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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 3573/73 OF THE COUNCIL

of 17 December 1973

on the application of Decision No 2/73 of the EEC/Turkey Association amending Council Decision No 5/72 of 29 December 1972 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

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 Interim Agreement⁽¹⁾ between the European Economic Community and Turkey brings into force anticipatively certain provisions of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey, following the Accession of new Member States to the Community, signed in Ankara on 30 June 1973;

Whereas, having regard to the new situation thus created, Decision No 5/72⁽²⁾ of the Association Council of 29 December 1972 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement has been amended by Decision No 2/73 of the Association Council;

Whereas it is accordingly necessary to take measures in implementation of Decision No 2/73 and in particular, as a result, to adapt Council Regulation

(EEC) No 428/73 of 5 February 1973 on the application of Decisions Nos 5/72⁽³⁾ and 4/72 of the Association Council provided for by the Agreement establishing the Association between the European Economic Community and Turkey,

HAS ADOPTED THIS REGULATION:

Article 1

As regards the methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Agreement establishing an Association between the European Economic Community and Turkey, Decision No 2/73 of the Association Council (annexed to this Regulation) shall apply from 1 January 1974.

Article 2

The second subparagraph of Article 1 of Regulation (EEC) No 428/73 shall be deleted.

Article 3

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

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

Done at Brussels, 17 December 1973.

For the Council

The President

J. CHRISTENSEN

⁽¹⁾ OJ No L 277, 3. 10. 1973, p. 2.

⁽²⁾ OJ No L 59, 5. 3. 1973, p. 74

⁽³⁾ OJ No L 59, 5. 3. 1973, p. 73.

DECISION OF THE ASSOCIATION COUNCIL No 2/73

amending Decision No 5/72 of 29 December 1972
on methods of administrative cooperation for implementation of Articles 2 and 3 of
the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey;

Having regard to the Additional Protocol, and in particular Article 4 thereof;

Whereas a Supplementary Protocol was signed on 30 June 1973, and an Interim Agreement, the aim of which is to permit the early implementation of certain provisions of the Supplementary Protocol on trade, was signed on the same date;

Whereas Decision No 5/72 of 29 December 1972 laid down methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol;

Whereas pursuant to Article 1 of the Supplementary Protocol and Article 1 of the Interim Agreement these provisions also apply to trade between the new Member States and Turkey;

Whereas pursuant to Article 11 of the Supplementary Protocol and Article 4 of the Interim Agreement Turkey shall, until 1 July 1977, apply to the new Member States customs duties and charges having equivalent effect which are different from those applicable under the provisions of the Additional Protocol to the Community as originally constituted; whereas, accordingly, the methods of administrative cooperation should be adapted to ensure that the abovementioned provisions are correctly applied;

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 5/72 of 29 December 1972 is amended as follows:

- (a) The following new Articles 14 and 15 shall be added:

'Article 14

Until 1 July 1977, the customs authorities of the exporting State shall ensure that A.TR.1 and

A.TR.3 movement certificates issued by them indicate that the goods covered by the said certificates have acquired the status of products fulfilling the conditions of Articles 2 or 3 of the Additional Protocol either in the Community as originally constituted or in a new Member State.'

'Article 15

Goods fulfilling the conditions of Article 2 of the Additional Protocol which have been exported from a new Member State or from Turkey after the Supplementary Protocol has been signed and which on the date of entry into force of the Interim Agreement are either in transit, or are held in Turkey or a Member State in a customs warehouse, in temporary storage or in a free zone, may benefit from the provisions of the Interim Agreement subject to production, within four months of that date, to the customs authorities of the importing State of an A.TR.1 certificate endorsed retrospectively by the competent authorities of the exporting State, together with documentary evidence of through transit.'

- (b) The following words shall be added to the titles of the specimen A.TR.1 and A.TR.3 movement certificates annexed to Decision No 5/72:

'MOVEMENT CERTIFICATE' and 'VARE-CERTIFIKAT'.

The words 'MALLARIN TEDAVÜL BELGESİ' shall be replaced by:

'MALLARIN DOLAŞIM BELGESİ and the words 'CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI' shall be replaced by:

'CERTIFICATO DI CIRCOLAZIONE DELLE MERCI'.

Article 2

A.TR.1 and A.TR.3 movement certificates complying with the former specimens may continue to be used until existing stocks are exhausted.

Article 3

A.TR.1 and A.TR.3 movement certificates in Danish and English, as shown in the Annex to this Decision, may be used under the same conditions as the original texts.

Article 4

The provisions of this Decision shall apply as from the date of entry into force of the Interim Agreement signed on 30 June 1973.

Done at Brussels, 17 December 1973.

For the Association Council

The President

N. ERSBØLL

A.T.R.1

WARENVERKEHRSBESCHEINIGUNG**CERTIFICAT DE CIRCULATION DES MARCHANDISES****CERTIFICATO DI CIRCOLAZIONE DELLE MERCI**

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLASIM BELGESİ

A 

I, the undersigned,
(Surname and forename or name of firm and full address of exporter)

(Surname and forename or name of firm and full address of exporter)

exporter of the goods described below:

Total number of packages (col. 3) } (in words)
and total quantities (col. 5)

Remarks (2):

declare that these goods situated in

meet the conditions required for the issue of this certificate⁽³⁾

Country of destination (*)

(Place and date of signature)

(Signature of exporter)

(Optional information)

Consignment dated No.

CUSTOMS ENDORSEMENT

Declaration certified:

Export document:

Type No.

```
date .....

```

Customs Office

Date

Official
stamp

(Signature of customs officer)

(1) For goods in bulk indicate the name of the ship or the number of the railway wagon or road vehicle.

(2) Among the remarks to be entered in this space, insert where appropriate "Compensatory Levy—Turkey", as provided for under note I (1) (c) and (d) overleaf.

(3) See notes overleaf.

(4) Insert the Member State or Turkey.

REQUEST FOR VERIFICATION

The undersigned customs officer requests verification of the authenticity and accuracy of this certificate.

Official stamp	(Place and date of signature)
	(Signature of customs officer)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate:

1. was issued by the customs office indicated and that the information contained therein is accurate ⁽¹⁾;
2. does not meet the requirements as to authenticity and accuracy (see notes appended) ⁽¹⁾.

Official stamp	(Place and date of signature)
	(Signature of customs officer)

⁽¹⁾ Delete as necessary.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR. 1 MAY BE ENDORSED

1. A movement certificate A. TR. 1 may be endorsed only for goods which, in the exporting State, fall within one of the following categories:

- (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges;
- (b) goods in free circulation in the exporting State, (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
- (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;

Note: The statement "Compensatory Levy—Turkey" must appear on all movement certificates A. TR. 1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement "Compensatory Levy—Turkey", the movement certificate or certificates A. TR. 1 issued in lieu of the latter must also bear the statement "Compensatory Levy—Turkey".

2. Agricultural products must also comply with the additional origin conditions laid down for them.
3. Movement certificates A. TR. 1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A. TR. 1

The movement certificate A. TR. 1 may be used only if the goods to which it relates are transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the importing State:

- (a) goods transported without passing through territories other than those of the Community or Turkey;
- (b) goods transported through territories other than those of the Community or Turkey or with transshipment in such territories

provided that carriage through such territories or transshipment is covered by a single transport document made out in the Community or Turkey.

Note: Before requesting endorsement of movement certificate A. TR. 1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A. TR. 3 is produced.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A. TR. 1

1. The movement certificate A. TR. 1 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. Where the certificate is completed in Turkish, it may also be completed in one of the official languages of the Community.
2. The movement certificate A. TR. 1 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities.

