almost used up its initial quota shares should draw an additional share from the reserve; whereas this should be done by each Member State as and when its additional share 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 Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of the initial quota 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 the Community tariff quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1988 the customs duty applicable in the Community, as constituted on 31 December 1985, to the following products originating in Israel shall be suspended at a level and within the limits of a Community tariff quota as shown herewith:

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1301	2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:	150	11,9
	2008 50	— Apricots:		
	ex 2008 50 91	— — Not containing added spirit: — — — Not containing added sugar, in immediate packings of a net content: — — — — Of 4,5 kg or more: — Apricot pulp		

Article 2

1. An initial tranche of 100 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among certain Member States; the respective shares which, subject to Article 5, shall be valid until 31 December 1988, shall be as follows:

	(tonnes)
Benelux	78
France	22

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

3. If an importer notifies the imminent import of the products in question into the other Member States and applies to use the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to the 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 (1), of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then to the extent permitted by the amount of the reserve that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after its second share has been used up, 90 % or more of the third share drawn 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 specified 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 1988.

Article 5

The Member States shall return to the reserve, not later than 1 October 1988, such unused portion of their initial share as, on 15 September 1988, 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 1988, of the total quantities of the products in question imported up to 15 September 1988 and charged against the tariff quota and of any of the initial share that they are returning 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 1988, 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, 21 December 1987.

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

Article 7

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

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

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1988.

For the Council
The President
B. HAARDER

COUNCIL REGULATION (EEC) No 4182/87

of 22 December 1987

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature and originating in Morocco (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽¹⁾, signed on 27 April 1976 provides for the opening by the Community of an annual Community tariff quota of 8 250 tonnes of apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature and originating in Morocco; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1988;

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

Whereas the Community has adopted, with effect from 1 January 1988, a combined nomenclature for goods which meets the requirements of the Common Customs Tariff and the Nomenclature of Goods for the External Trade Statistics of the Community and Statistics of Trade between Member States; whereas, from the date given above, the combined nomenclature should be used for the description of the products covered by this Regulation;

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

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

Whereas, during the last three years for which statistics are available, imports of each Member State were as follows:

(tonnes)			
Member State	1984	1985	1986
Benelux	149	399	240
Denmark	—	—	—
Germany	—	—	120
Greece	—	—	—
France	7 715	6 636	5 131
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas, during the last three years, the products in question were imported regularly only by certain Member States and not at all or only occasionally by the other Member States; whereas, in these circumstances, in the first phase, initial shares should be allocated to the genuine importing Member States and the other Member States should be guaranteed access to the tariff quotas when imports into those States of the products concerned are notified; whereas these arrangements for allocation will also ensure the uniform levy of the applicable duties;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two parts, the first being allocated among certain 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 part of the Community quota should under the circumstances be fixed at 38 % 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

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

From 1 January to 31 December 1988, the customs duty applicable in the Community, as constituted on 31 December 1985 to imports of the following products shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1105	2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:	8 250	10,6
	2008 50	— Apricots:		
	ex 2008 50 91	— — Not containing added spirit: — — — Not containing added sugar, in immediate packings of a net content: — — — — Of 4,5 kg or more: — Apricot pulp		

Article 2

1. The first part, amounting to 3 135 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among certain Member States; the quota shares which, subject to Article 5, shall be valid until 31 December 1988, shall be as follows:

	(tonnes)
Benelux	120
Germany	20
France	2 995

2. The second part, amounting to 5 115 tonnes, shall constitute the reserve.

3. If an importer gives notification of imminent imports of the product in question into the other Member States and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its 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 (1), or 90 % of that share less any 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 quota share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share.

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1988.

Article 5

The Member States shall return to the reserve, not later than 1 October 1988, such unused portion of their initial shares as, on 15 September 1988, 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 1988, of the total quantities of the products in question imported up to 15 September 1988 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 1988, 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 1987.

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 enable imports to 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 quota shares allocated to them.

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

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1988.

For the Council
The President
N. WILHJELM

COUNCIL REGULATION (EEC) No 4183/87

of 22 December 1987

opening, allocating and providing for the administration of Community tariff quotas for prepared or preserved sardines falling within code No ex 1604 13 10 or ex 1604 20 50 of the combined nomenclature and originating in Morocco (1988)

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 the Kingdom of 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 code No ex 1604 13 10 or ex 1604 20 50 of the combined nomenclature 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 the Kingdom of Morocco; whereas, since that Exchange of Letters has not yet taken place, the Community arrangements which were applied in 1987 should be renewed until 31 December 1988; whereas two Community tariff quotas should be opened, namely 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 the Kingdom of Morocco or until Community import arrangements for the products in question are applied, but at the latest until 31 December 1988;

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

Whereas from 1 January 1988 the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by

indicating the combined nomenclature codes and, where appropriate, the Taric code numbers of the products concerned;

