

Official Journal

of the European Communities

ISSN 0378-6978

L 368

Volume 31

31 December 1988

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4181/88

of 16 December 1988

opening, allocating and providing for the administration of a Community tariff quota for dried onions (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, under the agreement concluded between the European Economic Community and the United States of America concerning the conclusion of the negotiations under Article XXIV.6 of the General Agreement on Tariffs and Trade (GATT), approved by Decision 87/224/EEC⁽¹⁾, the Community has undertaken, for the period 1987 to 1990, to open an annual Community tariff quota of 12 000 tonnes at a duty rate of 10 % for dried, dehydrated or evaporated onions; whereas, therefore, this tariff quota should be opened for 1989,

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the tariff quota should be applied consistently to all imports until the quota is used up; 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 actual development of the market, the allocation should reflect the requirements of the Member States based on statistics of imports from third countries during a representative reference period and the economic outlook for the quota year in question;

Whereas, during the last three years for which complete statistics are available, the corresponding imports into each of the Member States represented the following figures of total imports of the product in question from third countries which do not benefit from an equivalent preferential tariff measure:

Member States	1985	1986	1987
Benelux	2 712	2 565	3 085
Denmark	235	182	246
Germany	7 444	6 647	7 471
Greece	67	58	70
Spain	546	606	709
France	312	439	483
Ireland	246	245	223
Italy	244	145	159
Portugal	70	69	67
United Kingdom	6 003	5 515	5 516
	17 879	16 471	18 029

Whereas, for 1989, maintenance of quotas for the Member States is necessary, bearing in mind that it is impossible for the administration concerned in each Member State to introduce, in 1989, the administrative and technical basis for Community administration of the quota; whereas it is, however, possible, bearing in mind the way in which trade has developed in recent years, to provide for a Community reserve of a significantly large amount;

Whereas, in view of these factors and of market forecasts for this product for 1989 the initial percentage shares of the quota volume can be expressed approximately as follows:

⁽¹⁾ OJ No L 98, 10. 4. 1987, p. 1.

Benelux	15,96
Denmark	1,27
Germany	41,17
Greece	0,37
Spain	3,55
France	2,36
Ireland	1,36
Italy	1,05
Portugal	0,39
United Kingdom	32,52

Whereas, to allow for import trends for the products concerned, 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 some degree of certainty, the first part of the tariff quota should be set at a high level, which in this case could be 60 % of the quota volume;

Whereas initial shares 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 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, during the quota period, the Community reserve is almost totally used up, it is essential that Member States return to the said reserve the whole of the unused proportion of their initial quota and of any drawings made, in order to avoid part of the Community tariff quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the 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 1989, the customs duty applicable to imports of the following products shall be suspended at the level indicated and within the limits of a Community tariff quota as shown herewith:

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
09.0035	0712 20 00	Dried, dehydrated or evaporated onions, whole, cut, sliced, broken or in powder, but not further prepared	12 000	10

2. 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 laid down by the Act of Accession of Spain and Portugal.

Article 2

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

2. The first part of 7 200 tonnes shall be allocated among the Member States; the quota shares shall, subject to Article 5, be valid until 31 December 1989 and shall be as follows:

Benelux	1 149
Denmark	91
Germany	2 964
Greece	27
Spain	256
France	170
Ireland	98
Italy	76
Portugal	28
United Kingdom	2 341

3. The second part of the quota, amounting to 4 800 tonnes, shall constitute the reserve.

4. If an importer indicates that he is about to import any of the products in question into a Member State which does not participate in the initial allocation or which has

exhausted its initial quota and applies to use 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 quota so permits.

5. Without prejudice to Article 3, the drawings made pursuant to paragraph 4 shall be valid until the end of the quota period.

Article 3

1. Once at least 80 % of the reserve of the tariff quota, as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof.

2. It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the following provisions:

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for the product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the Community reserve, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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.

3. Within a time limit fixed by the Commission as from the date referred to in the first subparagraph of paragraph 2, Member States shall be required to return to the reserve all the quantities which have not been used on that date, within the meaning of Article 5 (3) and (4).

