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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3902/91

of 18 December 1991

opening and providing for the administration of autonomous Community tariff quotas for certain fishery products (1992)

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 supplies of certain species of fish or fish fillets currently depend on imports from third countries; whereas it is in the Community's interest to suspend partially the customs duties for the products in question, within Community tariff quotas of an appropriate volume; whereas, in order not to jeopardize the development prospects of this production in the Community and to ensure an adequate supply to satisfy user industries, it is advisable to open these quotas for the period from 1 January to 31 March 1992 for frozen sardines and from 1 April to 31 December 1992 for the other products, applying customs duties varied accordingly to sensitivity of the different products on the Community market;

Whereas it is necessary, in particular, to ensure for 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 the necessary measures should be taken to ensure efficient Community management of the tariff quotas, while allowing Member States to draw on the quota volumes the necessary quantities which correspond to importations actually made; whereas this type of management 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 relating to the administration of the tariff quotas may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

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

Series No	CN code (1)	Description	Quota period	Amount of quota (in tonnes)	Quota duty (%)
09.2752	ex 0303 71 10	Sardines of the <i>Sardina pilchardus</i> species, frozen, for processing (a) (b)	from 1 January to 31 March 1992	6 000	10
09.2753	ex 0302 50 ex 0302 69 35 ex 0303 60 ex 0303 79 41	Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), and fish of the genus <i>Boreogadus saida</i> , excluding livers, roes, presented fresh, chilled or frozen, for processing (a) (b)	from 1 April to 31 December 1992	50 000	3,7
09.2755	ex 0302 63 00 ex 0303 73 00	Coalfish (<i>Pollachius virens</i>), excluding livers, roes, presented fresh, chilled or frozen, for processing (a) (b)	from 1 April to 31 December 1992	20 000	3,7
09.2757	ex 0302 62 00 ex 0303 72 00	Haddock (<i>Melanogrammus aeglefinus</i>), excluding livers, roes, presented fresh, chilled or frozen, for processing (a) (b)	from 1 April to 31 December 1992	6 000	3,7
09.2765	0305 62 00 0305 69 10	Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i> , salted or in brine, but not dried or smoked	from 1 April to 31 December 1992	60 000	6

Series No	CN code (1)	Description	Quota period	Amount of quota (in tonnes)	Quota duty (%)
09.2767	0305 51 10 0305 59 11	Cod (<i>Gadus morhua</i> , <i>Gadus orgac</i> , <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i> , dried, unsalted, not smoked	from 1 April to 31 December 1992	500	8
09.2769	0305 30 11 0305 30 19	Fish fillets, salted or in brine, of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i>	from 1 April to 31 December 1992	3 000	9
09.2771	ex 0305 30 90	Fillets of coalfish (<i>Pollachius virens</i>), salted, for processing (a) (b)	from 1 April to 31 December 1992	3 500	10
09.2773	ex 0306 13 10 ex 0306 23 10	Shrimps and prawns of the species <i>Pandalus borealis</i> , in shell, fresh, chilled or frozen, for processing (a) (b)	from 1 April to 31 December 1992	5 000	6
09.2789	ex 0302 21 10 ex 0303 31 10	Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>), fresh, chilled or frozen, for processing (a) (b)	from 1 April to 31 December 1992	6 000	4

(1) See Taric codes in the Annex.

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The quota shall apply to products intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations:

- cleaning, gutting, tailing, heading,
- cutting (excluding filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The quota is not allowed for products intended, in addition to undergo treatment (or operations) qualifying for the quota where such treatment (or operations) is (are) carried out at retail or catering level. The reduction of customs duties shall apply only to fish intended for human consumption.

2. 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 in the Act of Accession.

3. Imports of the products in question shall not be covered by the quotas referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States in accordance with Article 21 of Regulation (EEC) No 3796/81⁽¹⁾, as last amended by Regulation (EEC) No 3468/88⁽²⁾, is at least equal to the reference price fixed, or to be fixed, by the Community for the products under consideration of the categories of the products concerned.

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 administration thereof.

Article 3

If an importer presents in a Member State an entry for release for free circulation, including a request for preferential

benefit for a product covered by this Regulation and if this entry for release is accepted by the customs authorities, the Member States concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

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

The drawings are granted by the Commission by reference to the date of acceptance of the entries for release 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, allocation shall be made on a pro rata basis with respect to the requests. Member States

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 305, 10. 11. 1988, p. 1.

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 uninterrupted 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 January 1992.

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

Done at Brussels, 18 December 1991.

For the Council
The President
P. BUKMAN

ANNEX

Taric codes

Series No	CN code	Taric code
09.2752	ex 0303 71 10	*10
09.2753	ex 0302 50 10	* 10
	ex 0302 50 90	* 11
	ex 0302 50 90	* 91
	ex 0302 69 35	* 10
	ex 0303 60 11	* 10
	ex 0303 60 19	* 10
	ex 0303 60 90	* 10
	ex 0303 79 41	* 10
09.2755	ex 0302 63 00	* 10
	ex 0303 73 00	* 10
09.2757	ex 0302 62 00	* 10
	ex 0303 72 00	* 10
09.2771	ex 0305 30 90	* 13
09.2773	ex 0306 13 10	* 10
	ex 0306 23 10	* 11
	ex 0306 23 10	* 91
09.2789	ex 0302 21 10	* 10
	ex 0303 31 10	* 10

COUNCIL REGULATION (EEC) No 3903/91

of 18 December 1991

partially and temporarily suspending the autonomous duties of the Common Customs Tariff
on certain fish fillets (1992)

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 supplies of fillets of certain species of fish currently depend on imports
from third countries; whereas it is in the Community's interest to suspend partially the customs
duties for the products in question; whereas, in order not to jeopardize the development
prospects of production of competitive products in the Community and to ensure an adequate
supply to satisfy user industries, it is advisable to limit these suspension measures to a period
from 1 April to 31 December 1992,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 April to 31 December 1992, the autonomous duties of the Common Customs Tariff
applicable to the products listed below shall be suspended at the level indicated in respect of
each of them:

CN code (¹)	Description	Rate of duty (%)
ex 0304 20 57 ex 0304 90 47	Fillets and meat of hake (<i>Merluccius</i> spp., excluding the genus <i>Merluccius merluccius</i> , <i>Merluccius bilinearis</i>) in the form of industrial blocks, frozen, for processing (a) (b)	10
ex 0304 20 85	Fillets of Alaska pollack (<i>Theragra chalcogramma</i>), in the form of industrial blocks, frozen, for processing (a) (b)	5

(¹) See Taric codes in the Annex.

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The suspension shall apply to products intended to undergo any operation unless they are intended to undergo
exclusively one or more of the following operations:

- cleaning, gutting, tailing, heading,
- cutting (excluding filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for
the suspension where such treatment (or operations) is (are) carried out at retail or catering level. The reduction of
customs duties shall apply only to fish intended for human consumption.

2. In the framework of these suspensions, the Kingdom of Spain and the Portuguese
Republic shall apply customs duties calculated in accordance with the relevant provisions in the
Act of Accession.

3. Imports of the products in question shall not be covered by the suspensions referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States in accordance with Article 21 of Regulation (EEC) No 3796/81 ⁽¹⁾, as last amended by Regulation (EEC) No 3468/88 ⁽²⁾, is at least equal to the reference price fixed, or to be fixed, by the Community for the products under consideration or the categories of the products concerned.

Article 2

This Regulation shall enter into force on 1 April 1992.

