

Official Journal

of the European Communities

ISSN 0378-6978

L 170

Volume 34

29 June 1991

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1907/91

of 17 June 1991

on the application of Decision No 8/91 of the ACP-EEC Council of Ministers
extending Decision No 2/90 on transitional measures to be applied from 1
March 1990

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the Third ACP-EEC Convention signed at Lomé on 8 December 1984 expired on 28 February 1990;

Whereas the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989 has not yet entered into force;

Whereas Decision No 2/90 is valid only until 28 February 1991 and the extension thereof, accorded by Decision No 1/91, will expire on 30 June 1991;

Whereas Decision No 8/91 extended that validity until the entry into force of the Fourth ACP-EEC Convention or 30 September 1991, whichever is the earlier;

Whereas it is necessary to take the measures to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 8/91 of the ACP-EEC Council of Ministers extending Decision No 2/90 on transitional measures to be applied from 1 March 1990 shall be applicable in the Community from 1 July 1991 until the entry into force of the Fourth ACP-EEC Convention or until 30 September 1991, whichever is the earlier, without prejudice to more favourable arrangements for imports of ACP products to be adopted autonomously by the Community.

The text of the Decision is attached to this Regulation.

Article 2

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 July 1991.

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

Done at Luxembourg, 17 June 1991.

For the Council

The President

J. F. POOS

⁽¹⁾ Opinion delivered on 14 June 1991 (not yet published in the Official Journal).

**DECISION NO 8/91 OF THE ACP-EEC COUNCIL OF MINISTERS
extending Decision No 2/90 on transitional measures to be applied from 1 March 1990**

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention signed at Lomé on 8 December 1984, and in particular the third subparagraph of Article 291 thereof,

Having regard to Decision No 1/90 of the ACP-EEC Council of Ministers of 22 February 1990 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures upon expiry of the Third ACP-EEC Convention,

Whereas the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989, has not yet entered into force;

Whereas Decision No 2/90 is valid only until 28 February 1991 and the extension thereof, accorded by Decision No 1/91, will expire on 30 June 1991; whereas, in consequence, in order to avoid an interruption of relations between the ACP States and the Community it is appropriate to extend that Decision,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 2/90 of the ACP-EEC Council of Ministers of 27 February 1990 on transitional measures to be applied from 1 March 1990 is hereby extended until the entry into force of the Fourth ACP-EEC Convention or 30 September 1991, whichever is the earlier.

Article 2

This Decision shall enter into force on 1 July 1991.

Done at Luxembourg.

*For the ACP-EEC Council of Ministers
By the ACP-EEC Committee of Ambassadors*

THE CHAIRMAN

COUNCIL REGULATION (EEC) No 1908/91

of 28 June 1991

opening, allocating and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the African, Caribbean and Pacific (ACP) States (1991/92)

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 signed the Fourth ACP-EEC Convention at Lomé on 15 December 1989; whereas the Community decided, by Council Regulation (EEC) No 524/91 of 27 February 1991 concerning the application of Decision No 1/91 of the ACP-EEC Council of Ministers extending Decision No 2/90 on transitional measures valid from 1 March 1990 ⁽¹⁾, to apply Protocol 6 annexed to the Convention autonomously in advance;

Whereas Protocol 6 provides that products originating in the African, Caribbean and Pacific (ACP) States which fall within CN codes 2208 40 10, 2208 40 90, 2208 90 11 and 2208 90 19 shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall until 31 December 1993 fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities ⁽²⁾, provision is made for special arrangements for the quota duties to be applied by those two Member States; whereas by reason of the particularities peculiar to the market in rum the quota period ranges from 1 July to 30 June;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, the annual quota volume for the period from 1 July 1991 to 30 June 1992 must be fixed at 197 771 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to

the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up;

Whereas, following the case law of the Court of Justice, it is unlawful to allocate the Community quotas between the Member States, unless overriding circumstances of an administrative, technical or economic nature prevent acting otherwise; whereas, in addition, in cases where it is decided to allocate quotas, a mechanism should be set up whereby the integrity of the Common Customs Tariff may be protected;

Whereas the economic difficulties which could result for the French Overseas Departments (FOD) from the sudden change in the arrangements for importing rum from the African, Caribbean and Pacific (ACP) States constitute circumstances having a binding effect which justify the temporary and partial maintenance of these arrangements; whereas, however, the arrangements for allocation of the quota into national shares should be phased out and can only be justified on a transitional basis; whereas the arrangements should in any event definitively disappear with the prospect of the establishment of the internal market;