Article 4

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

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

It shall inform the Member States, of the amounts still in reserve after amounts have been returned thereto pursuant to Article 3.

It shall ensure that the drawing which uses up 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 5

1. The Member States shall take all measures necessary to ensure that drawings of shares pursuant to Article 2 (4) and Article 3 are carried out in such a way that imports may be charged without interruption against their accumulated shares in the Community 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 imports of the product concerned against their shares as and when they are entered with the customs authorities for free circulation.

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

Article 6

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

Article 7

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

Article 8

The Commission may, by means of a Regulation, suspend the application of the tariff measures put into effect by this Regulation should it transpire that the reciprocal measures provided for in the Agreement were no longer being applied.

Article 9

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4182/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for silver hake
(*Merluccius bilinearis*)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual Community tariff quota at 8 % duty for 2 000 tonnes of silver hake (*Merluccius bilinearis*); whereas the tariff quota concerned should be opened on 1 January 1989;

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 until the quota is used up; 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 actual development of the market, the allocation should reflect the requirements of the Member States based on statistics of imports from third

countries during a representative reference period and the economic outlook for the quota year in question;

Whereas if, during the quota period, the tariff quota is almost totally used up, it is indispensable that Member States return to this quota the entirety of the drawings made which have not been used, in order to avoid one part of the Community tariff quota remaining unused in one Member State when it could be used in others;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic union, any operation concerning the administration of the quota share levied by 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 1989, the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Quota volume (tonnes)	Rate of duty (%)
09.0009	ex 0302 69 65 ex 0303 78 10 ex 0304 90 47	Silver hake (<i>Merluccius bilinearis</i>), fresh, chilled or frozen	2 000	8

2. 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 laid down by the 1985 Act of Accession.

Article 2

1. 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 quota so permits.

2. Without prejudice to Article 3, shares drawn pursuant to paragraph 1 shall be valid until the end of the quota period.

Article 3

1. Once at least 80 % of the tariff quota as defined in Article 1 (1) has been used up, the Commission shall notify the Member States thereof.

2. It shall also notify Member States in this case of the date from which drawings on the tariff quota must be made according to the following provisions:

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 declaration is accepted by the customs authorities, the Member State concerned shall draw from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the quota, 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.

3. Within a time limit laid down by the Commission starting from the date referred to in the first subparagraph of paragraph 2, Member States shall be required to return to the tariff quota all the quantities which have not been used on that date, within the meaning of Article 4 (3) and (4).

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

Done at Brussels, 16 December 1988.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 2 (1) 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 product concerned 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4183/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for frozen cod
(*Gadus morhua*) fillets

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

countries during a representative reference period and the economic outlook for the quota year in question;

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

Whereas if, during the quota period, the tariff quota is almost totally used up, it is indispensable that Member States return to this quota the entirety of the drawings made which have not been used, in order to avoid one part of the Community tariff quota remaining unused in one Member State when it could be used in others;

Having regard to the proposal from the Commission,

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 share levied by that economic union may be carried out by any one of its members,

Whereas the Community has undertaken to open an annual Community tariff quota at 8 % duty for 10 000 tonnes of frozen fillets of cod of the *Gadus morhua* species; whereas the tariff quota concerned should be opened on 1 January 1989;

HAS ADOPTED THIS REGULATION:

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 until the quota is used up; 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 actual development of the market, the allocation should reflect the requirements of the Member States based on statistics of imports from third

Article 1

1. From 1 January to 31 December 1989, the customs duty applicable 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	Quota volume (tonnes)	Rate of duty (%)
09.0011	ex 0304 20 29	Frozen cod fillets (<i>Gadus morhua</i>)	10 000	8

2. 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 laid down by the 1985 Act of Accession.

2. Without prejudice to Article 3, shares drawn pursuant to paragraph 1 shall be valid until the end of the quota period.

Article 2

1. 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 quota so permits.