3. Each item listed in the movement certificate A. TR. 1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified.
5. The exporter or the carrier may complete the part of the certificate reserved for the declaration by the exporter by a reference to the transport document. It is also recommended that the exporter or the carrier show on the transport document covering the despatch of the goods the serial number of the movement certificate A. TR. 1.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. TR. 1

When properly used, the movement certificate A. TR. 1 enables the goods described therein to benefit in the importing State from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate bears the statement "Compensatory Levy—Turkey", goods described therein shall not be eligible for this preferential

treatment in the Member States of the E.E.C.

The customs authorities of the importing State may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A. TR. 1

The movement certificate A. TR. 1 must be produced at the customs office of the importing Member State where the goods are presented,

within a period of three months from the date of endorsement.

A.TR.3

E.E.C.-TURKEY ASSOCIATION

MOVEMENT CERTIFICATE

VARECERTIFIKAT

WARENVERKEHRSBESCHEINIGUNG

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO DI CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLAŞIM BELGESİ

DECLARATION BY THE EXPORTER

I, the undersigned,
(Surname and forename or name of firm and full address of exporter)

exporter of the goods described below:

[illegible]

Total number of packages (col. 3) } (in words)
and total quantities (col. 6)

Remarks (2):

declare that these goods situated in
meet the conditions required for the issue of this certificate⁽³⁾

Place of loading

Dispatched on No.
(date)

Country of destination of goods at the time of exportation.....

At
(Place and date of signature)

(Signature of exporter)

(1) For goods in bulk indicate the name of the ship or the number of the railway wagon or road vehicle.

(²) Among the remarks to be entered in this space, insert where appropriate "Compensatory Levy—Turkey", as provided for under note I (1) (c) and (d) on the last page of this certificate.

(³) See notes on the last page of this certificate.

RESULT OF CUSTOMS EXAMINATION AND INDICATION OF MEANS OF IDENTIFICATION ⁽¹⁾

Declaration certified

Export document: Type..... No. Date

Customs office

Date

Official
stamp.....
(Signature of customs officer)

⁽¹⁾ In this space the customs authorities of the place of exportation should give the result of their examination with any details which may facilitate identification of the goods. They must also indicate any special identification measures such as sealing, stamping, etc., which they have taken. Where supporting items of the type referred to in Note III (5) overleaf (photographs, plans, samples of woven fabric, etc.) are attached, the customs office must stamp them in such a way that a part of the official stamp is imprinted on the actual certificate A. TR. 3.

Spaces not used must be struck through in order to prevent later additions.

REQUEST FOR VERIFICATION

The undersigned customs officer requests verification of the authenticity and accuracy of this certificate.

Official stamp	 (Place and date of signature)
	 (Signature of customs officer)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate:

1. was issued by the customs office indicated and that the information contained therein is accurate ⁽¹⁾;
2. does not meet the requirements as to authenticity and accuracy (see notes appended) ⁽¹⁾.

Official stamp	 (Place and date of signature)
	 (Signature of customs officer)

(1) Delete as necessary.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR. 3 MAY BE ISSUED

1. A movement certificate A. TR. 3 may be issued only for goods which in the exporting State, fall within one of the following categories:

- (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges;
- (b) goods in free circulation in the exporting State, (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
- (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;

Note: The statement "Compensatory Levy—Turkey" must appear on all movement certificates A. TR. 3 for goods obtained or produced in the Community from products coming

from a third country and on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement "Compensatory Levy—Turkey", the movement certificate or certificates A. TR. 3 issued in lieu of the latter must also bear the statement "Compensatory Levy—Turkey".

2. Agricultural products must also comply with the additional origin conditions laid down for them.

3. Movement certificates A. TR. 3 may not be issued for goods:

- (a) which, in accordance with the provisions applicable to them, must be transported direct from the exporting State to the importing State;
- (b) which were originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A. TR. 3

A movement certificate A. TR. 3 may be used in all cases where a movement certificate A. TR. 1 cannot be used owing to the fact that the goods are not transported direct from the exporting State to the importing State:

The following shall be considered as transported direct from the exporting State to the importing State:

- (a) goods transported without passing through territories other than those of the Community or Turkey;

- (b) goods transported through territories other than those of the Community or Turkey or with transhipment in such territories provided that carriage through such territories or transhipment is covered by a single transport document made out in the Community or Turkey.

In particular, the movement certificate A. TR. 3 may be used for goods exported from a State party to the Agreement to a country not party to the Agreement, from which they are liable to be re-exported subsequently to a State party to the Agreement.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A. TR. 3

1. The movement certificate A. TR. 3 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. Where the certificate is completed in Turkish, it may also be completed in one of the official languages of the Community.

2. The movement certificate A. TR. 3 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities.

3. The "declaration by the exporter" on the second page of the movement certificate A. TR. 3 must be completed in full. In

particular, the place of loading, the date of dispatch and the country of destination at the time of export must be stated.

4. Each item listed in the movement certificate A. TR. 3 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
5. Goods must be described in accordance with commercial usage and great detail so as to ensure that they can be identified easily. The description of the goods must include the number of the tariff heading applicable to each item.

The exporter must include with the movement certificate A. TR. 3 all documents such as plans, drawings, photographs or commercial prospectuses, etc., which may help identification. If they consider it necessary, the customs authorities of the exporting country shall annex these documents to the movement certificate A. TR. 3.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. TR. 3

A movement certificate A. TR. 3 enables the goods described therein to benefit from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect, where there is no doubt that the goods actually imported are those described in that movement certificate A. TR. 3. However when the movement certificate A. TR. 3 bears the statement "Compensatory Levy—Turkey", goods described therein shall not

be eligible for this preferential treatment in the Member States of the E.E.C. The customs authorities of the importing State may require submission of any supporting evidence if they consider there is doubt as to the identity of the goods and may exclude the goods from the progressive elimination of customs duties, quantitative restrictions and all measures having equivalent effect if satisfactory evidence cannot be produced.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A. TR. 3

The movement certificate A. TR. 3 must be submitted to the customs authorities of the importing State within a period of six months

from the date of issue. It shall be valid only for the quantities of goods presented in that State during those six months.

A.T.R. 1

MALLARIN DOLAŞIM BELGESİ

A 000000

(Eksportørens navn og fornavn eller virksomhedens navn samt fuldstændig adresse)

eksportør af de nedenfor beskrevne varer:

(4) ~~Anför medlemsstaten eller Tyrkiet.~~

ANMODNING OM UNDERSØGELSE

Undertegnede toldmyndighed anmoder om undersøgelse af dette certifikat med hensyn til ægtheden og rigtigheden

....., den
(sted) (dato)

Toldkammerets
stempel

.....
(Tjenestemandens underskrift)

RESULTATET AF UNDERSØGELSEN

Toldmyndighedens undersøgelse har vist, at

1. dette certifikat er udstedt af det angivne toldkammer, og at angivelserne i det er rigtige (!);
2. dette certifikat ikke opfylder de stillede krav med hensyn til ægthed og rigtighed (se vedføjede bemærkninger) (!).

....., den
(sted) (dato)

Toldkammerets
stempel

.....
(Tjenestemandens underskrift)

(!) Det ikke gældende udstreges.

I. VARER, FOR HVILKE VARECERTIFIKAT A. TR. 1 KAN UDSTEDES

1. Varecertifikat A. TR. 1 kan kun udstedes for varer, der i udførselsstaten er omfattet af en af følgende kategorier:

- a) Varer, der er fremstillet i udførselsstaten herunder sådanne varer, der er fremstillet fuldt ud eller delvis af varer, for hvilke den told og de afgifter med tilsvarende virkning, der finder anvendelse på disse, er opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter.
- b) Varer, der er i fri omsætning i udførselsstaten (d. v. s. varer, som hidrører fra tredjeland, for hvilke indførselsformaliteterne er opfyldt, og for hvilke told og afgifter med tilsvarende virkning er blevet opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter).
- c) Varer, fremstillet i udførselsstaten, og til hvis fremstilling er medgået varer, for hvilke den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse, ikke er opkrævet, eller som har nydt godt af en hel eller delvis godtgørelse af nævnte told eller afgifter, på betingelse af, at den for varerne fastsatte udligningsafgift er opkrævet.