Whereas, in these circumstances, it is advisable to increase to 60 % the volume of the Community reserve by means of a system for the automatic transfer of Member State share to the reserve as soon as 80 % of the latter has been used up;

Whereas, during the past three years for which statistical data are available, imports from Member States have been as follows:

(in hectolitres of pure alcohol)

Member State	1988	1989	1990
Benelux	7 389	7 621	9 339
Denmark	2 038	1 748	2 404
Germany	42 523	48 591	50 451
Greece	—	586	5 699
Spain	—	156	9 514
France	1 216	19	—
Ireland	2 989	2 973	2 282
Italy	806	431	54
Portugal	—	—	—
United Kingdom	63 525	83 773	70 436
Total	119 686	145 898	150 179

⁽¹⁾ OJ No L 58, 5. 3. 1991, p. 2.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 1.

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

Benelux	5,86,
Denmark	1,49,
Germany	34,05,
Greece	1,51,
Spain	2,32,
France	0,30
Ireland	1,79,
Italy	0,31,
Portugal	0,00,
United Kingdom	52,37 ;

Whereas provision should be made for a mechanism to prevent, when the Community quota is not exhausted, goods from being imported into a Member State which has exhausted its share only after the full application of customs duties, or after having been diverted to another Member State which has not yet exhausted its share ; whereas, in these circumstances, if, during the quota period, the Community reserve were to be almost entirely used up, Member States should return to the said reserve all of the unused portion of their initial shares so as to avoid part of the Community tariff quota from remaining unused in one Member State, when it could be used in others ;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to

permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States on the other ;

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, 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 quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 July 1991 to 30 June 1992, the following products originating in the ACP States shall be imported duty free into the Community within the limits of the relevant Community tariff quota mentioned :

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1605	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arrak	197 771	Free

2. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Regulation (EEC) No 1820/87.

Article 2

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

2. A first instalment of 79 108 hectolitres of pure alcohol shall be allocated amongst the Member States ; the shares which, subject to Article 3, shall apply until 30 June 1992, amount to the following quantities :

	(hectolitres of pure alcohol)
Benelux	4 636,
Denmark	1 178,
Germany	26 935,
Greece	1 194,

Spain	1 835,
France	235,
Ireland	1 415,
Italy	245,
Portugal	10,
United Kingdom	41 425.

3. A second instalment of 118 663 hectolitres of pure alcohol shall constitute the Community reserve.

Article 3

If a Member State's initial share as specified in Article 2 (2), 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 declaration is accepted by the customs authorities, the Member State concerned shall, by noti-

fyng 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 said declaration 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 so informed by the Commission.

Article 4

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

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 provisions laid down in Article 3, if these provisions are not already in effect.

Within a time limit fixed by the Commission as from the date referred to in paragraph 2, Member States shall be required to return to the reserve all their initial shares which have not been used on that date.

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

Done at Brussels, 28 June 1991.

Article 5

The Commission shall keep an account of the shares opened to 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 reserves have been used up.

It shall inform the Member States of the volume of the reserve following any return of quota shares pursuant to Article 4.

Article 6

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

Article 7

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

Article 8

Council Regulation (EEC) No 1316/87 of 11 May 1987 on the safeguard measures provided for in the Third ACP-EEC Convention⁽¹⁾ and the provisions that will replace it under the Fourth ACP-EEC Convention shall apply to the products referred to in this Regulation.

Article 9

This Regulation shall enter into force on 1 July 1991.

For the Council

The President

J. F. POOS

⁽¹⁾ OJ No L 125, 14. 5. 1987, p. 1.

COUNCIL REGULATION (EEC) No 1909/91

of 28 June 1991

opening and providing for the administration of a Community tariff quota for rum, tafia and arrack originating in the overseas countries and territories (OCT) associated with the European Economic Community (1990/91)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as extended by Decision 91/312/EEC⁽²⁾ and in particular Articles 3 and 4 of Annex V thereto,

Having regard to the proposal from the Commission,

Whereas Annex V to Decision 86/283/EEC provides that rum, tafia and arrack shall be imported into the Community free of customs duties within the limits of a Community tariff quota;

Whereas the Community has established by Decision 86/47/EEC⁽³⁾, as last extended by Decision 90/669/EEC⁽⁴⁾, arrangements for trade between the Kingdom of Spain and the Portuguese Republic on the one hand and the overseas countries and territories (OCT) on the other; whereas this Decision lays down provisions concerning the quota duties to be applied by those two Member States on imports of products originating in the OCT;