Article 3

1. Once at least 80 % of the tariff quota as defined in Article 1 (1) has been used up, the Commission shall notify the Member States thereof,

2. It shall also notify Member States in this case of the date from which drawings on the tariff quota must be made according to the following provisions:

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 declaration is accepted by the customs authorities, the Member State concerned shall draw from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the quota, 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.

3. Within a time limit laid down by the Commission starting from the date referred to in the first subparagraph of paragraph 2, Member States shall be required to return to the tariff quota all the quantities which have not been used on that date, within the meaning of Article 4 (3) and (4).

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

Done at Brussels, 16 December 1988.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 2 (1) 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 product concerned 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4184/88

of 16 December 1988

opening, allocating and providing for the administration of a Community tariff quota for certain cod and fish of the species *Boreogadus saida*, dried, salted or in brine (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual duty free Community tariff quota at zero duty for 25 000 tonnes of cod of the species *Gadus morhua* and *Gadus ogac* and fish of the species *Boreogadus saida*, dried, salted or in brine, whole, headless or in pieces; whereas therefore, the tariff quota in question should be opened on 1 January 1989 and allocated among the Member States;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the tariff quota rate should be applied consistently to all imports until the quota is used up; 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 actual development of the market, the allocation should reflect the requirements of the Member States based on statistics of imports from third countries during a representative reference period and to the economic outlook for the tariff year in question;

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

Member States	1985	1986	1987
Benelux	0,39	0,05	0,07
Denmark	0,01	0,01	0,06
Germany	0,44	0	0,04
Greece	3,80	4,11	4,48
Spain	0,77	20,06	15,47
France	5,69	2,43	2,42
Ireland	0	0	0
Italy	14,11	7,31	7,34
Portugal	74,52	65,58	69,93
United Kingdom	0,27	0,45	0,19

Whereas, for 1989, maintenance of quotas for the Member States is necessary, bearing in mind that it is impossible for the administration concerned in each Member State to introduce, in 1989, the administrative and technical basis for Community administration of the quota; whereas it is, however, possible, bearing in mind the way in which trade has developed in recent years, to provide for a Community reserve of a significantly large amount;

Whereas, in view of these factors and of market forecasts for this product in 1989 initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	0,21
Denmark	0,02
Germany	0,21
Greece	4,07
Spain	9,98
France	3,92
Ireland	0,01
Italy	10,43
Portugal	70,85
United Kingdom	0,30

Whereas to allow for possible imports trends for these fish, 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 as well as the requirements of the Member States which do not participate in the initial allocation; whereas to afford importers some degree of certainty, the first part of the tariff quota should be set at a high level, which in this case could be 60 % of the quota volume;

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

Whereas if, during the quota period, the Community reserve is almost totally used up, it is essential that Member States return to the said reserve the whole of the unused proportion of their initial quota and of any drawings made, in order to avoid one part of the Community tariff quotas remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

From 1 January to 31 December 1989, the customs duty applicable to imports of the following products shall be suspended at the level and within the limit of a Community tariff quota as shown herewith:

Order No	CN code	Description	Amounts of quota (tonnes)	Rate of duty (%)
09.0007	ex 0305 51 10 ex 0305 51 90 0305 59 11 0305 59 19 ex 0305 62 00 0305 69 10	Cod of the species <i>Gadus morhua</i> , and <i>Gadus ogac</i> , and fish of the species <i>Boreogadus saida</i> , dried, salted or in brine, whole, headless or in pieces	25 000	0

Within the limit of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions laid down by the Act of Accession of Spain and Portugal.

exhausted its initial quota and applies to use 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 quota so permits.

Article 2

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

2. A first instalment of 15 000 tonnes shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1989 shall be as follows:

	(tonnes)
Benelux	32
Denmark	3
Germany	32
Greece	611
Spain	1 497
France	587
Ireland	2
Italy	1 565
Portugal	10 626
United Kingdom	45

3. The second instalment of 10 000 tonnes shall constitute the reserve.

4. If an importer indicates that he is about to import any of the products in question into a Member State which does not participate in the initial allocation or which has

5. Without prejudice to Article 3, the drawings made pursuant to paragraph 4 shall be valid until the end of the quota period.