Anm.: Ethvert varecertifikat A. TR. 1 vedrørende varer, fremstillet i Fællesskabet ved anvendelse af varer, som hidrører fra tredjeland, og som hverken i Fællesskabet eller i Tyrkiet er belagt med den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse, skal være påtegnet: »Udligningsafgift-Tyrkiet«.

- d) Varer, der oprindeligt er indført fra en stat, der deltager i aftalen, og som ved udførsel kan henføres til en af de under a), b) eller c) nævnte kategorier.

Anm.: For så vidt angår varer, der oprindeligt er indført i udførselsstaten, og for hvilke der er udfærdiget et varecertifikat med påtegningen »Udligningsafgift-Tyrkiet«, skal der varecertifikat eller de varecertifikater A. TR. 1, som udstedes i stedet for dette, være påført den samme påtegning.

2. Landbrugsprodukter skal endvidere opfylde de supplerende betingelser, der er fastsat for sådanne produkter.
3. Varecertifikat A. TR. 1 kan ikke udstedes for varer, der oprindeligt er indført fra tredjeland under en præferenceordning som følge af deres oprindelsesland eller afsendelsessted.

II. ANVENDELSESOMRÅDE FOR VARECERTIFIKAT A. TR. 1

Varecertifikat A. TR. 1 kan kun anvendes, såfremt varerne, for hvilke certifikatet er udstedt, forsendes direkte fra udførselsstaten til indførselsstaten.

Som direkte forsendelse fra udførselsstaten til indførselsstaten anses:

- a) varer, hvis transport foregår uden passage af andre områder end Fællesskabets eller Tyrkiets.
- b) varer, hvis transport foregår med passage af andre områder end Fællesskabets eller Tyrkiets eller som omlades i sådanne om-

råder, såfremt transporten gennem disse områder foregår på et gennemgående transportdokument udfærdiget i Fællesskabet eller Tyrkiet.

Anm.: Eksportøren skal — før der fremsættes anmodning over for udførselsstatens toldmyndigheder — sikre sig, at varerne faktisk skal forsendes direkte til indførselsstaten. I tilfælde af, at transporten ikke gennemføres på disse betingelser, kan varerne kun nyde godt af en præferentiel behandling i sidstnævnte stat mod forevisning af et varecertifikat A. TR. 3.

III. REGLER, SOM SKAL IAGTTAGES VED UDSTEDELSEN AF VARECERTIFIKAT A. TR. 1

1. Varecertifikat A. TR. 1 skal udfærdiges på et af de sprog, på hvilke associeringsaftalen er affattet og i overensstemmelse med udførselsstatens interne retsregler. Udfærdiges certifikatet på tyrkisk skal det ligeledes udfærdiges på et af Fællesskabets officielle sprog.

2. Varecertifikat A. TR. 1 udfærdiges med maskin- eller håndskrift; i sidstnævnte tilfælde skal det udfyldes med blæk og med blok-bogstaver. Der må hverken forekomme raderinger eller overskrivninger. Ændringer skal foretages ved overstregning af de fejlagtige oplysninger, og i givet fald ved tilføjelse af de ønskede oplysninger. Enhver således foretaget ændring skal bekræftes af den, der har udstedt certifikatet, og påtegnes af toldmyndighederne.

3. Foran hver i varecertifikat A. TR. 1 angivet vare skal anføres et løbenummer. Umiddelbart under den sidste post trækkes en vandret afslutningsstreg. Ikke udfyldte felter skal ved overstregning gøres uanvendelige for tilføjelser.

4. Varerne anføres med deres sædvanlige handelsbetegnelse og så udførligt, at de kan identificeres.

5. Eksportøren eller fragtføreren kan på den del af certifikatet, der er bestemt til eksportørens erklæring, tilføje en henvisning til transportdokumentet. Der anbefales også eksportøren eller fragtføreren at forsyne de transportdokumenter, der er udfærdiget for varerne, med påtegning om varecertifikat A. TR. 1's løbenummer.

IV. BETYDNINGEN AF VARECERTIFIKAT A. TR. 1

Når varecertifikat A. TR. 1 anvendes forskriftsmæssigt, kan de i certifikatet beskrevne varer i indførselsstaten nyde godt af gradvis afvikling af toldsatserne og fjernelse af de kvantitative restriktioner og andre forholdsregler med tilsvarende virkning. Såfremt varecertifikatet er påført »Udligningsafgift-Tyrkiet« kan de i certifikatet beskrevne

varer dog ikke nyde godt af en præferentiel behandling i EF's medlemsstater.

Toldmyndighederne i indførselsstaten kan, når de anser det for nødvendigt, kræve fremlagt yderligere dokumentation, især de transportdokumenter, der er udfærdiget for varernes forsendelse.

V. FRISTEN FOR FORELÆGGELSE AF VARECERTIFIKAT A. TR. 1

Varecertifikat A. TR. 1 skal inden for en frist af tre måneder regnet fra datoen for dets udstedelse forelægges for det toldkammer i ind-

førselsstaten, hvor varerne frembydes.

A.TR.3

ASSOCIERING E.Ø.F. - TYRKIET

VARECERTIFIKAT

WARENVERKEHRSBESCHEINIGUNG

MOVEMENT CERTIFICATE

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO DI CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLAŞIM BELGESİ

EKSPORTØRENS ERKLÆRING

[illegible]

(¹) For styrtegods oplyses henholdsvis skibets navn, jernbanevognens eller lastvognens nummer.

(²) Her anføres bl. a. i påkommende tilfælde »Udligningsafgift-Tyrkiet«, således som fastsat i note I, stk. 1, c) og d) på certifikatets sidste side.

(³) Se noterne på certifikatets sidste side.

TOLDMYNDIGHEDENS UNDERSØGELSE OG FREMGANGSMÅDEN VED IDENTIFIKATIONEN ⁽¹⁾

Rigtig og bekræftet erklæring

Udførselsdokument: Formular Nr. af

Toldkammer
(dato)den
(dato)Toldkamrets
stempel.....
(Tjenestemandens underskrift)

⁽¹⁾ Heri anfører udførseltoldstedet resultatet af undersøgelsen med alle enkeltheder, der kan lette identifikationen af varerne, herunder særlige identifikationsforanstaltninger, der er truffet, såsom forsegling (plombering), stempling o. s. v.

Hvis de under bagsidens note III, stk. 5, 3. punktum, omtalte identifikationshjælpemidler (fotografier, tegninger, stofprøver m. m.) er fastgjort på bagsiden af dette certifikat, skal toldstedet stemple disse på en sådan måde, at en del af stempelafttrykket findes på selve A. TR. 3 dokumentet.

Ikke udfyldte felter i denne rubrik skal ved overstregning gøres uanvendelige for tilføjelser.

ANMODNING OM UNDERSØGELSE

Untertegnede toldmyndighed anmoder om undersøgelse af dette certifikat med hensyn til ægtheden og rigtigheden

Toldkamrets stempel	, den
	(sted) (dato)
	 (Tjenestemandens underskrift)

RESULTATET AF UNDERSØGELSEN

Toldmyndighedens undersøgelse har vist, at

1. dette certifikat er udstedt af det angivne toldkammer, og at angivelserne i det er rigtige ⁽¹⁾;
2. dette certifikat ikke opfylder de stillede krav med hensyn til ægthed og rigtighed (se vedføjede bemærkninger) ⁽¹⁾.