Whereas the annual size of the quota is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, equal to the amount of imports during the best of the past three years for which statistics are available and to which quantity a growth rate equal to 27 % is applied; whereas the quota period ranges from 1 July to 30 June;

Whereas Community statistics for these products and the trend for the years 1988 to 1990 show that the highest volume of imports into the Community of the products in question originating in the OCT, namely 1 126,49

hectolitres of pure alcohol, occurred in 1989, whereas, on that basis, the quota volume should therefore be fixed at 1 430,64 hectolitres of pure alcohol;

Whereas by application of the provisions of Article 3 (3) of Annex V to Decision 86/283/EEC the quota volume in question should however be increased to 15 000 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas it is appropriate to take the necessary measures to ensure effective Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and 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 may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1991 to 30 June 1992, the following products originating from the OCT shall be imported duty free into the Community within the limit of the relevant Community tariff quota mentioned:

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1621	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafia and arrack	15 000	Free

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ See page 13 of this Official Journal.

⁽³⁾ OJ No L 63, 5. 3. 1986, p. 95.

⁽⁴⁾ OJ No L 365, 28. 12. 1990, p. 79.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those set out in Annex II to Decision 86/283/EEC.

3. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Decision 86/47/EEC.

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 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 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 of drawings made.

Article 4

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

Article 5

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

Article 6

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Council

The President

J. F. POOS

COUNCIL REGULATION (EEC) No 1910/91

of 28 June 1991

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Cyprus, Morocco, Israel, Tunisia and Egypt (1991/92)

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 relevant articles and the Additional Protocols to the Agreements between the European Economic Community, on the one hand, and the Kingdom of Morocco⁽¹⁾, the State of Israel⁽²⁾, the Tunisian Republic⁽³⁾ and the Arab Republic of Egypt⁽⁴⁾, on the other, and the Protocol defining the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and adapting certain provisions of the Agreement⁽⁵⁾ provide for the opening of Community tariff quotas for:

- 86 000 tonnes of tomatoes, fresh or chilled, falling within CN code ex 0702 00 10 originating in Morocco (15 November to 30 April), of which 15 000 tonnes in April,
- 300 tonnes of aubergines, falling within CN code ex 0709 30 00 originating in Cyprus (1 October to 30 November),
- 100, 450 and 100 tonnes of Chinese cabbage, falling within CN code ex 0704 90 90 originating in Morocco, Israel and Cyprus respectively (1 November to 31 December),
- 100, 250 and 100 tonnes of 'Iceberg' lettuce, falling within CN codes ex 0705 11 10 and ex 0705 11 90 originating in Morocco, Israel and Cyprus respectively (1 November to 31 December),
- 265 000 tonnes, 293 000 tonnes and 7 000 tonnes of oranges, fresh, falling within CN code ex 0805 10 originating in Morocco, Israel, Tunisia and Egypt respectively (1 July to 30 June),
- 14 200 tonnes of fresh mandarins, clementines, etc, falling within CN code ex 0805 20 originating in Israel (1 July to 30 June);

Whereas, however, the quotas relating to Cyprus must be increased in equal steps of 5 % per annum, starting with the entry into force of the abovementioned Protocol, by virtue of its Articles 18 and 19; whereas for 1991 they will therefore be at the levels indicated in Article I;

Whereas, to take into account the fact that, for fresh oranges, Morocco and Tunisia benefit in the period 16 October to 30 April from a customs duty less than that in Spain and Portugal; whereas these tariff quotas should be opened for the periods 1 July to 15 October 1991 and 1 May to 30 June 1992; whereas, taking into account the seasonal nature of the imports of these products, the volume of these quotas should be fixed at the level of the traditional average imports in these periods, that is to say, 103 242 tonnes for Morocco and 1 051 tonnes for Tunisia respectively;

Whereas, under these tariff quotas, customs duties are to be abolished progressively:

- over the same periods and in accordance with the same timetables as laid down in Articles 75 and 268 of the Act of Accession of Spain and Portugal in the case of the tariff quotas opened for Morocco, Israel, Tunisia and Egypt,
- in accordance with the timetable and conditions laid down in Article 5 and 16 of the abovementioned Protocol and Cyprus in the case of the tariff quotas opened for Cyprus;

Whereas Council Regulations (EEC) No 4162/87 of 21 December 1987 laying down arrangements for Spain's and Portugal's trade with Israel⁽⁶⁾, (EEC) No 3189/88 of 14 October 1988 laying down the arrangements to be applied by Spain and Portugal to trade with Morocco and Syria⁽⁷⁾, (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⁽⁸⁾, and the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽⁹⁾ provide that Spain and Portugal shall apply duties which progressively reduce the gap between

⁽¹⁾ OJ No L 224, 13. 8. 1988, p. 18.