Article 3

1. Once at least 80 % of the reserve of one of the tariff quota, as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof.

2. It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the following provisions:

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the Community reserve, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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.

3. Within a time limit fixed by the Commission as from the date referred to in the first subparagraph of paragraph 2, Member States shall be required to return to the reserve all the quantities which have not been used on that date, within the meaning of Article 5 (3) and (4).

Article 4

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

It shall inform the Member States, of the amounts still in reserve after amounts have been returned thereto pursuant to Article 3.

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

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

Done at Brussels, 16 December 1988.

Article 5

1. The Member States shall take all measures necessary to ensure that drawings of shares pursuant to Article 2 (4) and Article 3 are carried out in such a way that imports may be charged without interruption against their accumulated shares in the Community tariff quotas.

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

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

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

Article 6

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

Article 7

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

Article 8

This Regulation shall enter into force on 1 January 1989.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4185/88

of 16 December 1988

opening and providing for the administration of Community tariff quotas for certain types of fruit and fruit juices (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas in accordance with the Agreement with the United States of America on the Mediterranean preferences, citrus and pasta, the Community undertakes to suspend provisionally and partially the customs duties applicable to certain types of fruit and fruit juices, within the limits of Community tariff quotas of appropriate volumes and of variable duration; whereas provision should be made that the Commission can, in order to be able to ensure that the reciprocal concessions agreed upon in the Agreement are balanced, suspend by means of a Regulation the application of these tariff measures;

Whereas admission under these tariff quotas is conditional on production to the Community customs authorities of a certificate of authenticity issued by the competent authorities of the country of origin and certifying that the products comply with the specific characteristics laid down;

Whereas it is therefore proper to open for all or part of 1989 Community tariff quotas for sweet oranges of high quality, citrus fruit hybrids known as 'Minneolas' and certain types of frozen concentrated orange juice;

Whereas it is in particular necessary to allow all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the

products concerned into all Member States until the quotas have been used up; whereas, in this case, it seems advisable not to allocate the quotas among the Member States but to allow them to draw against the quota volumes such quantities as they may need under the conditions and according to the procedure laid down in Article 2 (1); 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 quotas are being used up and inform the Member States accordingly;

Whereas if, during the quota period, the tariff quota is almost totally used up, it is indispensable that Member States return to this quota the entirety of the drawings made which have not been used, in order to avoid part of the Community tariff quotas remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duties applicable to imports of the products listed below shall be suspended for the periods, at the levels and within the limits of Community tariff quotas shown for each product:

Order No	CN code	Description	Quota period	Volume of quota (in tonnes)	Rate of duty (in %)
09.0025	ex 0805 10 11, 15, 19, 41, 45, 49	Sweet oranges of high quality	From 1 February to 30 April 1989	20 000	10
09.0027	ex 0805 20 90	Citrus fruit hybrids known as 'Minneolas'	From 1 February to 30 April 1989	15 000	2
09.0033	ex 2009 11 99	Frozen concentrated orange juice having a degree of concentration of up to 50° Brix, in containers of two litres or less, excluding blood orange concentrate	From 1 January to 31 December 1989	1 500	13

2. Within the limits of these tariff quotas. Spain and Portugal shall apply customs duties calculated in accordance with the relevant provisions in the 1985 Act of Accession.