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

Done at Brussels, 18 December 1991.

For the Council
The President
P. BUKMAN

ANNEX

Taric codes

CN code	Taric code
ex 0304 20 57	* 31
ex 0304 20 57	* 41
ex 0304 20 85	* 10
ex 0304 90 47	* 30

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 305, 10. 11. 1988, p. 2.

COUNCIL REGULATION (EEC) No 3904/91

of 19 December 1991

opening and providing for the administration of Community tariff quotas bound in GATT for certain agricultural and industrial products

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, within the framework of the General Agreement on Tariffs and Trade (GATT), to open yearly reduced or zero-duty Community tariff quotas on certain conditions for certain agricultural and industrial products; whereas the tariff quotas in question should accordingly be opened for 1992, specifying, where appropriate, the agreed entry conditions;

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 ensure efficient administration of the tariff quotas at Community level by providing for

Member States to draw against the quota volumes such quantities as they may need to cover actual imports as recorded; 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 quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duties applicable to imports of the following products 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	Quota period	Quota volume (tonnes)	Rate of duty (%)
09.0006	0302 40 90 0303 50 90 0304 10 93 ex 0304 10 98 0304 90 25	Herring, subject to compliance with the reference prices	From 16 June 1992 to 14 February 1993	34 000	0
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> or <i>Gadus ogac</i> and fish of the species <i>Boreogadus saida</i> , dried, salted or in brine, whole, headless or in pieces	From 1 January to 31 December 1992	25 000	0
09.0009	ex 0302 69 65 ex 0303 78 10 ex 0304 90 47	Silver hake (<i>Merluccius bilinearis</i>), fresh, chilled or frozen	From 1 January to 31 December 1992	2 000	8
09.0011	ex 0304 20 29	Frozen cod fillets (<i>Gadus morhua</i>)	From 1 January to 31 December 1992	10 000	8

(a) See Taric codes annexed.

Order No	CN code (a)	Description	Quota period	Quota volume (tonnes)	Rate of duty (%)
09.0013	ex 4412 19 00 ex 4412 99 90	Plywood of coniferous species, without the addition of other substances: — Of a thickness greater than 8,5 mm, the faces of which are not further prepared than the peeling process — Sanded, and of a thickness greater than 18,5 mm	From 1 January to 31 December 1992	650 000 m ³	0
09.0015	4801 00 10	Newsprint ⁽¹⁾ : — From Canada	From 1 January to 31 December 1992	600 000	0
09.0017		— From other third countries		50 000	0
09.0019	7202 21 10 7202 21 90 7202 29 00	Ferro-silicon	From 1 January to 31 December 1992	12 600	0
09.0021	7202 30 00	Ferro-silico-manganese	From 1 January to 31 December 1992	18 550	0
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 ferrochromium)	From 1 January to 31 December 1992	2 950	0
09.0035	0712 20 00	Dried onions, whole cut, sliced, broken or in powder, but not further prepared	From 1 January to 31 December 1992	12 000	10
09.0039	0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>)	From 15 January to 14 June 1992	10 000	6
09.0041	0802 11 90 0802 12 90	Almonds, whether or not shelled, other than bitter almonds	From 1 January to 31 December 1992	45 000	2

(a) See Taric codes annexed.

⁽¹⁾ Entry under this subheading is subject to conditions determined by the relevant Community provisions.

2. 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 the 1985 Act of Accession.

3. Imports of products listed in paragraph 1 which are subject to a lower or equal customs duty under other preferential tariff arrangements shall not be charged against the corresponding tariff quota.

Article 2

1. Without prejudice to the Community's international obligations, Member States may charge against the tariff quotas referred to in Article 1 (1) under order Nos 09.0015 and 09.0017 other types of paper corresponding, except as regards the criterion relating to watermarks, to the definition

of newsprint contained in additional note 1 of Chapter 48 of Part Two of the combined nomenclature and falling within CN code 4801 00 90.

2. From 30 November 1992 imports of newsprint from Canada or from other third countries may be charged against the remainder of either of the quota volumes for newsprint referred to in Article 1 (1) not used by 29 November 1992 and not expected to be used by 31 December 1992.

Article 3

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 4

Where an importer presents a product covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full, it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States accordingly.

Article 5

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 6

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

Article 7

The Commission may, by means of a Regulation, suspend the application of the tariff quotas opened for onions, lemons and almonds under order Nos 09.0035, 09.0039 and 09.0041 if the reciprocity provided for is no longer ensured.

Article 8

This Regulation shall enter into force on 1 January 1992.

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

Done at Brussels, 19 December 1991.

For the Council
The President
P. DANKERT

ANNEX

Taric Codes

Order No	CN code	Taric code
09.0006	ex 0304 10 98	* 14 * 16
09.0007	ex 0305 51 10 ex 0305 51 90 ex 0305 62 00	* 10 * 20 * 10 * 10 * 20 * 10 * 30
09.0009	ex 0302 69 65 ex 0303 78 10 ex 0304 90 47	* 10 * 10 * 20
09.0011	ex 0304 20 29	* 10
09.0013	ex 4412 19 00 ex 4412 99 90	* 10 * 10
09.0023	ex 7202 49 10 ex 7202 49 50	* 10 * 10

COUNCIL REGULATION (EEC) No 3905/91

of 19 December 1991

opening and providing for the administration of Community tariff quotas for certain industrial products (first series 1992)

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 industrial products will remain, in the course of 1992, unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 30 June 1992 or 31 December 1992 where appropriate, taking account of the need not to disturb the markets for such products nor the starting out or development of Community production; whereas the volume kept for Ferro-chromium containing by weight more than 6 % of carbon could be adjusted in the course of the exercise according to real needs that have been noted;

Whereas it is necessary, in particular, to ensure for 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, it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volumes the necessary quantities corresponding to actual imports; 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 used up 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, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

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

Oder No	CN code (a)	Descriptions	Amount of quota (in tonnes)	Quota duty (%)	Quota period
09.2703	ex 2825 30 00	Vanadiumoxides and hydroxides, not in the form of powder, exclusively for the production of alloys ⁽¹⁾	6 000	0	1. 1. 92 — 31. 12. 92
09.2711	7202 41 90	Ferro-chromium containing by weight more than 6 % of carbon	300 000	0	1. 1. 92 — 31. 12. 92
09.2717	ex 7202 99 19	Ferro-phosphorus containing by weight 15 % or more of phosphorus, intended for the manufacture of refined phosphoric iron or steel ⁽¹⁾	15 000	0	1. 1. 92 — 31. 12. 92
09.2727	ex 3902 90 00	Synthetic poly-alpha-olefin having a kinetic viscosity of not less than $38 \times 10^{-6} \text{ m}^2 \text{ s}^{-1}$ (38 centistokes) at 100 °C measured using the ASTM D 445 method	2 000	0	1. 1. 92 — 30. 6. 92

(a) See Taric codes in the Annex.

⁽¹⁾ Checks on their prescribed end-use shall be carried out pursuant to the relevant Community provisions.