Whereas equal and continuous access to the quotas should be ensured for all Community importers and the rates laid down for the quotas should be applied consistently to all imports of the products in question into all the Member States until the quotas are exhausted; whereas, in the light of these principles, allocation of the tariff quotas among the Member States would seem to preserve the Community nature of the quotas; whereas in order to correspond as closely as possible to the real trend of the market the allocation should reflect the requirements of the Member States based on statistics of imports of those products from Morocco during a representative reference period and on the economic outlook for the quota period in question;

Whereas during the last three years for which statistics are available, imports of the products in question from Morocco into each of the Member States were as follows:

Member States	(tonnes)		
	1984	1985	1986
Benelux	635	1 039	1 012
Denmark	—	—	—
Germany	2 814	3 278,2	3 313
Greece	246	353	239
France	8 622	8 747	8 328
Ireland	70	135	108
Italy	229	176	146
United Kingdom	2 346	2 790	2 399

Whereas in the last three years the products in question were imported regularly only by certain Member States and not at all or only occasionally by the other Member States; whereas, under these circumstances, in the first phase, initial shares should be allocated to the genuine importing Member States and the other Member States should be guaranteed access to the benefit of the tariff quotas when imports actually take place in the latter; whereas these arrangements for allocation will equally ensure the uniform levy of the applicable duties;

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 358, 3. 12. 1981, p. 1.

Whereas, in view of these factors and of the forecasts made by certain Member States, the initial percentage shares of the quota volumes can be expressed respectively as follows:

Member States	Order No 09.1101	Order No 09.1103
Benelux	5,65	5,84
Germany	41,09	34,85
Greece	1,52	1,52
France	22,79	33,66
Ireland	1,33	0,97
Italy	1,01	1,08
United Kingdom	26,61	22,08

Whereas, to allow for the trend of imports of the products concerned in the various Member States, each quota volume should be divided into two parts, the first being allocated among certain Member States and the second held as a reserve to cover any subsequent requirements of those Member States which have used up their initial share and also any requirements which may arise in the other Member States; whereas, to afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quotas would, in the present circumstances, be 77 % of each quota volume;

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to avoid any break in the continuity of supplies on this account, it should be provided that any Member State which has used up one of its initial shares should draw from the relevant reserve quantities corresponding to its actual requirements, and so on as many times as the reserve allows; whereas this form of

administration requires close co-operation between the Member States and the Commission and the latter must be able to monitor quota utilization rates and inform the Member States accordingly;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1988 until the conclusion of the Exchange of Letters referred to in Article 19 of the Cooperation Agreement between the Community and the Kingdom of Morocco or until Community import arrangements are applied, but at the latest until 31 December 1988, the customs duty applicable to imports into the Community as constituted on 31 December 1985 of the following products originating in Morocco shall be suspended at the levels and within the limits of Community tariff quotas as shown below:

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1101	1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:		
	ex 1604 13 10 ex 1604 20 50	— sardines, of the species <i>Sardina pilchardus</i>	14 000	0
09.1103	ex 1604 13 10 ex 1604 20 50	— sardines, of the species <i>Sardina pilchardus</i>	6 000	10

Article 2

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

2. The first part of each quota shall be allocated among certain Member States; the quota 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	615	270
Germany	4 470	1 610
Greece	165	70
France	2 480	1 555
Ireland	145	45
Italy	110	50
United Kingdom	2 895	1 020
	10 880	4 620

3. The second part of each quota, 3 120 and 1 380 tonnes respectively, shall constitute the corresponding reserves.

4. If the products in question are presented in Denmark supported by a declaration of entry into free circulation accepted by the customs authorities, the Member State concerned shall, by way of notification to the Commission, draw a corresponding amount, under the conditions set out in Article 3.

Article 3

If a Member State has used its entire initial share as specified in Article 2 (2), or of that share less any portion returned to the reserve pursuant to Article 5, the following provisions shall apply.

If an importer presents in a Member State a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if this request is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the reserve referred to in Article 2 (3).

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the reserve.

If the quantities requested are greater than the available balance of the reserve, allocation shall be made on a pro rata

basis with respect to the requests. Member States shall be informed by the Commission in accordance with the same procedures.

Article 4

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

Article 5

By 1 October 1988 at the latest Member States must return to the reserve the unused portion of their initial share which, on 15 September 1988, is in excess of 20 % of the initial volume. They may return a greater portion if there is reason to believe that it might not be used.

By 1 October 1988 at the latest Member States must notify the Commission of the total quantities of the products concerned imported on or before 15 September 1988 and charged against the Community quotas and of any portion of their initial shares that they are returning to each of the reserves.

Article 6

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

It shall inform the Member States not later than 5 October 1988 of the state of each of the reserves following any return of quota shares pursuant to Article 5.

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

Article 7

1. Member States shall take all appropriate measures to ensure that additional drawings of shares pursuant to Article 3 enable imports to be charged without interruption against their accumulated shares of the Community tariff quotas.

2. Member States shall ensure that importers of the products concerned have free access to the quota 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 the customs authorities for free circulation.

Article 8

At the request of the Commission, Member States shall inform it of imports of the products concerned actually charged against their quota 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 1988.

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

Done at Brussels, 22 December 1987.

For the Council

The President

N. WILHJELM