Toldkamrets stempel	, den
	(sted) (dato)
	 (Tjenestemandens underskrift)

⁽¹⁾ Det ikke gældende udstreges.

I. VARER, FOR HVILKE VARECERTIFIKAT A. TR. 3 KAN UDSTEDES

1. Varecertifikat A. TR. 3 kan kun udstedes for varer, der i udførselsstaten er omfattet af en af følgende kategorier:

- a) Varer, der er fremstillet i udførselsstaten, herunder sådanne varer, der er fremstillet fuldt ud eller delvis af varer, for hvilke den told og de afgifter med tilsvarende virkning, der finder anvendelse på disse, er opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter.
- b) Varer, der er i fri omsætning i udførselsstaten (d. v. s. varer, som hidrører fra tredjeland, for hvilke indførselsformaliteterne er opfyldt, og for hvilke told og afgifter med tilsvarende virkning er blevet opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter).
- c) Varer, fremstillet i udførselsstaten, og til hvis fremstilling er medgået varer, for hvilke den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse, ikke er opkrævet, eller som har nydt godt af en hel eller delvis godtgørelse af sådanne told eller afgifter, på betingelse af, at den for varerne fastsatte udligningsafgift er opkrævet.

Anm.: Ethvert varecertifikat A. TR. 3 vedrørende varer, fremstillet i Fællesskabet ved anvendelse af varer, som hidrører fra

tredjeland, og som hverken i Fællesskabet eller i Tyrkiet er belagt med den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse, skal være påtegnet: »Udligningsafgift-Tyrkiet«.

- d) Varer, der oprindeligt er indført fra en stat, der deltager i aftalen, og som ved udførsel kan henføres til en af de under a), b) eller c) nævnte kategorier.

Anm.: For så vidt angår varer, der oprindeligt er indført i udførselsstaten, og for hvilke der er udfærdiget et varecertifikat med påtegningen »Udligningsafgift-Tyrkiet«, skal det varecertifikat eller de varecertifikater A. TR. 3 som udstedes i stedet for dette, være påført den samme påtegning.

2. Landbrugsprodukter skal endvidere opfylde de supplerende betingelser, der er fastsat for sådanne produkter.

3. Varecertifikat A. TR. 3 kan ikke udstedes for varer:

- a) som i henhold til regler, der er fastsatte i denne henseende skal være forsendt direkte fra udførselsstaten til indførselsstaten.
- b) som oprindeligt er importeret fra tredjeland under en toldpræferenceordning som følge af deres oprindelse eller afsendelsessted.

II. ANVENDELSESOMRÅDE FOR VARECERTIFIKAT A. TR. 3

Varecertifikat A. TR. 3 kan anvendes i alle de tilfælde hvor varecertifikat A. TR. 1 ikke kan anvendes fordi varerne ikke forsendes direkte fra udførselsstaten til indførselsstaten.

Som direkte forsendelse fra udførselsstaten til indførselsstaten anses:

- a) varer, hvis transport foregår uden passage af andre områder end Fællesskabets eller Tyrkiets.
- b) varer, hvis transport foregår med passage af andre områder

end Fællesskabets eller Tyrkiets eller som omlades i sådanne områder, såfremt transporten gennem disse områder foregår på et gennemgående transportdokument udfærdiget i Fællesskabet eller Tyrkiet.

Varecertifikat A. TR. 3 vil især kunne benyttes for varer, der er udført fra en stat, der er aftalepartner, til et land, der ikke er aftalepartner, og hvorfra de efterfølgende skal genudføres til en stat, der er aftalepartner.

III. REGLER, SOM SKAL IAGTTAGES VED UDSTEDELSEN AF VARECERTIFIKAT A. TR. 3

1. Varecertifikat A. TR. 3 skal udfærdiges på et af de sprog, på hvilke associeringsaftalen er affattet og i overensstemmelse med udførselsstatens interne retsregler. Udfærdiges certifikatet på tyrkisk, skal det ligeledes udfærdiges på et af Fællesskabets officielle sprog.

2. Varecertifikat A. TR. 3 udfærdiges med maskin- eller håndskrift; i sidstnævnte tilfælde skal det udfyldes med blæk og med blokbogstaver. Der må hverken forekomme raderinger eller overskrivninger. Ændringer skal foretages ved overstregning af de fejlagtige oplysninger, og i givet fald ved tilføjelse af de ønskede oplysninger. Enhver således foretaget ændring skal bekræftes af den, der har udstedt certifikatet, og påtegnes af toldmyndighederne.

3. Varecertifikat A. TR. 3's side 2, der er benævnt »Eksportørens erklæring« skal være udtømmende udfyldt. Oplysning om indlad-

ningstid, forsendelsesdato og varernes bestemmelsesland på udførselstidspunktet er obligatoriske oplysninger.

4. Foran hver i varecertifikat A. TR. 3 angivet vare skal anføres et løbenummer. Umiddelbart under den sidste post trækkes en vandret afslutningsstreg. Ikke udfyldte felter skal ved overstregning gøres uanvendelige for tilføjelser.

5. Varerne skal beskrives med deres sædvanlige handelsbetegnelse og sådanne detaljer, at de let kan identificeres. Beskrivelsen skal fuldstændiggøres ved anførsel af toldposition for hver vare. Eksportøren skal vedlægge varecertifikat A. TR. 3 alle dokumenter, såsom tegninger, fotografier, kataloger m. v., som kan lette identifikationen af varerne. Hvis toldmyndighederne på udførselsstedet skønner det påkrævet, vedhæfter de disse dokumenter til varecertifikat A. TR. 3.

IV. BETYDNINGEN AF VARECERTIFIKAT A. TR. 3

Varecertifikat A. TR. 3 gør det muligt, at de varer, der er beskrevet deri, nyder godt af den gradvise afvikling af told og kvantitative restriktioner, herunder foranstaltninger med tilsvarende virkning, såfremt der ikke hersker tvivl om identiteten mellem de faktisk indførte varer og de varer, der er beskrevet i det pågældende varecertifikat A. TR. 3. Indeholder varecertifikater A. TR. 3 påtegningen »Udligningsafgift-Tyrkiet« kan de i certifikatet beskrivne varer ikke nyde

godt af en præferentiel behandling i Fællesskabets medlemsstater. Toldmyndighederne i indførselsstaten er berettiget til at kræve fremlagt enhver yderligere dokumentation, hvis de finder, at identiteten af varer ikke er behørigt godtgjort, og de er ligeledes berettiget til at nægte adgang til den gradvise afvikling af told og kvantitative restriktioner, herunder foranstaltninger med tilsvarende virkning, hvis der ikke fremlægges tilfredsstillende dokumentation.

V. FRISTEN FOR FORELÆGGELSE AF VARECERTIFIKAT A. TR. 3

Varecertifikat A. TR. 3 skal inden for en frist af seks måneder regnet fra datoen for dets udstedelse forelægges for toldmyndighederne

i indførselsstaten. Det er kun gyldigt for den mængde varer, der frembydes i denne stat inden for samme frist.

REGULATION (EEC) No 3574/73 OF THE COUNCIL

of 27 December 1973

on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69 ⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Council Regulation (EEC) No 1491/73 ⁽²⁾, and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas under Annex 6 of the Additional Protocol laying down the conditions, procedures and timetables for implementing the transitional phase pursuant to Article 4 of the Agreement establishing an association between the European Economic Community and Turkey, and under Article 1 of the Interim Agreement between the European Economic Community and Turkey on account of the Accession of new Member States to the Community: the Community must totally or partially suspend the Common Customs Tariff or duties applicable to certain products; whereas it also appears necessary on a provisional basis to adjust or supplement some of these tariff advantages provided for the abovementioned Annex No 6; whereas the Community should as regards the products originating in Turkey, and contained in the list annexed to this Regulation, suspend from 1 January to 31 December 1974, at the levels indicated for each of them, either the fixed component of the charge applicable to the goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve in 1974 the application in the new Member States of customs duties higher than or very close to those which are applied by the new Member States to non-member countries in general on the basis of the provisions of the Act of

Accession; whereas in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them, in accordance with detailed rules based on the principle of maintaining, in the new Member States, a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting to Turkey the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1974, the products originating in Turkey listed in Annex A shall be admitted for import into the Community at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the duty actually applied to Turkey on 1 January 1972 and the Common Customs Tariff, by 20 % in respect of the products mentioned in Annex B, and by 40 % in respect of the other products given in Annex A.

However, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them.

2. For the purposes of application of this Regulation, 'originating products' shall mean those products which fulfil the conditions laid down in the Decision of the Association Council No 4/72 of 29 December 1972 annexed to Regulation (EEC) No 428/73 ⁽³⁾.

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 151, 7. 6. 1973, p. 1.

⁽³⁾ OJ No L 59, 5. 3. 1973, p. 73.

The methods of administrative cooperation which ensure that the products listed in the annexes benefit from the total or partial suspension shall be those laid down in the Decision of the Association Council No 5/72 of 29 December 1972 annexed to Regulation (EEC) No 428/73 as amended by the Decision of the Association Council No 2/73 of 17 December 1973 annexed to Regulation (EEC) No 3573/73 ⁽¹⁾.

Article 2

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

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

Done at Brussels, 27 December 1973.

Article 3

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

2. If the action of the Commission was requested by a Member State, the Commission shall take a decision within a maximum period of ten working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may remit to the Council the measure taken by the Commission within a period of ten working days following the day of its notification. The intervention of the Council shall not have a suspensory effect. The Council shall meet without delay. It may by qualified majority modify or annul the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1974.

For the Council

The President

Ove GULDBERG

⁽¹⁾ See page 2 of this Official Journal.

ANNEX A

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen: A. Meat: III. Of swine: (b) Other	Free
02.04	Other meat and edible meat offals, fresh chilled or frozen: B. Furred game, frozen	Free
05.15	Animal products not elsewhere specified or included; dead animals of Chapter 1 or Chapter 3, unfit for human consumption: A. Fish, crustaceans and molluscs: I. Fish of a length of 6 cm or less and shrimps and prawns, dried	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Mushrooms, dried, dehydrated or evaporated, excluding cultivated — Mushrooms; horse-radish (<i>Cochlearia armoracia</i>)	13 % 10 %
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and margosteens, fresh or dried, shelled or not: ex E. Dehydrated coconut pulp	Free
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: D. Pistachios E. Pecans F. Areca (or betel) and cola ex G. Other, excluding hazel-nuts	Free Free Free Free
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex B. Other: — Quinces — Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, cranberries, bilberries, blackberries	16 % 12 %
08.11	Fruits provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: C. Papaws	3 %

CCT heading No	Description	Rate of duty
1	2	3
08.11 (cont'd)	ex D. Other: — Quinces — Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, cranberries, bilberries, blackberries	8 % 6 %
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: E. Papaws ex G. Other: — Tamarind (pods, pulp)	Free Free
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free
09.02	Tea: A. In immediate packings of a net capacity not exceeding 3 kg	Free
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper: A. Neither crushed nor ground: III. Seeds of fennel, coriander, cumin, caraway and juniper: (b) Other: 2. Other	 Free
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered: B. Liquorice roots	 Free
12.08	Locust beans, fresh or dried, whether or not kibbled or ground but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading: B. Locust bean seeds: I. Not decorticated, crushed or ground C. Apricot, peach and plum stones, and kernels thereof	 Free Free
15.03	Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way: B. Tallow oil for industrial uses other than the manufacture of foodstuffs for human consumption (a) . .	 Free

(a) Inclusion in this subheading is subject to terms to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
1	2	3
15.04	Fats and oils, of fish and marine mammals, whether or not refined: A. Fish-liver oil: I. Of a vitamin A content not exceeding 2 500 international units per gramme	3 %
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: B. China-wood and oiticica oils, myrtle wax and Japan wax D. Other oils: I. For technical or industrial uses other than the manufacture of foodstuffs for human consumption: (a) Crude (a) ex 3. Other, excluding linseed oil, palm kernel oil, groundnut oil, sunflower oil and colza	1 % 2.5 %
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared: A. In immediate packings of a net capacity of 1 kg or less B. Other	16 % 12 %
15.13	Margarine, imitation lard and other prepared edible fats	20 %
15.17	Residues resulting from the treatment of fatty substances or animal or vegetable waxes: B. Other: I. Oil foots and dregs; soapstocks II. Other	Free Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal Game Rabbit III. Other (b) Other: ex 1. Containing bovine meat or offal: — prepared or preserved bovine tongue 2. Not specified: (aa) Bovine meat or offal (bb) Other	12 % 18 % 18 % 18 %

(a) Inclusion in this subheading is subject to terms to be determined by the competent authorities.

CCT heading No	Description	Rate of duty
1	2	3
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes: I. Caviar (sturgeon roe) II. Other B. Salmonidas ex F. Bonito (Sarda sp.p.), mackerel and anchovies G. Other	 15 % 24 % 8 % 21 % 14 %
16.05	Crustaceans and molluscs, prepared or preserved: A. Crabs ex B. Other, excluding shrimps of the 'Crangon sp.p. type and whelks	 10 % 8 %
18.06	Chocolate and other food preparations containing cocoa: A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	 7 % + vc
ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	7 % + vc
20.02	Vegetables prepared or preserved without vinegar or acetic acid: E. Sauerkraut	 16 %
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13 % by weight: — Fruit falling within heading No 08.01, excluding pineapples ex B. Other: — Fruit falling within heading No 08.01, excluding pineapples	 16 % + (L) 16 %
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13 % by weight: — Fruit falling within heading No 08.01, excluding pineapples	 15 % + (L)

CCT heading No	Description	Rate of duty
1	2	3
20.04 (cont'd)	ex II. Other: — Fruit falling within heading No 08.01, excluding pineapples	15 %
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: ex I. With a sugar content exceeding 30 % by weight, excluding orange jam and marmalade ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight, excluding orange jam and marmalade ex III. Other, excluding orange jam and marmalade C. Other: I. With a sugar content exceeding 30 % by weight: ex B. Other: — of fruit falling within heading No 08.01, excluding pineapple ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight: — of fruit falling within heading No 08.01, excluding pineapples ex III. Other: — of fruit falling within heading No 08.01, excluding pineapples	19 % + (L) 19 % + (L) 19 %
20.06	Fruit prepared otherwise or preserved; whether or not containing added sugar or spirit: B. Other: I. Containing added spirit: (a) Ginger (b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg: (aa) With a sugar content exceeding 17 % by weight (bb) Other 2. Of 1 kg or less: (aa) With a sugar content exceeding 19 % by weight (bb) Other (c) Grapes: 1. With a sugar content exceeding 13 % by weight 2. Other	 19 % 19 % + (L) 19 % 19 % + (L) 19 % 25 % + (L) 25 %