Oder No	CN code (a)	Descriptions	Amount of quota (in tonnes)	Quota duty (%)	Quota period
09.2731	ex 3905 90 00	Polyvinylpyrrolidone, presented in powder form, the particles of which are less than 38 micrometres and which has a solubility in water at 25 °C of less than, or equal to 1,5 % by weight and which is intended for the pharmaceutical industry ⁽¹⁾	120	0	1. 1. 92 — 31. 12. 92
09.2781	ex 7226 10 91	Flat-rolled products of silicon-electrical steel, cold-rolled, grain oriented, of a width not exceeding 500 mm, of a thickness of 0,23 mm or less, with a nominal magnetic inversion loss rate of 0,8 W/kg or less determined by the Epstein method with a current of 50 cycles and one induction of 1,7 tesla	150	0	1. 1. 92 — 30. 6. 92
09.2791	ex 3905 90 00	Polyvinyl butyral in the form of powder, for the production of film for laminated safety glass ⁽¹⁾	6 500	0	1. 1. 92 — 31. 12. 92
09.2799	ex 2702 49 90	Ferro-chromium containing more than 1,5 %, but not more than 2 % by weight of carbon and not more than 55 % of chromium	15 000	0	1. 1. 92 — 31. 12. 92
09.2809	ex 3802 90 00	Acid-activated montmorillonite for the manufacture of self-copy paper ⁽¹⁾	10 500	0	1. 1. 92 — 31. 12. 92
09.2811	ex 2902 90 90	4-Benzylbiphenyl	250	0	1. 1. 92 — 31. 12. 92
09.2815	ex 3823 90 98	Mixtures of sucrose stearate	51	0	1. 1. 92 — 31. 12. 92
09.2827	ex 2932 90 79	1,3-2,4-Di-o-benzylidene D-glucitol with a purity by weight not less than 96 %	150	0	1. 1. 92 — 31. 12. 92

(a) See Taric codes in the Annex.

⁽¹⁾ Checks on their prescribed end-use shall be carried out pursuant to the relevant Community provisions.

2. 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 the 1985 Act of Accession.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a declaration covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission,

draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated

among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

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

Done at Brussels, 19 December 1991.

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 January 1992.

For the Council
The President
P. DANKERT

ANNEX

Taric Codes

Order No	CN code	Taric code
09.2703	ex 2825 30 00	* 10
09.2711	7202 41 90	* 00
09.2717	ex 7202 99 19	* 20
09.2727	ex 3902 90 00	* 95
09.2731	ex 3905 90 00	* 94
09.2781	ex 7226 10 91	* 20
09.2791	ex 3905 90 00	* 95
09.2799	ex 7202 49 90	* 10
09.2809	ex 3802 90 00	* 10
09.2811	ex 2902 90 90	* 50
09.2815	ex 3823 90 98	* 41
09.2827	ex 2932 90 79	* 80

COUNCIL REGULATION (EEC) No 3906/91

of 19 December 1991

opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (second series 1992)

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 agricultural and industrial products will remain in the course of 1992 unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms;

Whereas Community tariff quotas at reduced or at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 30 June 1992 or 31 December 1992 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas it is necessary, in particular, to ensure for 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, it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volumes the necessary quantities corresponding to actual imports; 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 used up 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, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until the date shown in the table below the customs duties applicable to imports into the Community of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas shown below:

Order No	CN code (a)	Description	Amount of quota	Quota duty (%)	End of quota period
09.2713		Sweet cherries, marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products ⁽¹⁾ :			
	ex 2008 60 19	— With a sugar content exceeding 9 % by weight	} 2 000 tonnes	10 + AGR 10	31. 12. 1992
	ex 2008 60 39	— With a sugar content not exceeding 9 % by weight			
09.2719		Sour cherries (<i>Prunus cerasus</i>), marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products ⁽¹⁾ :			
	ex 2008 60 19	— with a sugar content exceeding 9 %	} 2 000 tonnes	10 + AGR 10	31. 12. 1992
	ex 2008 60 39	— with a sugar content not exceeding 9 % by weight			

(a) See Taric codes in the Annex.

⁽¹⁾ The end-use of this product will be monitored in accordance with the relevant Community provisions.

Order No	CN code (a)	Description	Amount of quota	Quota duty (%)	End of quota period
09.2729	ex 0811 90 90	Boysenberries, preserved by freezing, not containing added sugar, for the processing industry ⁽¹⁾	1 500 tonnes	12	31. 12. 1992
09.2741	ex 8104 11 00	Unwrought magnesium having a purity of not less than 99,95 % in the form of ingots, intended for the manufacture of elements used in the nuclear industry ⁽¹⁾	800 tonnes	0	30. 6. 1992
09.2797	ex 8540 41 00	Magnetrons with a power output of less than 1 000 W, for the manufacture of microwave ovens ⁽¹⁾	700 000 pieces	0	30. 6. 1992
09.2817	ex 8110 00 11	Antimony ingots	4 500 tonnes	0	31. 12. 1992
09.2821	ex 8111 00 11	Electrolytic manganese of a purity by weight of 99,7 % or more, for the manufacture of non-ferrous alloys ⁽¹⁾	3 500 tonnes	0	31. 12. 1992
09.2823	ex 3905 90 00	Ethylene-vinyl alcohol copolymers with an ethylene content expressed in moles of 38 % minimum and 46 % maximum, and with a melting point of 160 °C or more not exceeding 185 °C, for the manufacture of biodegradable products, with a minimum starch content of 40 % ⁽¹⁾	5 800 tonnes	0	30. 6. 1992
09.2725	ex 3901 90 00	Copolymers of ethylene and methacrylic acid, containing from 8 % to 12 % by weight of methacrylic acid, put up in one of the forms referred to in Note 6 (b) to Chapter 39, for the manufacture of ionomers ⁽¹⁾	3 500 tonnes	4	30. 6. 1992
09.2829	ex 3806 90 00	Solid extract of wood resin, not soluble in aliphatic hydrocarbons having a resin acid content of 30 % or less, a melting point of over 100 °C and an acid number lower than 110	800 tonnes	0	30. 6. 1992

(a) See Taric codes in the Annex.

⁽¹⁾ The end-use of this product will be monitored in accordance with the relevant Community provisions.

2. 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 the 1985 Act of Accession.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a declaration covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission,

draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated

among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant 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 January 1992.

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

Done at Brussels, 19 December 1991.

For the Council
The President
P. DANKERT

ANNEX

Taric codes

Order No	CN codes	Taric codes
09.2713	ex 2008 60 19	* 10
	ex 2008 60 39	* 10
09.2719	ex 2008 60 19	* 20
	ex 2008 60 39	* 20
09.2725	ex 3901 90 00	* 97
09.2729	ex 0811 90 90	* 10
09.2741	ex 8104 11 00	* 30
09.2797	ex 8540 41 00	* 91
09.2817	ex 8110 00 11	* 10
09.2821	ex 8111 00 11	* 20
09.2823	ex 3905 90 00	* 96
09.2829	ex 3806 90 00	* 40

COUNCIL REGULATION (EEC) No 3907/91

of 19 December 1991

on action by the Community relating to nature conservation (ACNAT)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas it is important that the Community should be able to make a contribution towards the action of the Member States for the maintenance and re-establishment of seriously threatened biotopes of endangered species or towards the implementation of measures to maintain and re-establish endangered species, pursuant to Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ⁽⁴⁾, as last amended by Commission Directive 91/244/EEC ⁽⁵⁾;

Whereas it is also important that the Community should be able to make a contribution towards the action of the Member States for the maintenance and re-establishment of seriously threatened habitats, corresponding to the types of habitats in danger of disappearance in the Community or supporting species in danger of extinction in the Community, or towards the implementation of measures to conserve and re-establish such species, other than birds, and supplementing the action taken for the same purpose in Community research programmes;

Whereas the Community should grant financial support to measures to conserve nature protection zones of Community importance and endangered species;