3. For the purposes of this Regulation:

(a) sweet oranges of high quality means oranges of similar varietal characteristics, which are mature, firm, well-formed, at least fairly well-coloured, of fairly smooth texture and are free from decay, untreated broken skins, hard or dry skins, exanthema, growth cracks, bruises (except those incident to proper handling and packing), and are free from damage caused by dryness or mushy condition, split, rough, wide or protruding navels, creasing, scars, oil spots, scale, sunburn, dirt or other foreign matter, disease, insects or damage caused by mechanical or other means, provided that not more than 15 % of the fruit in any lot fails to meet these specifications and included in this amount, not more than 5 % shall be allowed for defects causing serious damage and, included in this latter amount, not more than 0,5 % may be affected by decay;

(b) citrus fruit hybrids known as 'Minneolas' means hybrids of the citrus fruit of the variety 'Minneola' (*Citrus paradisi* Macf. C. V. Duncan and *Citrus reticulata* blanca C. V. Dancy);

c) frozen concentrated orange juice having a degree of concentration of up to 50° Brix means orange juice that has a density of 1.229 g/cm³ or less at 20 °C.

4. Admission under the tariff quotas referred to in paragraph 1 shall be subject to:

- the presentation, in support of the declaration of entry for free circulation, of a certificate of authenticity issued by the competent authorities of the country of origin listed in Annex II and conforming to one of the models in Annex I, certifying that the products shown on it possess the specific characteristics referred to in paragraph 1, or
- in the case of concentrated orange juice, the presentation to the Commission, before importation, of a general attestation in which the competent authority of the country of origin certifies that concentrated orange juice produced in that country does not contain the juice of blood oranges. The Commission shall inform the Member States to enable them to notify the customs departments concerned.

Article 2

1. 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 quota so permits.

2. Without prejudice to Article 3, shares drawn pursuant to paragraph 1 shall be valid until the end of the quota period.

Article 3

1. Once at least 80 % of the tariff quota as defined in Article 1 (1) has been used up, the Commission shall notify the Member States thereof.

2. It shall also notify Member States in this case of the date from which drawings on the tariff quota must be made according to the following provisions:

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 declaration is accepted by the customs authorities, the Member State concerned shall draw from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the quota, 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.

3. Within a time limit laid down by the Commission starting from the date referred to in the first subparagraph of paragraph 2, Member States shall be required to return to the tariff quota all the quantities which have not been used on that date, within the meaning of Article 4 (3) and (4).

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 2 (1) enable imports to be charged without interruption against their accumulated shares of the Community quotas.

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

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

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

Article 5

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

Article 6

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

Article 7

The Commission may, by means of a Regulation, suspend the application of the tariff measures put into effect by this Regulation should it transpire that the reciprocal measures provided for in the Agreement were no longer being applied.

Article 8

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

MODELOS DE CERTIFICADO

MODELLER TIL CERTIFIKAT

MUSTER DER BESCHEINIGUNGEN

ΥΠΟΔΕΙΓΜΑ ΠΙΣΤΟΠΟΙΗΤΙΚΟΥ

MODEL CERTIFICATES

MODÈLES DE CERTIFICAT

MODELLI DI CERTIFICATO

MODELLEN VAN CERTIFICAAT

MODELOS DE CERTIFICADO

1 Exporter (Name, full address, country)		2 Number	00000	
3 Consignee (Name, full address, country)		CERTIFICATE OF AUTHENTICITY FRESH SWEET ORANGES 'HIGH QUALITY'		
		4 Country of origin	5 Country of destination	
6 Place and date of shipment — Means of transport		7 Supplementary details		
8 Marks and numbers — Number and kind of packages — DETAILED DESCRIPTION OF GOODS		9 Gross weight (kg)	10 Net weight (kg)	
11 CERTIFICATION BY THE COMPETENT AUTHORITY I hereby certify that the above sweet oranges consist of oranges of similar varietal characteristics which are mature, firm, well-formed, fairly well-coloured, of fairly smooth texture and are free from decay, broken skins which are not healed, hard or dry skins, exanthema, growth cracks, bruises (except those incident to proper handling and packing), and are free from damage caused by dryness or mushy condition, split, rough, wide or protruding navels, creasing, scars, oil spots, scale, sunburn, dirt or other foreign material, disease, insects or mechanical or other means, provided that not more than 15 % of the fruit in any lot fails to meet these specifications and, included in this amount, not more than 5 % shall be allowed for defects causing serious damage, and, included in this latter amount, not more than 0,5 % may be affected by decay.				
12 Competent authority (Name, full address, country)		At _____, on _____ (Signature) (Seal)		