CCT heading No	Description	Rate of duty
1	2	3
20.06 (cont'd)	(d) Peaches, pears and apricots, in immediate packings of a net capacity: 1. Of more than 1 kg: (aa) With a sugar content exceeding 13 % by weight 25 % + (L) (bb) Other 25 % 2. Of 1 kg or less: (aa) With a sugar content exceeding 15 % by weight 25 % + (L) (bb) Other 25 % (e) Other fruits: ex 1. With a sugar content exceeding 9 % by weight excluding cherries 25 % + (L) ex 2. Other, excluding cherries 25 % (f) Mixtures of fruit: 1. With a sugar content exceeding 9 % by weight 25 % + (L) 2. Other 25 % II. Not containing added spirit: (a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 2. Grapefruit segments 15 % + (L) 3. Mandarins 19 % + (L) 4. Grapes 18 % + (L) ex 7. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples 13 % + (L) — tamarinds, (pods, pulp) 13 % + (L) (b) Containing added sugar, in immediate packings of a net capacity of not more than 1 kg: 2. Grapefruit segments 16 % + (L) 3. Mandarins 20 % + (L) 4. Grapes 19 % + (L) ex 7. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples 15 % + (L) (c) Not containing added sugar, in immediate packings of a net capacity: 1. of 4.5 kg or more ex (cc) Other fruits — Fruits falling within heading No 08.01, excluding pine- apples 14 % — Pineapples 12 %	

[illegible]

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	4. Other citrus fruit juices: (aa) With added sugar content exceeding 30 % by weight (bb) With an added sugar content of 30 % or less by weight (cc) Not containing added sugar 7. Other fruit and vegetable juices excluding apricot and peach juices: ex (aa) With an added sugar content exceeding 30 % by weight ex (bb) With an added sugar content of 30 % or less by weight ex (cc) Not containing added sugar 8. Mixtures: ex (bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot, or peach juice: 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	14 % 14 % 15 % 17 % + (L) 17 % 18 % 17 % + (L) 17 % 18 %
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves; B. Flours and meals of fish, crustaceans or molluscs	Free
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: B. Other	Free

ANNEX B

List of products in respect of which the difference between the lowest duties applied on 1 January 1972 to Turkey by Denmark, Ireland and the United Kingdom and the Common Customs Tariff duties must be reduced by 20 % in accordance with Article 1 of this Regulation

CCT heading No	Description
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Mushrooms, dried dehydrated or evaporated, excluding cultivated mushrooms — Horse-radish (<i>Cochlearia armoracia</i>)
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: D. Pistachios E. Pecans ex G. Other (excluding hazel-nuts)
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar: ex B. Other: — Quinces — Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, cranberries, bilberries, blackberries
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: C. Papaws ex D. Other: — Quinces — Fruit falling within heading No 08.01, excluding pineapples; grapefruit and pomelos, cranberries, bilberries, blackberries
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: E. Papaws ex G. Other: — Tamarind (pods, pulp)
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions
16.02	Other prepared or preserved meat or meat offal: B. Other: III. Other: (b) Other: ex 1. Containing bovine meat or offal: — prepared or preserved bovine tongue

CCT heading No	Description
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: ex B. Other: — prepared or preserved by vinegar or acetic acid, with sugar, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: E. Sauerkraut
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13 % by weight: — Fruit falling within heading No 08.01, excluding pineapples ex B. Other: — Fruit falling within heading No 08.01, excluding pineapples
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13 % by weight: — Fruit falling within heading No 08.01, excluding pineapples ex II. Other: — Fruit falling within heading No 08.01, excluding pineapples
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: ex I. With a sugar content exceeding 30 % by weight, excluding orange jam and marmalade ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight, excluding orange jam and marmalade ex III. Other, excluding orange jam and marmalade C. Other: I. With a sugar content exceeding 30 % by weight: ex (b) Other: — of fruit falling within heading No 08.01, excluding pineapples ex II. With a sugar content exceeding 13 % but not exceeding 30 % by weight: — of fruit falling within heading No 08.01, excluding pineapples ex III. Other: — of fruit falling within heading No 08.01, excluding pineapples
20.06	Fruit, otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: I. Containing added spirit: (a) Ginger (b) Pineapples, in immediate packings of a net capacity:

CCT heading No	Description
20.06 (cont'd)	1. Of more than 1 kg: (aa) With a sugar content exceeding 17 % by weight (bb) Other 2. Of 1 kg or less: (aa) With a sugar content exceeding 19 % by weight (bb) Other (c) Grapes: 1. With a sugar content exceeding 13 % by weight 2. Other (d) Peaches, pears and apricots, in immediate packings of a net capacity: 1. Of more than 1 kg: (aa) With a sugar content exceeding 13 % by weight (bb) Other 2. Of 1 kg or less: (aa) With a sugar content exceeding 15 % by weight (bb) Other (e) Other fruits: - ex 1. With a sugar content exceeding 9 % by weight, excluding cherries - ex 2. Other (f) Mixtures of fruit: 1. With a sugar content exceeding 9 % by weight 2. Other II. Not containing added spirit: (a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 2. Grapefruits segments 3. Mandarins 4. Grapes - ex 7. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples — Tamarind (pods, pulp) (b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: 2. Grapefruit segments 3. Mandarins 4. Grapes - ex 7. Other fruits: — Fruit falling within heading No 08.01, excluding pineapples (c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4.5 kg or more: - ex (cc) Other fruits — Fruits falling within heading No 08.01, excluding pineapples - ex 2. Of less than 4.5 kg: — Fruit falling within heading No 08.01, excluding pineapples

CCT heading No	Description
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a specific gravity exceeding 1.33 at 15° C: III. Other: ex (a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruits falling within heading No 08.01, excluding pineapples (b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30 % by weight: — Fruits falling within heading No 08.01, excluding pineapples ex 2. Other: — Fruits falling within heading No 08.01, excluding pineapples B. Of a specific gravity of 1.33 or less at 15° C: II. Other: (a) Of a value exceeding 30 u.a. per 100 kg net weight: 2. Grapefruit juice ex 3. Other citrus fruit juices: (aa) Containing added sugar (bb) Other: ex 6. Other fruit and vegetable juices, excluding apricot and peach juice: (aa) Containing added sugar (bb) Other: 7. Mixtures: ex (bb) Other, excluding mixtures containing, either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. Containing added sugar 22. Other (b) Of a value of 30 u.a. or less per 100 kg net weight: 2. Grapefruit juice: (aa) With an added sugar content exceeding 30 % by weight (bb) Other 4. Other citrus fruit juices: (aa) With an added sugar content exceeding 30 % by weight (bb) With an added sugar content of 30 % or less by weight (cc) Not containing added sugar

CCT heading No	Description
20.07 (cont'd)	7. Other fruit and vegetable juices, excluding apricots and peaches: ex (aa) With an added sugar content exceeding 30 % by weight ex (bb) With an added sugar content of 30 % or less by weight ex (cc) Not containing added sugar 8. Mixtures: ex (bb) Other, excluding mixtures containing, either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar

REGULATION (EEC) No 3575/73 OF THE COUNCIL

of 27 December 1973

on the opening of a tariff quota for new potatoes falling within subheading No 07.01
A II of the Common Customs Tariff for 1974 originating in Cyprus

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 Protocol laying down certain provisions relating to the Agreement⁽¹⁾ establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the Accession of new Member States to the European Economic Community, provides that during the period from 1 January 1974 to 30 June 1977, the Republic of Cyprus shall be entitled to annual tariff quotas, free of customs duties, in respect of imports into the United Kingdom of new potatoes falling within subheading No 07.01 A II of the Common Customs Tariff originating in Cyprus; whereas the annual tariff quota must take into account the traditional United Kingdom imports from Cyprus; whereas taking this element into account, it is advisable to fix the tariff quota for the year 1974 at 110 000 long tons;

Whereas equal and continuous access to the quota should be ensured for all importers and quota duties

should be applied consistently to all imports of the product in question until the quota is used up,

HAS ADOPTED THIS REGULATION:

Article 1

A duty free tariff quota of 110 000 long tons shall be opened in the United Kingdom for the period 1 January to 31 December 1974 in respect of new potatoes falling within subheading No 07.01 A II of the Common Customs Tariff, originating in Cyprus.

Article 2

1. The United Kingdom shall ensure that importers of the product in question established in its territory have free access to the tariff quota.
2. The extent to which the tariff quota is used up shall be based on the quantities of the imported product in question entered for home use.