Whereas initially a two-year action should be planned, with the possibility of extension or review;

Whereas funds of ECU 50 million for a period of two years are deemed necessary for the implementation of this action;

Whereas, in the absence of applications from a Member State, the Commission should, in exceptional cases, and in

agreement with the Member State concerned, be able to take the initiative in proposing measures to counter threats of extinction or the direct risk of disappearance, to meet needs which transcend frontiers or to deal with particularly urgent problems in the context of the Berne ⁽⁶⁾, Bonn ⁽⁷⁾ or Ramsar Conventions;

Whereas the Commission should take the necessary verification, monitoring and inspection measures in order to ensure the success of the projects undertaken by the beneficiaries of financial support;

Whereas a Committee should assist the Commission in implementing this Regulation and, in particular, in selecting the projects for which financial support may be granted,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community may grant financial support for projects contributing to:

- pursuant to Directive 79/409/EEC, the maintenance or re-establishment of biotopes which are the habitat of endangered species or seriously threatened habitats of particular importance to the Community, or to the implementation of measures to conserve or re-establish endangered species,
- the maintenance or re-establishment of types of natural habitats of Community interest and the animal and plant species of Community interest referred to in Annex I.

2. The Community financial resources estimated as necessary for the implementation of Acnat projects amount to ECU 50 million.

The budgetary authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation applicable to the budget of the European Communities.

3. The financial support may be:

- (i) normally, not more than 50 % of the cost of projects;

⁽¹⁾ OJ No C 137, 6. 6. 1990, p. 6.

⁽²⁾ OJ No C 19, 28. 1. 1991, p. 282.

⁽³⁾ OJ No C 31, 6. 2. 1991, p. 8.

⁽⁴⁾ OJ No L 103, 25. 4. 1979, p. 1.

⁽⁵⁾ OJ No L 115, 8. 5. 1991, p. 41.

⁽⁶⁾ OJ No L 38, 10. 2. 1982, p. 1.

⁽⁷⁾ OJ No L 210, 19. 7. 1982, p. 10.

(ii) exceptionally, not more than 75% of the cost of projects concerning:

- biotopes or habitats of species threatened with extinction in the community, or
- habitats in danger of disappearance in the Community, or
- species threatened with extinction in the Community.

Article 2

1. To be eligible for financial support, a project shall be of interest to the Community and of interest in terms of conservation of the biotopes, habitats or species referred to in Article 1 (1).

The level of the Community's contribution shall depend on the extent to which it is shown that the project concerned corresponds to such interests.

2. Financial support shall be commensurate with the importance of the project to the Community, the capacity of the regions concerned to implement conservation measures of interest to the Community and the urgency of the need for financial support to implement the project in question and shall take particular account of its incentive effect in the Community.

Article 3

1. Applications for financial support for projects shall be sent to the Commission by the Member States and shall contain the information specified in Annex II.

2. In the absence of suitable applications from a Member State, the Commission may, in exceptional circumstances and in agreement with the Member State or States concerned, take the initiative of proposing measures:

- (a) relating to species threatened with extinction in the Community or relating to habitats directly exposed to the risk of disappearance in the Community;
- (b) relating to transboundary biotopes or habitats within the Community;
- (c) contributing to the solution of particularly urgent problems in the context of the Berne Convention, the Bonn Convention or the Ramsar Convention relating to habitats or species of interest to the Community.

Article 4

The Commission shall decide whether to grant or refuse financial support in accordance with the procedure laid down in Article 9.

Article 5

Natural or legal persons who assume responsibility for projects shall be eligible for financial support.

Article 6

1. In order to guarantee the success of the projects carried out by beneficiaries of Community financial support, the Commission shall take the necessary measures to:

- verify that projects financed by the Community have been properly carried out,
- prevent and take action against irregularities,
- recover any sums unduly paid as a result of abuse or negligence.

2. Without prejudice to audits carried out by the Court of Auditors in liaison with the national audit bodies or competent national departments under Article 206a of the Treaty or to any inspection carried out on the basis of Article 209(c) of the Treaty, Commission officials or employees may carry out on-the-spot checks, including sample checks, in respect of operations financed under Acnat.

Before carrying out an on-the-spot check, the Commission shall give notice to the beneficiary concerned with a view to obtaining all the assistance necessary.

3. For a period of three years following the last payment in respect of a project, the beneficiary of financial support shall keep available for the Commission all the supporting documents regarding expenditure on the project.

Article 7

1. The Commission may reduce or suspend payment of financial support in respect of any project if it finds an irregularity or a significant change affecting the nature or conditions of implementation of the project or measure for which the Commission's approval has not been sought.

2. If the completion dates have not been respected or if a particular project has been carried out in such a manner that payment of only part of the financial support allocated to it is justified, the Commission shall ask the beneficiary to submit his comments within a fixed period. If the beneficiary produces no adequate justification, the Commission may cancel the remaining portion of financial support.

3. Any overpayment shall be returned to the Commission. Interest may be charged on sums not repaid in due time. The Commission shall lay down the detailed rules for the implementation of this paragraph.

Article 8

The beneficiary of Community financial support shall submit to the Commission each year or in accordance with the terms of the contract a report on the implementation of commitments made to the Commission and, in particular, on the progress of work on the project and on the costs incurred in its execution.

Article 9

1. For the purposes of this Regulation, the Commission shall be assisted by a Committee consisting of the representatives of the Member States and chaired by the Commission representative. The Committee shall draw up its rules of procedure.

2. The Committee shall give an opinion on, *inter alia*:

- (i) the general conditions governing submission of the applications for financial support referred to in Article 3;
- (ii) any additional criteria to be applied in selecting projects for which applications for financial support have been submitted or in selecting measures falling within the scope of a project proposed by the Commission;
- (iii) the choice of projects for which financial support is to be granted;
- (iv) the levels of financial support to be granted to projects;
- (v) the priorities to be adopted within the scope defined in Article 1.

3. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a

proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event, the Commission may defer application of the measures which it has decided for a period of not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the second subparagraph.

Article 10

The Commission shall send an annual report on the implementation of this Regulation, also containing the list of reject applications, to the European Parliament, the Council and the Economic and Social Committee.

Article 11

A list of the projects for which Community financial support has been granted shall be published annually in the *Official Journal of the European Communities*.

Article 12

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

It shall apply for two years.

2. The Council, acting unanimously on a proposal from the Commission, may decide to extend or review this Regulation.

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

Done at Brussels, 19 December 1991.