1 Exporter (Name, full address, country)	2 Number		00000
3 Consignee (Name, full address, country)	CERTIFICATE OF AUTHENTICITY FRESH MINNEOLA		
	4 Country of origin	5 Country of destination	
6 Place and date of shipment — Means of transport	7 Supplementary details		
8 Marks and numbers — Number and kind of packages — DETAILED DESCRIPTION OF GOODS	9 Gross weight (kg)	10 Net weight (kg)	
11 CERTIFICATION BY THE COMPETENT AUTHORITY I hereby certify that the citrus described in this certificate are fresh citrus hybrid of the variety Minneola (<i>Citrus paradisi</i> Macf. C.V. Duncan and <i>Citrus reticulata</i> blanco C.V. Dancy).			
12 Competent authority (Name, full address, country)	At, on (Signature) (Seal)		

1 Exporter (Name, full address, country)	2 Number	00000	
3 Consignee (Name, full address, country)	CERTIFICATE OF AUTHENTICITY CONCENTRATED ORANGE JUICE		
6 Place and date of shipment — Means of transport	7 Supplementary details		
8 Marks and numbers — Number and kind of packages — DETAILED DESCRIPTION OF GOODS	9 Gross weight (kg)	10 Net weight (kg)	
11 CERTIFICATION BY THE COMPETENT AUTHORITY I hereby certify that the above frozen concentrated orange juice has a density of 1,229 g/cm ³ or less and does not contain blood orange juice.			
12 Competent authority (Name, full address, country)	At, on (Signature) (Seal)		

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

País de origen Oprindelsesland Ursprungsland Χώρα καταγωγής Country of origin Pays d'origine Paesi di origine Land van oorsprong País de origem	Autoridad competente Kompetent myndighed Zuständige Behörde Αρμόδια υπηρεσία Competent authority Autorité compétente Autorità competente Bevoegde autoriteit Autoridade competente
Estados Unidos De Forenede Stater USA ΗΠΑ USA États-Unis d'Amérique Stati Uniti Verenigde Staten Estados Unidos da América	United States Department of Agriculture
Cuba Cuba Kuba Κούβα Cuba Cuba Cuba Cuba Cuba	Ministère de l'Agriculture
Israel Israel Israel Ισραήλ Israel Israël Israele Israël Israel	Ministry of Agriculture Department of Plant Protection and Inspection (Únicamente para los híbridos de agrios conocidos por el nombre de «Minneolas») (udelukkende til krydsninger af citrusfrugter, benævnt »Minneolas«) (Nur für Kreuzungen von Zitrusfrüchten, bekannt unter dem Namen „Minneolas“) (μόνο για τα υβρίδια εσπεριδοειδών γνωστά με την ονομασία «Minneolas») (Only for Citrus fruit known as 'Minneolas') (Uniquement pour les hybrides d'agrumes connus sous le nom de «Minneolas») (Solo per ibridi d'agrumi conosciuti sotto il nome di «Minneolas») (Uitsluitend voor kruisingen van citrusvruchten die bekend staan als „minneola's") (Somente para os citrinos híbridos conhecidos pelo nome de «Minneolas»)
Chypre Cyprn Zypern Κύπρου Cyprus Chypre Cipro Cyprus Chipre	Ministry of Commerce and Industry Produce Inspection Service

COUNCIL REGULATION (EEC) No 4186/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for certain flat-rolled products falling within CN code ex 7226 10 91

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community currently depends to a large extent on imports from third countries for its supplies of certain flat-rolled products falling within code 7226 10 91 of the combined nomenclature; whereas it is in the Community's interest to suspend totally the duty normally applied to the products in question within the limit of a Community tariff quota of an appropriate volume; whereas in order not to harm the prospects for increasing production within the Community while at the same time making adequate supplies available to user industries, the tariff quota should be limited to 600 tonnes and opened for the period 1 January to 31 December 1989;