Article 3

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 27 December 1973.

*For the Council**The President*

Ove GULDBERG

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 88.

REGULATION (EEC) No 3576/73 OF THE COUNCIL

of 28 December 1973

on the extension and modification of the arrangements made by Regulation (EEC) No 1253/73 on imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and the introduction of subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Regulation (EEC) No 1253/73 ⁽¹⁾ introduced arrangements for imports of the wine product exported under the label of 'Cyprus Sherry', originating in and coming from Cyprus, and made provisions for subsidies for similar wine products produced in the Community as originally constituted and exported to Ireland and the United Kingdom;

Whereas these arrangements are applicable until 31 December 1973; but whereas under Article 6 of Regulation (EEC) No 1253/73, if, before 1 September 1973, the Republic of Cyprus enacts legislation on wine production which is in conformity with Community rules applicable to products similar to those specified in Article 1, the Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, may take all necessary steps to ensure that the arrangements are extended in accordance with the terms of the exchange of letters annexed to the Protocol ⁽²⁾ laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus following the Accession of new Member States to the European Economic Community;

Whereas on 31 August 1973 the Republic of Cyprus adopted new rules governing wine production and on 16 October 1973 sent texts for perusal by the Commission;

Whereas, however, consideration of these texts is not yet far enough advanced for a decision finally to be taken on whether the legislation enacted by Cyprus is in conformity with Community rules;

Whereas the legislation enacted should therefore be examined with the authorities of Cyprus with a view to making any necessary changes thereto; whereas the Cypriot authorities have declared their willingness to collaborate with the Commission in order to seek the best ways of applying the exchange of letters referred to above;

Whereas in the meantime any interruption in the arrangements applicable to imports of the relevant products into Ireland and the United Kingdom should be avoided,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 January to 31 December 1974, the countervailing charge provided for in the first subparagraph of Article 9 (3) of Council Regulation (EEC) No 816/70 ⁽³⁾ of 28 April 1970 laying down additional provisions for the common organization of the market in wine as last amended by Regulation (EEC) No 2591/73 ⁽⁴⁾ shall not be levied on imports into Ireland and the United Kingdom of the wine product exported under the label of 'Cyprus Sherry' originating in and coming from Cyprus up to a maximum amount of 200 000 hectolitres.

Article 2

1. The amount of 200 000 hectolitres fixed in Article 1 shall be divided into two shares, the one of 2 000 hectolitres for Ireland and the other of 198 000 hectolitres for the United Kingdom.
2. The Member States named in paragraph 1 shall ensure that importers of the relevant product established in their territory have free access to the shares attributed to them.
3. The extent to which the Member States named in paragraph 1 have used up their shares shall be

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 115.

⁽²⁾ OJ No L 133, 21. 5. 1973, p. 95.

⁽³⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽⁴⁾ OJ No L 259, 26. 9. 1973, p. 1.

determined on the basis of imports of the product in question entered for home use.

4. The Member States named in paragraph 1 shall inform the Commission at regular intervals of imports from Cyprus actually set off against their shares.

Article 3

Wine products imported into Ireland and the United Kingdom free of countervailing charge, pursuant to Article 1, may not be exported to other Member States.

Article 4

1. Subsidies shall be granted in respect of exports effected from 1 February 1973 to 31 December 1974 to Ireland and the United Kingdom of wine products produced in the Community as originally constituted which are similar to the wine product exported under the label of 'Cyprus Sherry'.

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

Done at Brussels, 28 December 1973.

2. The subsidies referred to in paragraph 1 shall be calculated on the basis of the difference, on the markets of the Member States referred to in paragraph 1, between the prices of these Community wine products and the price of the wine product exported under the label of 'Cyprus Sherry'.

Article 5

Detailed rules for the application of this Regulation, in particular those concerning the amount of the subsidy and the Community wine products eligible for aid, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 ⁽¹⁾ on the progressive establishment of a common organization of the market in wine.

Article 6

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

For the Council

The President

Ove GULDBERG

⁽¹⁾ OJ No 30, 20. 4. 1962, p. 989/62.

REGULATION (EEC) No 3577/73 OF THE COUNCIL

of 28 December 1973

opening, allocating and providing for the administration of a Community tariff quota
for certain textile products originating in Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the proposal from the Commission;

Whereas within the framework of UNCTAD the European Economic Community offered to grant tariff preferences on finished and semi-finished products originating in developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products falling within Chapters 25 to 99 of the Brussels Nomenclature and originating in developing countries;

Whereas, however, in respect of cotton textile products covered by the Long-term Arrangement ⁽¹⁾ regarding International Trade in Cotton Textiles, the offer made by the Community lays down that the preferences, in the form of duty-free ceilings, will be granted to the countries benefiting from generalized preferences which are signatories to the Long-term Arrangement or possibly to those countries benefiting from generalized preferences which undertake in respect of the Community commitments similar to those existing under that Arrangement and for its duration; whereas, having particular regard to the link which Article 6 of the Long-term Arrangement establishes between cotton products and substitute products, it appears justified in these circumstances and by virtue of the fact that a total suspension of customs duties is involved to include in the same scheme as that described above those substitute textile products given in the conditional list of partial and limited reductions of customs duties deposited with GATT by the Community during the last series of tariff negotiations;

Whereas the offer made by the Community includes a clause stipulating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date;

whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the associated countries following the implementation of the generalized preference scheme;

Whereas, moreover, the Conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas, in accordance with Protocol No 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme will be applicable in the new Member States from 1 January 1974;

Whereas, for the various categories of textile products in question, Council Regulation (EEC) No 3502/73 ⁽³⁾ of 18 December 1973 opening, allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries and Council Regulation (EEC) No 3503/73 ⁽⁴⁾ of 18 December 1973 establishing preferential tariffs in respect of certain textile products originating in developing countries, put into effect the abovementioned offer for 1974 in favour of those developing countries satisfying the conditions outlined above and listed in Annex B to those Regulations; whereas this measure has been taken on a transitional basis, the Commission counting on the countries thus concerned to take measures ensuring that equivalent objectives are respected, at least throughout 1974; whereas Yugoslavia for its part has entered into commitments similar to those made under the Long-term Arrangement; whereas Yugoslavia should, therefore, also be granted the benefit of tariff preferences for the textile products in question and also for 1974; whereas, in order not to affect the advantages which the present beneficiaries enjoy for these products, separate ceilings at zero duty should be opened exclusively for products originating in Yugoslavia; whereas each of these ceilings should under normal conditions be equal to the maximum

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 29.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 358, 28. 12. 1973.

⁽⁴⁾ OJ No L 358, 28. 12. 1973.

amount fixed by Regulations (EEC) No 3502/73 and (EEC) No 3503/73 for corresponding products, with a lower limit of 10 % and an upper limit of 100 % of the quantities of the types of products in question exported from Yugoslavia to the Community in 1968;

Whereas the Community should, therefore, for the period to 31 December 1974 open Community duty-free tariff quotas in respect of the products listed in the Annex to this Regulation up to the amounts specified in metric tons for each of them; whereas the benefit of these tariff quotas should apply only to products originating in Yugoslavia, and the concept of originating products should be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 ⁽¹⁾ of 27 June 1968 on the common definition of the concept of origin of goods;

Whereas a utilization scheme of Community tariff quotas among the Member States would appear to conform to the Community character of those quotas; whereas the application of the generally accepted principles in respect of the allocation of the Community tariff quotas which have been opened until now entails, under these circumstances and in view of the variety of the products concerned, calculations which are all the more problematic in that the statistical data required sometimes prove to be incomplete or not sufficiently accurate or representative; whereas the time required for these calculations cannot be reconciled with the continuity necessary for the application of the tariff preferences concerned; whereas, under these conditions, it would be advisable still at this stage to adopt a fixed scale for allocating the Community tariff quotas concerned among the Member States; whereas, on the basis of general economic criteria i.e. foreign trade in the textile sector, the gross national product and population, the percentages for the initial shares of the Member States in the quota amounts are as follows for the quota year under consideration:

Germany	27 %
Benelux	10 %
France	19 %
Italy	14 %
Denmark	7 %
Ireland	1 %
United Kingdom	22 %

Whereas, since the tariff quotas involved are relatively small it appears possible, without affecting

the Community nature of the quotas under consideration, to provide at this stage for a utilization scheme based on a single allocation among the Member States; whereas such allocation could be made according to the percentages set out in the table above;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union for the allocation of the tariff quotas concerned, any measure concerning the administration of the shares allocated to that Economic Union may be carried out by one of its Members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1974, the Common Customs Tariff duties and the tariff duties of the new Member States on the products listed in the Annex shall be totally suspended for Community tariff quotas up to the volume in metric tons indicated in column 3 of that Annex in respect of each of those products.