For the Council
The President
P. DANKERT

ANNEX I

TYPES OF NATURAL HABITATS OF COMMUNITY INTEREST AND ANIMAL AND VEGETABLE SPECIES OF COMMUNITY INTEREST ELIGIBLE PURSUANT TO THIS REGULATION

(a) Types of natural habitats

Sea waters and tidal areas

- + Posidonia beds
- + Lagoons

Atlantic marshes and salt meadows

- + Continental salt meadows (*Puccinellietalia distantis*)

Halophilous and gypsophilous continental steppes

- + Salt steppes (*Limonietalia*)
- + Gypseous steppes (*Gypsophiletalia*)

Sea dunes on Atlantic, North Sea and Baltic shores

- + Stable dunes with herbaceous vegetation (grey dunes)
- + Stable, decalcified dunes with *Empetrum nigrum*
- + Stable, decalcified eu-Atlantic dunes
- + Machairs in Ireland

Sea dunes on Mediterranean shores

- + Seashore wooded country with junipers (*Juniperus* spp.)
- + Dune woodland with *Pinus pinea* and/or *Pinus pinaster*

Stagnant water

- + Mediterranean temporary ponds
- + Turloughs (Ireland)

Temperate heathland and woodland

- + Southern Atlantic damp heathland with *Erica ciliaris* and *Erica tetralix*
- + Dry seashore heathland with *Erica vagans* and *Ulex maritimus*
- + Native macaronesian dry heathland
- + Woodland with *Pinus mugo* and *Rhododendron hirsutum* (*Mugo-Rhodoretum hirsuti*)

Sub-Mediterranean and temperate sclerophyllous woodland

- + Formation of *Cistus palhinhae* on seashore heathland (*Junipero-Cistetum palhinhae*)

Mediterranean arborescent scrub

- + Scrub with *Zyziphus*
- + Scrub with *Laurus nobilis*

Natural grassland

- + Karstic, chalky grassland (*Alyssosedion albi*)
- + Dry, sandy, chalky grassland (*Koelerion glaucae*)

Semi-natural dry grassland and scrubland facias

- + Grassland with *Nardus*, rich in species, on silicious substrata of mountainous zones (and of sub-mountainous zones in continental Europe)
On chalk (*Festuco-Brometalia*) (and important orchid sites)
- + Substeppe pastures with graminaceous and annual plants (*Thero-Brachypodietea*)

Acid peatbogs with sphagnum mosses

- + Active raised peatbogs
- Blanket peatbogs (+ active peatbogs only)

Chalky low-lying marshland

- + Chalk marshland with *Cladium mariscus* and *Carex davalliana*
- + Petrifying springs with tuff formation (*Cratoneurion*)
- + New alpine formations of *Caricion bicoloris-atrofuscae*

Rocky scree

- + Chalky mid-European scree

Chasmophytic vegetation on rocky slopes

- + Chalk pavements

Temperate European forests

- + Ravine forests of *Tilio-Acerion*
- + Wooded peatbogs
- + Residual alluvial forests of *Alnion glutinoso-incanae*

Deciduous Mediterranean forests

- + Apennine beech groves with *Taxus* and *Ilex*
- + Apennine beech groves with *Abies alba* and beech groves with *Abies nebrodensis*

Mediterranean sclerophyllous forests

- + Macaronesian laurel woods (*Laurus*, *Ocotea*)
- + Palm groves of *Phoenix*

Alpine and sub-alpine coniferous forests

- + Forests of *Pinus uncinata* (as well as on gypsous or chalky substrata)

Mediterranean mountain coniferous forests

- + Apennine fir plantations of *Abies alba* and *Picea excelsa*
- + Mediterranean pine forests of native black pines
- + Native Mediterranean forests with *Juniperus* spp.
- + Forests of *Tetraclinis articulata* (Andalucia)
- + Forests with *Taxus baccata*

(b) Animal and plant species

(aa) ANIMALS

VERTEBRATES

MAMMALS

RODENTIA

Microtidae

- **Microtus oeconomus arenicola*

CARNIVORA

Canidae

- **Canis lupus* (Spanish species: only those south of the Duero; Greek species: only those south of the 39th parallel)

Ursidae

- **Ursus arctos*

Felidae

- **Lynx pardina*

Phocidae

- **Monachus monachus*

ARTIODACTYLA

Cervidae

- **Cervus elaphus corsicanus*

Bovidae

- **Capra pyrenaica pyrenaica*

REPTILES

TESTUDINATA

Cheloniidae

- **Caretta caretta*

SAURIA*Lacertidae*

**Galiotia simonyi*

OPHIDIA*Viperidae*

**Vipera schweizeri*

AMPHIBIANS**CAUDATA***Salamandridae*

**Salamandra salamandra aurorae*

ANURA*Discoglossidae*

**Alytes muletensis*

Pelobatidae

**Pelobates fuscus insubricus*

FISH**ACIPENSERIFORMES***Acipenseridae*

**Acipenser naccarii*

**Acipenser sturio*

ATHERINIFORMES*Cyprinodontidae*

**Valencia hispanica*

SALMONIFORMES*Salmonidae*

**Coregonus oxyrinchus* (Anadromous species in certain sectors of the North Sea)

CYPRINIFORMES*Cyprinidae*

**Ladigesocypris ghigii*

INVERTEBRATES**ANTHROPODS****INSECTA***Coleoptera*

**Carabus olympiae*

**Osmoderma eremita*

**Rosalia alpina*

Lepidoptera

**Callimorpha quadripunctata*

(bb) PLANTS**PTERIDOPHYTA***Dryopteridaceae*

**Dryopteris corleyi* Fraser-Jenk

GYMNOSPERMAE*Pinaceae*

**Abies nebrodensis* (Lojac.) Mattei

ANGIOSPERMAE*Amaryllidaceae*

**Narcissus nevadensis* Pugsley

Boraginaceae

- **Anchusa crispa* Viv.
- **Lithodora nitida* (H. Ern) R. Fernandes
- **Omphaiodes littoralis* Lehm.
- **Symphytum cycladense* Pawl.

Campanulaceae

- **Campanula sabatia* De Not.

Caryophyllaceae

- **Arenaria nevadensis* Boiss. & Reuter
- **Gypsophila papillosa* P. Porta
- **Herniaria latifolia* Lapeyr. subsp. *litard. gamis*
- **Silene hicesiae* Brullo & Signorello
- **Silene holzmannii* Heidr. ex Boiss.
- **Silene orphanidis* Boiss.
- **Silene rothmaleri* Pinto da Silva
- **Silene velutina* Pourret ex Loisel.

Chenopodiaceae

- **Bassia saxicola* (Guss.) A. J. Scott
- **Kochia saxicole* Guss.
- **Salicornia veneta* Pignatti & Lausi

Cistaceae

- **Tuberaria major* (Willk.) Pinto da Silva et Roseira

Compositae

- **Anthemis glaberrima* (Rech. f.) Greuter
- **Artemisia granatensis* Boiss.
- **Aster pyrenaeus* Desf. ex DC.
- **Aster sorrentinii* (Tod) Lojac.
- **Carduus myriacanthus* Salzm. ex DC.
- **Centaurea attica* Nyman subsp. *megarensis* (Halacsy & Hayek) Dostal
- **Centaurea balearica* J. D. Rodriguez
- **Centaurea borjae* Valdes-Berm. & Rivas Goday
- **Centaurea citricolor* Font Quer
- **Centaurea alba* L. subsp. *heldreichii* (Halacsy) Dostal
- **Centaurea alba* L. subsp. *princeps* (Boiss. et Heldr.) Gugler
- **Centaurea horrida* Badaro
- **Centaurea kalambakensis* Freyn & Sint.
- **Centaurea lactiflora* Halacsy
- **Centaurea niederi* Heidr.
- **Centaurea peucedanifolia* Boiss; & Orph.
- **Centaurea pinnata* Pau
- **Crepis crocifolia* Boiss & Heldr.
- **Jurinea cyanoides* (L.) Reichenb.
- **Jurinea fontqueri* Cuatrec.
- **Lamyropsis microcephala* (Moris) Dittrich & Greuter
- **Leontodon sculus* (Guss.) Finch & Sell
- **Senecio elodes* Boiss. ex DC.