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 Member States until the quota is exhausted; whereas, however, 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 to be laid down; 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 share levied by 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 1989 the customs duty applicable 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	Volume of tariff quota (tonnes)	Rate of duty (%)
09.2781	ex 7226 10 91	Flat-rolled products of grain-oriented silicon-electrical steel, having a width not exceeding 500 mm, a thickness of more than 0,20 mm but less than 0,3 mm and a nominal magnetic-reversal loss of 1,0 W/kg as determined by the Epstein method with a current of 50 cycles and an induction of 1,7 Tesla	600	0

2. Within the limits of this tariff quota the Kingdom of Spain and the Portuguese Republic shall apply duties calculated in accordance with the relevant provisions of the 1985 Act of Accession.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 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 times as the balance of the tariff quota so permits.

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4187/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for ferro-chromium containing by weight more than 6 % of carbon

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas there is a variable shortfall in Community production of ferro-chromium containing by weight more than 6 % of carbon and producers are thus unable to meet the total needs of user industries; whereas it is therefore in the Community's interest to suspend totally the customs duties applicable to that metal for a period ending on 31 December 1989 within the limits of a tariff quota fixed at an appropriate volume; whereas, in order to avoid disturbing the equilibrium of the market for that ferro-alloy and to ensure both an outlet for Community production and sufficient supplies for Community user industries, the quota volume should be fixed at a provisional 300 000 tonnes, thus covering immediate needs for imports from third countries; whereas, moreover, Member States should be free to make the charging of products against that volume subject to certain conditions concerning end use;

Whereas equal and continuous access to the quota should be ensured for all importers and the rate laid down for the

quota should be applied consistently to all imports of the product in question until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; 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 tariff 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 levied by 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 1989 the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below.

Order No	CN code	Description	Volume of quota (tonnes)	Rate of duty (%)
09.2711	7202 41 90	Ferro-chromium containing by weight more than 6 % of carbon	300 000	0

2. 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 1985 Act of Accession.

3. Imports of the product in question which benefit from exemption from customs duties under other preferential tariff arrangements shall not be charged against this tariff quota.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any

appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 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 times as the balance of the tariff quota so permits.

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

Done at Brussels, 16 December 1988.

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4188/88

of 16 December 1988

opening, and providing for the administration of a Community tariff quota for ferro-phosphorus (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Community production of ferro-phosphorus containing by weight 15 % or more of phosphorus is currently insufficient to meet the requirements of Community user industries; whereas, consequently, the Community currently depends to a considerable extent on imports from third countries for its supplies of that product; whereas it is in the Community's interest to suspend totally the customs duty on the products in question within the limits of a Community tariff quota of an appropriate volume; whereas, in order not to harm the prospects for increasing production of such goods within the Community while at the same time making adequate supplies available to user industries, the tariff quota should be limited to 52 000 tonnes of products intended for the manufacture of refined phosphoric iron or steel and opened for the period 1 January to 31 December 1989 at zero duty;

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 Member States until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; whereas this method of administration requires close co-operation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the tariff 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 levied by 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 1989 the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Volume of quota (tonnes)	Rate of duty (%)
09.2718	ex 7202 99 19	Ferro-phosphorus containing by weight 15 % or more of phosphorus, intended for the manufacture of refined phosphoric iron or steel	52 000	0

2. 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 1985 Act of Accession.

3. Use of the products for the particular purpose laid down shall be monitored in accordance with the relevant Community provisions.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any

appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 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 times as the balance of the tariff quota so permits.

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4189/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for ferro-silicon
(1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, as regards ferro-silicon, the European Economic Community has undertaken to open an annual duty-free Community tariff quota of 20 000 tonnes; whereas this should, however, be reduced to 12 600 tonnes to take account of the traditional imports from EFTA countries which are free of customs duty under the Agreements concluded with those countries, and also the obligations entered into in relation to a third country which has the right of the previous negotiator for this quota volume; whereas the quota concerned should therefore be opened on 1 January 1989;

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 product in question into all the Member States until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member States, without prejudice to the drawing, on the tariff

quota, of such quantities as they may need, under conditions and according to a procedure to be determined; 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 tariff 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 measure concerning the administration of the shares levied by 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 1989, the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of a Community tariff quota as shown herewith:

Order No	CN code	Description	Quota volume (tonnes)	Rate of duty (%)
09.0019	7202 21 10 7202 21 90 7202 29 00	Ferro-silicon	12 600	0

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

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

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any

appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 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 times as the balance of the tariff quota so permits.