⁽²⁾ OJ No L 327, 30. 11. 1988, p. 36.

⁽³⁾ OJ No L 265, 27. 9. 1978, p. 2.

⁽⁴⁾ OJ No L 266, 27. 9. 1978, p. 2.

⁽⁵⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽⁶⁾ OJ No L 396, 31. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 287, 20. 10. 1988, p. 1.

⁽⁸⁾ OJ No L 250, 1. 9. 1987, p. 1.

⁽⁹⁾ OJ No L 393, 31. 12. 1987, p. 37.

the base duty rates and the preferential duty rates, whereas the Community tariff quotas in question should therefore be opened for the periods mentioned in Article 1 ;

are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of these quotas may be carried out by any of its members,

Whereas all Community importers should be ensured equal and continuous access to the said quotas and the duty rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted ; whereas the necessary measures should be taken to provide for effective Community management of the quotas, so that the Member States may draw against the quotas such quantities as they may need, corresponding to actual imports ; whereas this method of administration requires close cooperation between the Member States and the Commission ;

HAS ADOPTED THIS REGULATION :

Article 1

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg

The customs duties applicable to imports into the Community of the products listed below originating in Cyprus, Morocco, Israel, Tunisia and Egypt shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas shown below :

Order No	CN code (a)	Description	Origin	Quota volume (in tonnes)	Rate of (duty %)
(1)	(2)	(3)	(4)	(5)	(6)
09.1117	ex 0702 00 10	Tomatoes fresh or chilled, from 15 November 1991 to 30 April 1992	Morocco	86 000	— from 15 November to 31 December : 3,6 MIN ECU 0,6/100 kg/net — from 1 January to 29 February : ECU 0,2/100 kg/net (1) — from 1 March to 30 April : 2,4 MIN ECU 0,4/100 kg/net
09.1118	ex 0702 00 10	Of which : Tomatoes, fresh or chilled, from 1 to 30 April 1992	Morocco	15 000	2,4 MIN ECU 0,4/100 kg/net
09.1405	ex 0709 30 00	Aubergines, from 1 October to 30 November 1991	Cyprus	360	4,0
09.1109 09.1311 09.1425	ex 704 90 90	Aubergines, from 1 November to 31 December 1991	Morocco Israel Cyprus	100 450 120	6,8 6,8 9,6
09.1111 09.1313	ex 0705 11 10 ex 0705 11 90	'Iceberg' lettuce (<i>Lactuca sativa</i> L., <i>capitata</i> L), from 1 November to 31 December 1991	Morocco Israel	100 250	— from 1 to 30 November : 5,0 MIN ECU 0,5/100 kg/br — from 1 to 31 December : 4,3 MIN ECU 0,5/100 kg/br
09.1427			Cyprus	120	— from 1 to 30 November : 9,6 MIN ECU 1,6/100 kg/br — from 1 to 31 December : 8,3 MIN ECU 1,0/100 kg/br

Order No	CN code (a)	Description	Origin	Quota volume (in tonnes)	Rate of (duty %)
(1)	(2)	(3)	(4)	(5)	(6)
09.1323	0805 10 11 0805 10 15 0805 10 19	Fresh oranges, from 1 July 1991 to 30 June 1992	Israel Egypt	293 000 7 000	2,8
09.1707	0805 10 21 0805 10 25 0805 10 29				} 0
	0805 10 31 0805 10 35 0805 10 39				} 0
	0805 10 41 0805 10 45 0805 10 49				{ — from 16 October to 31 December 1991 : 6,6 — from 1 January to 31 March 1992 : 4,4
	ex 0805 10 70				{ — from 1 July to 15 October 1991 : 5,0 — from 1 April to 30 June 1992 : 3,3
	ex 0805 10 90				{ — from 16 October to 31 December 1991 : 6,6 — from 1 January to 31 March 1992 : 4,4
09.1121	0805 10 21				0
09.1207	0805 10 25 0805 10 29 0805 10 31 0805 10 35 0805 10 39				
					0
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Madarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh, from 1 July 1991 to 30 June 1992	Israël	14 200	{ — from 1 July to 31 December 1991 : 6,6 — from 1 January to 30 June 1992 : 4,4
	ex 0805 20 90	Minneolas, fresh, from 1 July 1991 to 30 June 1992			0

(a) See Taric codes in the Annex.

(¹) This specific customs duty is only levied when it exceeds 2 % *ad valorem*.

Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of Regulations (EEC) No 4162/87, (EEC) No 3189/88 and (EEC) No 2753/87 and of the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of Spain and Portugal to the Community.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective management thereof.

Article 3

If an importer presents in a Member State a declaration of entry for 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 inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

Requests for drawings, indicating the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings shall be granted by the Commission by reference to the date of acceptance of the declarations of entry for free circulation by the customs authorities of the Member States 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 corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, the requests shall be met on a pro rata basis. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quotas for such time as the residual balance of the quota volumes so permits.

Article 5

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

Article 6

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 28 June 1991.

For the Council

The President

J. F. POOS

ANNEX

Taric code

Order No	CN code	Taric Code
09.1117	ex 0702 00 10	0702 00 10*21 0702 00 10*29 0702 00 10*31 0702 00 10*39 0702 00 10*41 0702 00 10*49 0702 00 10*51 0702 00 10*59 0702 00 10*61 0702 00 10*69 0702 00 10*71 0702 00 10*79 0702 00 10*81 0702 00 10*84
09.1118	ex 0702 00 10	0702 00 10*71 0702 00 10*79 0702 00 10*81 0702 00 10*84
09.1405	ex 0709 30 00	0709 30 00*50
09.1109 09.1311 09.1425	ex 0704 90 90	0704 90 90*92
09.1111 09.1313 09.1427	ex 0705 11 10 ex 0705 11 90	0705 11 10*35 0705 11 90*11
09.1323 09.1707	ex 0805 10 70 ex 0805 10 90	0805 10 70*11 0805 10 70*13 0805 10 70*14 0805 10 70*18 0805 10 90*11 0805 10 90*19
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50	0805 20 10*31 0805 20 10*33 0805 20 10*35 0805 20 10*37 0805 20 30*31 0805 20 30*33 0805 20 30*35 0805 20 30*37 0805 20 50*31 0805 20 50*33 0805 20 50*35 0805 20 50*37
09.1325	ex 0805 20 70 ex 0805 20 90	0805 20 70*31 0805 20 70*33 0805 20 70*35 0805 20 70*37 0805 20 90*51 0805 20 90*53 0805 20 90*55 0805 20 90*57
09.1325	ex 0805 20 90	0805 20 90*11 0805 20 90*12 0805 20 90*13 0805 20 90*14

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 June 1991

extending the validity of Decision 86/283/EEC on the association of the overseas countries and territories with the European Economic Community

(91/312/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Whereas, pending the entry into force of a new Decision by the Council on the association of the overseas countries and territories with the European Economic Community, which for material reasons can not be finalized for adoption by 30 June 1991, the arrangements applicable by virtue of Decision 86/283/EEC⁽¹⁾, as last amended by Decisions 90/146/EEC⁽²⁾ and 91/110/EEC⁽³⁾, should be kept in force until the entry into force of the new Decision, but no later than 31 July 1991,

HAS DECIDED AS FOLLOWS:

Article 1

In Article 183 of Decision 86/283/EEC, '30 June 1991' shall be replaced by 'the date of entry into force of the

new Decision on the association of the overseas countries and territories with the European Economic Community, but no later than 31 July 1991'.

Article 2

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 July 1991.

Done at Brussels, 28 June 1991.

For the Council

The President

J. F. POOS

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 84, 30. 3. 1990, p. 108.

⁽³⁾ OJ No L 58, 5. 3. 1991, p. 27.

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL

of 28 June 1991

extending Decision 86/284/ECSC on the arrangements for trade between the
Community and the associated overseas countries and territories in products
within the province of the European Coal and Steel Community

(91/313/ECSC)

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

Whereas the arrangements applicable under Decision 86/284/ECSC ⁽¹⁾, as extended by
Decisions 90/147/ECSC ⁽²⁾ and 91/111/ECSC ⁽³⁾, should be kept in force until the entry
into force of a new Decision, which for material reasons can not be finalized for adoption
by 30 June 1991, but no later than 31 July 1991;

in agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

In Article 7 of Decision 86/284/ECSC, '30 June 1991' shall be replaced by 'the date of
entry into force of the new Decision on the arrangements for trade between the Commu-
nity and the associated overseas countries and territories in products within the province
of the European Coal and Steel Community, but no later than 31 July 1991'.

Article 2

This Decision 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 July 1991.

Done at Brussels, 28 June 1991.

For the Council

The President

J. F. POOS

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 111.

⁽²⁾ OJ No L 84, 30. 3. 1990, p. 109.

⁽³⁾ OJ No L 58, 5. 3. 1991, p. 28.