Convolvulaceae

- **Convolvulus argyrothamnos* Greuter
- **Convolvulus fernandesii* Pinto da Silva et Teles

Cruciferae

- **Biscutella neustriaca* Bonnet
- **Brassica macrocarpa* Guss.
- **Coincya rupestris* Rouy
- **Coronopus navasii* Pau
- **Diplotaxis siettiana* Maire
- **Iberis arbuscula* Runemark
- **Ionopsidium acaule* (Desf.) Reichenb.

Cyperaceae

- **Carex panormitana* Guss.

Dioscoreaceae

- **Borderea chouardii* (Gaussen) Heslot

Euphorbiaceae

- **Euphorbia margalidiana* Kuhbler & Lewejohann

Gentianaceae

- **Centaurium rigualii* Esteve Chueca
- **Centaurium somedanum* Lainz

Geraniaceae

- **Erodium astragaloides* Boiss. & Reuter
- **Erodium rupicola* Boiss.

Gramineae

- **Stipa austroitalica* Martinovsky
- **Stipa bavarica* Martinovsky & H. Scholz
- **Stipa veneta* Moraldo

Grossulariaceae

- **Ribes sardum* Martelli

Hypericaceae

- **Hypericum aciferum* (Greuter) N. K. B. Robson

Labiatae

- **Micromeria taygetea* P. H. Davis
- **Nepeta sphaciotica* P. H. Davis
- **Thymus camphoratus* Hoffmanns. & Link
- **Thymus cephalotos* L.

Leguminosae

- **Astragalus algarbiensis* Coss. ex Bunge
- **Astragalus aquilanus* Anzalone
- **Astragalus maritimus* Moris
- **Astragalus verrucosus* Moris
- **Cytisus aeolicus* Guss. ex Lindl.
- **Ononis hackelii* Lange
- **Vicia bifoliolata* J. D. Rodriguez

Liliaceae

- **Androcymbium rechingeri* Greuter
- **Asphodelus bento-rainhae* P. Silva
- **Muscari gussonei* (Parl.) Tod.

Linaceae

- **Linum muelleri* Moris

Lythraceae

- **Lythrum flexuosum* Lag.

Orchidaceae

- **Cephalanthera cucullata* Boiss. & Heidr.
- **Ophrys lunulata* (Parl.)

Plumbaginaceae

- **Armeria helodes* Martini & Pold
- **Armeria rouyana* Daveau
- **Limonium insulare* (Beg. & Landi) Arrig. & Diana
- **Limonium pseudolaetum* Arrig. & Diana
- **Limonium strictissimum* (Salzmann) Arrig.

Primulaceae

- **Primula apennina* Widmer

Ranunculaceae

- **Aconitum corsicum* Gayer
- **Aquilegia pyrenaica* D. C. subsp. *Cazoriensis* (Heywood) Gallano
- **Consolida samia* P. H. Davis
- **Ranunculus weyleri* Mares

Resedaceae

- **Reseda decursiva* Forssk.

Rubiaceae

- **Galium litorale* Guss.
- **Galium viridiflorum* Boiss. & Reuter

Scrophulariaceae

- **Euphrasia genargentea* (Feoli) Diana
- **Linaria ficalhoana* Rouy
- **Linaria hellenica* Turrill
- **Linaria ricardoi* Cout.
- **Linaria tursica* B. Valdes & Cabezudo
- **Veronica oetaea* L.-A. Gustavsson

Selaginaceae

- **Globularia stygia* Orph. ex Boiss.

Solanaceae

- **Atropa baetica* Willk.

Thymelaeaceae

- **Daphne rodriguezii* Texidor

Umbelliferae

- **Angelica heterocarpa* Lloyd
- **Apium bermejoi* Llorens
- **Bupleurum capillare* Boiss. & Heidr.
- **Bupleurum kakiskalae* Greuter
- **Eryngium viviparum* Gay
- **Laserpitium longiradium* Boiss.
- **Naufraga balearica* Constans & Cannon
- **Oenanthe coniioides* Lange
- **Seseli intricatum* Boiss.

Violaceae

- **Viola hispida* Lam.

LOWER PLANTS

BRYOPHYTA

- **Marsupella profunda* Lindb.
- **Bryoerythrophyllum machadoanum* (Sergio) M. Hill

Species for macaronesia

PTERIDOPHYTA

Dryopteridaceae

- **Polystichum drepanum* (Sw.) C. Presl.

Marsiliaceae

- **Marsilea azorica* Launert & Paiva

ANGIOSPERMAE

Asclepiadaceae

- **Ceropegia chrysantha* Svent.

Boraginaceae

- **Echium gentianoides* Webb & Coincy

Campanulaceae

- **Azorina vidalii* (H. C. Watson) Feer
- **Musschia wollastonii* Lowe

Caprifoliaceae

- **Sambucus palmensis* Link

Cistaceae

- **Helianthemum bystropogophyllum* Svent.

Compositae

- **Argyranthemum lidii* Humphries
- **Atractylis arbuscula* Svent. & Michaelis
- **Lactuca watsoniana* Trel.
- **Onopordum nogalesii* Svent.
- **Onopordum carduelinum* Bolle
- **Pericallis hadrosomus* Svent.
- **Tanacetum ptarmaciflorum* Webb & Berth

Convolvulaceae

- **Convolvulus caput-medusae* Lowe
- **Convolvulus lopez-socasii* Svent.
- **Convolvulus massonii* A. Dietr.

Cruciferae

- **Crambe arborea* Webb ex Christ
- **Crambe sventenii* R. Petters ex Bramwell & Sund.
- **Parolinia schizogynoides* Svent.

Euphorbiaceae

- **Euphorbia handiensis* Burchard

Geraniaceae

- **Geranium maderense* P. F. Yeo

Labiatae

- **Sideritis cystosiphon* Svent.
- **Sideritis discolor* (Webb ex de Noe) Bolle

Leguminosae

- **Anagyris latifolia* Brouss. ex Willd.
- **Dorycnium spectabile* Webb & Berthel
- **Lotus azoricus* P. W. Ball
- **Lotus Kunkelii* (E. Chueca) D. Bramwell et al.
- **Teline rosmarinifolia* Webb et Berthel.
- **Teline salsoloides* Arco & Acebes.

Liliaceae

- **Androcymbium psammophilum* Svent.

Myricaceae

- **Myrica rivas-martinezii* Santos.

Pittosporaceae

- **Pittosporum coreaceum* Dryand. ex Ait.

Plumbaginaceae

- **Limonium arborescens* (Brouss.) Kuntze
- **Limonium spectabile* (Svent.) Kunkel & Sunding
- **Limonium sventenii* Santos & Fernandez Galvan

Rosaceae

- **Bencomia brachystachya* Svent.
- **Chamaemeles coriacea* Lindl.

Scrophulariaceae

- **Euphrasia azorica* Wats
- **Isoplexis chalcantha* Svent. & O'Shanahan

Selaginaceae

- **Globularia ascanii* D. Bramwell & Kunkel
- **Globularia sarcophylla* Svent.

Solanaceae

- **Solanum lidii* Sunfing

LOWER PLANTS**BRYOPHYTA**

- **Echinodium spinosum* (Mitt.) Jur.
- **Thamnobryum fernandesii* Sergio

ANNEX II

LIST OF PARTICULARS OF ACNAT PROJECTS TO BE PROVIDED PURSUANT TO ARTICLE 3

- The location of the site in question and, where necessary, a map showing the boundaries of the area covered by the project. (*)
- The importance of the site for the conservation of nature in the Community and, as appropriate, the degree of the risk to the biotopes and species concerned. (*)
- The nature and extent of the problems which the project is intended to resolve and, in particular, the nature and gravity of the threat.
- A detailed description of the project and, in particular, of the organization of its management and of the results expected.
- The timetable for carrying out the project.
- The cost of the project, its viability and the financing arrangements proposed.
- The extent to which Community financial support through Acnat is urgently needed in order to implement the project.
- Details of the project's relationship with measures financed by the Structural Funds.
- Details concerning preparation of a management plan for the site or species concerned.
- Any other evidence in support of the application.
- The protection provided for the site in question at present and the protection planned. (*)
- The proposed method of disseminating the results of the project.