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

Done at Brussels, 16 December 1988.

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4190/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for ferro-silico-manganese (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, as regards ferro-silico-manganese, the European Economic Community has undertaken to open an annual duty-free Community tariff quota of 50 000 tonnes; whereas this should however be reduced to 18 550 tonnes to take account of the traditional imports from EFTA countries which are free of customs duty under the Agreements concluded with those countries; whereas the tariff quota concerned should therefore be opened on 1 January 1989;

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 product in question into all the Member States until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member

States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; 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 tariff 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 measure concerning the administration of the shares levied by 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 1989, the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of Community tariff quota as shown herewith:

Order No	CN code	Description	Quota volume (tonnes)	Rate of duty (%)
09.0021	7202 30 00	Ferro-silicio-manganese	18 550	0

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

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

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 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 times as the balance of the tariff quota so permits.

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered

with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4191/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for ferro-chromium containing not more than 0,10 % by weight of carbon and more than 30 % but not more than 90 % by weight of chromium (super-refined ferro-chromium) (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, as regards ferro-chromium containing by weight not more than 0,10 % of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium), the European Economic Community has undertaken to open an annual duty-free Community tariff quota of 3 000 tonnes; whereas this should however, be reduced to 2 950 tonnes to take account of the traditional imports from EFTA countries which are free of customs duty under the Agreements concluded with those countries; whereas the tariff quota concerned should therefore be opened on 1 January 1989;

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 product in question into all the Member States until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member

States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; 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 tariff 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 measure concerning the administration of the shares levied by 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 1989, the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of a Community tariff quota as shown herewith:

Order No	CN code	Description	Quota volume (in tonnes)	Rate of duty (%)
09.0023	ex 7202 49 10 ex 7202 49 50	Ferro-chromium containing not more than 0,10 % by weight of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium)	2 950	0

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

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

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 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 times as the balance of the tariff quota so permits.

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

COUNCIL REGULATION (EEC) No 4192/88

of 16 December 1988

opening and providing for the administration of a Community tariff quota for certain grades of magnesium

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas production in the Community of certain extra-pure grades of magnesium intended for use in the nuclear industry and falling within CN subheading ex 8104 11 00 is currently unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type currently depend on imports from third countries; whereas the Community requirements for the product in question should be met immediately on the most favourable terms; whereas a zero-duty Community tariff should therefore be opened within the limit of an appropriate volume for a period expiring on 31 December 1989; whereas, in order not to upset the balance of the market for this product, the volume of the Community tariff quota should be set at 320 tonnes;

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 product in question into all the Member

States until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; 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 tariff 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 levied by 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 1989 the customs duty applicable to imports of the following product shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Volume of quota (tonnes)	Rate of duty (%)
09.2741	ex 8104 11 00	Unwrought magnesium having a purity of not less than 99,95 % in the form of billets containing by weight not more than 0,015 % of iron, not more than 0,002 % of nickel, not more than 0,005 % of lead and not more than 0,006 % of manganese, for use in the manufacture of raspings for the nuclear fuel industry	320	0

2. Within the limit 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 1985 Act of Accession.

3. The relevant Community provisions shall be applied in order to monitor the use of the product for the prescribed specific purpose.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

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 declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration 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 tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, 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

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

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

Done at Brussels, 16 December 1988.

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

3. Member States shall charge imports of the said product against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into 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 5

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

Article 6

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

Article 7

This Regulation shall enter into force on 1 January 1989.

For the Council

The President

G. GENNIMATAS