(*) Concerns only projects relating to biotopes or habitats.

COUNCIL REGULATION (EEC) No 3908/91

of 19 December 1991

on Community action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, English Channel, Baltic Sea and North-East Atlantic Ocean (Norspa)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, pursuant to Article 130r of the Treaty, one of the objectives of Community action relating to the environment is to preserve, protect and improve the quality of the environment and whereas, in formulating that action, it will take account of, *inter alia*, environmental conditions in the various regions of the Community;

Whereas the Resolution of 19 October 1987 of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, on the continuation and implementation of a European Community policy and action programme on the environment (1987 to 1992) ⁽⁴⁾ states that combating fresh-water and marine pollution by means of the general improvement of the aquatic environment, in particular in the North Sea and the Mediterranean Sea, is among the areas of particular importance for Community action;

Whereas the ministerial declaration of the participants in the Third International Conference on the Protection of the North Sea, held in The Hague on 7 and 8 March 1990, stressed the need to protect the environment of the North Sea and adopted a package of specific measures accompanied by a precise timetable;

Whereas protection of the environment of the Irish Sea, North Sea, English Channel, Baltic Sea and North-East Atlantic Ocean north of the Tagus, as well as the Azores, Madeira and the Canary Islands requires a combined international effort by all the coastal States; whereas certain measures in this field can be carried out more effectively at Community level than by the individual Member States;

Whereas the Community should contribute towards carrying out operations for the benefit of the environment of the northern maritime regions of the Community, by granting financial support for certain specific measures;

Whereas an amount of ECU 16,5 million is considered necessary for implementing this action up until 31 December 1992;

Whereas a committee should be set up to assist the Commission in implementing this Regulation and whereas, to this end, recourse should be had to the Committee set up by Council Regulation (EEC) No 563/91 of 4 March 1991 on action by the Community for the protection of the environment in the Mediterranean region (Medspa) ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Community action to protect the environment in the northern maritime region of the Community, hereinafter referred to as 'the Norspa action', is hereby instituted.

The Norspa action shall cover the coastal areas, including estuaries, and coastal waters of the Irish Sea, North Sea, English Channel, Baltic Sea and North-East Atlantic Ocean north of the Tagus, as well as the Azores, Madeira and the Canary Islands, all hereinafter referred to as 'the region concerned'.

Article 2

The objectives of the Norspa action shall be to:

- intensify efforts to protect and improve the quality of the environment and increase the effectiveness of Community environment policy and measures in the region concerned,
- help to make the environmental dimension a more integral part of action taken by the Community pursuant to other Community policies,
- increase cooperation and coordination on protection of the environment in the region concerned by integrating Community action and the operations carried out at regional, national and international level,
- promote the introduction and use of clean or low-pollution technologies, the transfer of such technologies and the exchange of experience relevant to the environment of the areas concerned.

⁽¹⁾ OJ No C 21, 29. 1. 1991, p. 13.

⁽²⁾ OJ No C 240, 16. 9. 1991, p. 54.

⁽³⁾ OJ No C 151, 22. 7. 1991, p. 5.

⁽⁴⁾ OJ No C 328, 7. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 63, 9. 3. 1991, p. 1.

Article 3

1. The Community financial resources estimated as necessary for execution of the Norspa action are ECU 16,5 million.

2. The budget authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities.

Article 4

Priority measures for the Norspa action shall be listed in the Annex.

Article 5

1. The financial support provided for in this Regulation may be granted in respect of operations corresponding to the priority measures referred to in Article 4.

2. Operations benefiting from aid under the Structural Funds or other Community financial instruments shall not qualify for the financial support provided for in this Regulation.

3. Financial support may be granted in respect of the operations referred to in paragraph 1 where they have environmental protection as their principal objective.

Article 6

1. All natural or legal persons and associations bearing ultimate responsibility for the execution of the operations referred to in Article 5 may qualify for financial support.

2. The financial support shall take the form of:

- capital grants towards investment in projects other than infrastructure projects, or
- financial contributions towards pilot or demonstration schemes, towards measures designed to provide the information essential to the implementation of the Norspa action or of the technical assistance measures implemented on the initiative of the Commission and towards measures designed to improve supervision and monitoring of the environment concerned and promote the exchange of experience and technology transfer, or
- interest rebates for infrastructure projects, or
- repayable advances decided on a case-by-case basis.

Article 7

Community financial support for the operations referred to in Article 5 shall be subject to the following limits:

- a maximum of 50 % of the total cost in the case of public investment projects, and pilot or demonstration schemes,
- a maximum of 30 % of the total cost in the case of private investment projects for non-commercial purposes,
- a maximum of 100 % of the total cost of measures designed to provide the information essential to the execution of the action or of the technical assistance measures implemented on the initiative of the Commission.

Article 8

1. In order to guarantee the success of the operations carried out by beneficiaries of Community financial support, the Commission shall take the necessary measures to:

- verify that operations financed by the Community have been properly carried out,
- prevent and take action against irregularities,
- recover any sums unduly paid as a result of irregularities or negligence.

2. Without prejudice to audits carried out by the Court of Auditors in liaison with the national audit bodies or competent national departments under Article 206(a) of the Treaty or to any inspection carried out on the basis of Article 209(c) of the Treaty, Commission officials or employees may carry out on-the-spot checks, including sample checks, on operations financed under the Norspa action.

Before carrying out an on-the-spot check, the Commission shall give notice to the beneficiary concerned with a view to obtaining all the required assistance.

3. For a period of three years following the last payment in respect of any operation, the beneficiary of financial support shall keep available for the Commission all the supporting documents regarding expenditure on the operation.

Article 9

1. The Commission may reduce or suspend payment of financial support in respect of any operation if it finds an irregularity or a significant change affecting the nature or conditions of the action or measure for which the Commission's approval has not been sought.

2. If the completion dates have not been respected or if a particular operation has been carried out in such a manner that payment of only part of the financial support allocated to it is justified, the Commission shall ask the beneficiary to submit his comments within a fixed period. Unless adequate justification is produced, the Commission may cancel the remaining portion of that support.

3. Any overpayment shall be returned to the Commission. Interest may be charged on sums not repaid in

due time. The Commission shall lay down the detailed rules for the implementation of this paragraph.

Article 10

1. The Commission shall ensure effective monitoring of the implementation of the Norspa action. Such monitoring shall be carried out by means of reporting procedures agreed jointly between the Commission and the beneficiary of the operation and by spot checks.

The Commission shall report to the Committee referred to in Article 11 on the progress made in implementing the Norspa action, including the use made of appropriations.

2. For each multiannual action, the beneficiary shall submit progress reports to the Commission within six months of the end of each full year of implementation.

In addition, a final report shall be submitted to the Commission within six months of completion of the operation; for each operation to be implemented over a period of less than two years, the beneficiary shall submit a report to the Commission within six months of completion of the action. The Commission shall determine the form and content of the reports.

3. On the basis of the monitoring reports and procedures referred to in paragraphs 1 and 2, the Commission shall make any necessary adjustments to the amount of the financial support approved initially, to the conditions for granting that support and to the projected schedule of payments.

4. The Commission shall lay down the detailed rules for the implementation of this Article.

Article 11

1. For the purposes of executing the priority measures and the operations referred to in Articles 4, 5, 6 and 7, the Commission shall be assisted by the Committee referred to in Article 11 of Regulation (EEC) No 563/91.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event, the Commission may defer application of the measures which it has decided for a period of not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the second subparagraph.

Article 12

The list of operations which have received financial support shall be published for information purposes in the *Official Journal of the European Communities*.

Article 13

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

It shall apply until 31 December 1992.

2. The Council, acting by qualified majority on a proposal from the Commission submitted before 31 July 1992, shall decide before 31 December 1992 on the extension or review of this Regulation.

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

Done at Brussels, 19 December 1991.

For the Council
The President
P. DANKERT

ANNEX

NORSPA ACTION

1. Priority measures eligible under this Regulation (*)

A. *Action in the Community*

- reduction of nutrient inputs, including those due to agricultural activities,
- reduction of inputs of persistent, toxic and potentially bioaccumulative substances,
- reduction of dumping of sewage sludge and of contaminated dredged materials,
- treatment of water from ships' tanks containing residues of oil and other chemicals,
- speeding up of the application of emission standards by industries responsible for significant pollution from specific sources,
- promotion of the conservation of marine life,
- integrated management of biotopes of Community interest,
- protection of soil threatened or degraded by forest fires, coastal erosion or the disappearance of the dune belt.

B. *Action in certain non-Community countries with Baltic coasts (**)*

- help with the establishment of the requisite environmental administrative structures,
- technical assistance required for the establishment of environmental policies and action programmes.

2. Operations to deal with a problem likely, within a short time, to give rise to a lasting change in the ecological conditions in the area concerned may also be regarded as priority measures.

(*) These measures are based on, *inter alia*, discussions held in various relevant international fora.

(**) This action does not apply to the member countries of EFTA.

COMMISSION RECOMMENDATION No 3909/91/ECSC

of 18 December 1991

on prior Community surveillance of imports of certain iron and steel products covered by the ECSC Treaty and originating in non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 thereof,

Whereas by Recommendation No 556/91/ECSC ⁽¹⁾, the Commission made imports into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community subject to Community surveillance;

Whereas the reasons which originally led the Commission to introduce this measure continue to apply and the said surveillance system should therefore be continued so as to provide more detailed information on foreseeable imports and the terms and conditions of such imports;

Whereas some Member States still have quantitative restrictions on iron and steel products from certain third countries, and import surveillance is therefore required;

Whereas the surveillance should, however, be simplified and made more effective,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. The release for free circulation in the Community of iron and steel products covered by the ECSC Treaty, listed in Annex I and originating in non-member countries other than the countries of the European Free Trade Association (EFTA) shall be subject to the issue of an import document.

2. The import document shall be issued or endorsed by the Member States, free of charge and for any quantities requested, upon receipt of the application and in any case within not more than 10 working days from the submission of the completed application.

3. Paragraph 2 shall apply without prejudice to the applicability of quantitative limits based on existing restrictions imposed by the Member States on certain iron and steel products in respect of certain non-member countries.

4. The period of validity of the import document is hereby fixed at three months, without prejudice to possible changes in the import arrangements in force.

⁽¹⁾ OJ No L 62, 8. 3. 1991, p. 18.

5. Without prejudice to paragraph 3, unused or partly-used import documents may be renewed in accordance with the procedure laid down by the competent authority.

Article 2

1. The importer's application must state:

- (a) the name, address, occupation, telephone number, telex number and fax number of the importer;
- (b) the exporter's name and address;
- (c) the description of the goods and the CN code(s);
- (d) the country of origin;
- (e) the country of consignment;
- (f) the net weight, by EEC nomenclature heading;
- (g) the currency and value invoiced (cif or daf) by EEC nomenclature heading;
- (h) whether the products concerned are seconds or of substandard quality ⁽²⁾;
- (i) the proposed date(s) and place(s) of customs clearance.

2. The importer shall certify that his application for an import document is accurate and shall submit a copy either of the purchase contract(s) or of the vendor's order confirmation(s); confirmations shall be accompanied by the *pro forma* invoice.

3. The importer shall state whether his application is a repeat of a previous application concerning the same delivery.

4. Without prejudice to Article 1 (3), paragraph 1 shall not prevent release for free circulation in cases where the unit price for the transaction exceeds that indicated in the import document or the quantity of products presented on import exceeds that stipulated in the import document by less than 5 % in aggregate.

⁽²⁾ Under the criteria given in OJ No C 180, 11. 7. 1991, p. 4.

Article 3

1. Within the first 10 days of each month, the Member States shall notify the Commission of the tonnage and values (calculated on the basis of the cif or daf prices) for which import documents were issued during the preceding month, giving the particulars entered in the importers' applications under Article 2 (1) (a), (c) to (h).

2. Within the first 10 days of each month, Member States shall notify the Commission of the tonnage and the values for which import documents expired during the preceding month unused or only partly used.

3. The Member States shall give notification of any anomalies or cases of fraud which they discover.

Article 4

This recommendation is addressed to the Member States.

Article 5

This recommendation shall be applicable from 1 January 1992. It shall apply until 31 December 1992.

Done at Brussels, 18 December 1991.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

7201 10 11	7208 22 95	7209 31 00	7212 21 11	7218 90 19	7224 90 09
7201 10 19	7208 22 98	7209 32 10	7212 29 11	7218 90 50	7224 90 15
7201 10 30	7208 23 10	7209 32 90	7212 30 11		7224 90 30
7201 10 90	7208 23 91	7209 33 10	7212 40 10	7219 11 10	
7201 20 00	7208 23 95	7209 33 90	7212 40 91	7219 11 90	7225 10 10
7201 30 10	7208 23 98	7209 34 10	7212 50 31	7219 12 10	7225 10 91
7201 30 90	7208 24 10	7209 34 90	7212 50 51	7219 12 90	7225 10 99
7201 40 00	7208 24 91	7209 41 00	7212 60 11	7219 13 10	7225 20 10
	7208 24 99	7209 42 10	7212 60 91	7219 13 90	7225 20 30
7202 11 20	7208 31 00	7209 42 90		7219 14 10	7225 30 00
7202 11 80	7208 32 10	7209 43 10	7213 10 00	7219 14 90	7225 40 10
7202 99 11	7208 32 30	7209 43 90	7213 20 00	7219 21 11	7225 40 30
	7208 32 51	7209 44 10	7213 31 00	7219 21 19	7225 40 50
7203 90 00	7208 32 59	7209 44 90	7213 39 00	7219 21 90	7225 40 70
	7208 32 91	7209 90 10	7213 41 00	7219 22 10	7225 40 90
7204 50 10	7208 32 99		7213 49 00	7219 22 90	7225 50 10
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7207 19 15	7208 42 51	7210 60 19	7214 50 99	7219 34 10	7226 91 10
7207 19 31	7208 42 59	7210 70 31	7214 60 00	7219 34 90	7226 91 90
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7208 21 90	7209 24 10		7218 90 11		
7208 22 10	7209 24 91	7212 10 10	7218 90 13	7224 10 00	
7208 22 91	7209 24 99	7212 10 91	7218 90 15	7224 90 01	7301 10 00