Ireland is authorized to apply quota duties equal to the duties which it applies to imports of the same products from Member States other than the United Kingdom.

2. The tariff quotas referred to shall be granted only to products originating in Yugoslavia. For the purposes of this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

The Community tariff quotas referred to in Article 1 (1) shall be allocated among the Member States in shares equal to the amounts indicated in column 4 of the Annex in respect of each type of product.

Article 3

1. The Member States shall ensure free access to the share which has been allocated to them for importers of the products concerned who are established on their territory.

2. The extent to which the shares of Member States have been actually filled shall be determined on the basis of imports of the products which have

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

been entered for home use, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is reintroduced.

Article 4

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 5

Member States and the Commission shall cooperate closely to ensure that the preceding provisions are observed.

Article 6

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG

ANNEX

List of products originating in Yugoslavia covered by Community duty-free tariff quotas as part of the generalized tariff preferences

Order No	CCT heading No (1)	Description (2)	Quota volume (in metric tons) (3)	Volume of shares allocated to Member States (in metric tons) (4)
1	55.05	Cotton yarn, not put up for retail sale: B. Other: II. Other: Measuring, per single yarn, per kilo: — 14 000 m or less	71	Germany 19.17 Benelux 7.10 France 13.49 Italy 9.94 Denmark 4.97 Ireland 0.71 United Kingdom 15.62
2		— More than 14 000 m but not more than 40 000 m	1 282	Germany 346.14 Benelux 128.20 France 243.58 Italy 179.48 Denmark 89.74 Ireland 12.82 United Kingdom 282.04
3		— More than 40 000 m but not more than 80 000 m	440	Germany 118.80 Benelux 44.00 France 83.60 Italy 61.60 Denmark 30.80 Ireland 4.40 United Kingdom 96.80
4		— More than 80 000 m but not more than 120 000 m	65	Germany 17.55 Benelux 6.50 France 12.35 Italy 9.10 Denmark 4.55 Ireland 0.65 United Kingdom 14.30
5	55.09	Other woven fabrics of cotton: A. Containing 85 % or more by weight of cotton: I. Of a width of less than 85 cm: — Unbleached	38	Germany 10.26 Benelux 3.80 France 7.22 Italy 5.32 Denmark 2.66 Ireland 0.38 United Kingdom 8.36

Order No	CCT heading No (1)	Description (2)	Quota volume (in metric tons) (3)	Volume of shares allocated to Member States (in metric tons) (4)
6		— Other	114	Germany 30.78 Benelux 11.40 France 21.66 Italy 15.96 Denmark 7.98 Ireland 1.14 United Kingdom 25.08
7		II. Other: — Unbleached, of a width: — Of 85 cm or more but not more than 115 cm	1 150	Germany 310.50 Benelux 115.00 France 218.50 Italy 161.00 Denmark 80.50 Ireland 11.50 United Kingdom 253.00
8		— More than 115 cm but not more than 165 cm	697	Germany 188.19 Benelux 69.70 France 132.43 Italy 97.58 Denmark 48.79 Ireland 6.97 United Kingdom 153.34
9		— More than 165 cm	225	Germany 60.75 Benelux 22.50 France 42.75 Italy 31.50 Denmark 15.75 Ireland 2.25 United Kingdom 49.50
10		Other: — Printed	78	Germany 21.06 Benelux 7.80 France 14.82 Italy 10.92 Denmark 5.46 Ireland 0.78 United Kingdom 17.16
11		— Other	78	Germany 21.06 Benelux 7.80 France 14.82 Italy 10.92 Denmark 5.46 Ireland 0.78 United Kingdom 17.16
12	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres	165	Germany 44.55 Benelux 16.50 France 31.35 Italy 23.10 Denmark 11.55 Ireland 0.65 United Kingdom 36.30

Order No	CCT heading No (1)	Description (2)	Quota volume (in metric tons) (3)	Volume of shares allocated to Member States (in metric tons) (4)
13	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres: — Printed	150	Germany 40.50 Benelux 15.00 France 28.50 Italy 21.00 Denmark 10.50 Ireland 1.50 United Kingdom 33.00
14		— Other	150	Germany 40.50 Benelux 15.00 France 28.50 Italy 21.00 Denmark 10.50 Ireland 1.50 United Kingdom 33.00
15	ex 60.03	Stocking, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: — Of cotton	22	Germany 5.94 Benelux 2.20 France 4.18 Italy 3.08 Denmark 1.54 Ireland 0.22 United Kingdom 4.84
16	60.04	Under garments, knitted or crocheted, not elastic or rubberized: A. Of cotton	108	Germany 29.16 Benelux 10.80 France 20.52 Italy 15.12 Denmark 7.56 Ireland 1.08 United Kingdom 23.76
17	61.01	Men's and boys' outer garments: — Of cotton fabric	45	Germany 12.15 Benelux 4.50 France 8.55 Italy 6.30 Denmark 3.15 Ireland 0.45 United Kingdom 9.90
18		— Other	284	Germany 76.68 Benelux 28.40 France 53.96 Italy 39.76 Denmark 19.88 Ireland 2.84 United Kingdom 62.48

Order No	CCT heading No (1)	Description (2)	Quota volume (in metric tons) (3)	Volume of shares allocated to Member States (in metric tons) (4)
19	61.02	Woman's, girls' and infants' outer garments: — Of cotton fabric	60	Germany 16:20 Benelux 6:00 France 11:40 Italy 8:40 Denmark 4:20 Ireland 0:60 United Kingdom 13:20
20		— Other	114	Germany 30:78 Benelux 11:40 France 21:66 Italy 15:96 Denmark 7:98 Ireland 1:14 United Kingdom 25:08
21	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs: — Other than of cotton fabric	60	Germany 16:20 Benelux 6:00 France 11:40 Italy 8:40 Denmark 4:20 Ireland 0:60 United Kingdom 13:20
22	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: — Of cotton fabric	50	Germany 13:50 Benelux 5:00 France 9:50 Italy 7:00 Denmark 3:50 Ireland 0:50 United Kingdom 11:00
23		— Other	6	Germany 1:62 Benelux 0:60 France 1:14 Italy 0:84 Denmark 0:42 Ireland 0:06 United Kingdom 1:32

REGULATION (EEC) No 3578/73 OF THE COUNCIL

of 28 December 1973

opening tariff preferences for certain textile products originating in Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission;

Whereas within the context of UNCTAD the European Economic Community offered to grant tariff preferences on finished and semi-finished products originating in developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished products falling within Chapters 25 to 99 of the Brussels Nomenclature and originating in developing countries;

Whereas, however, in respect of cotton textile products covered by the Long-term Arrangement ⁽¹⁾ regarding International Trade in Cotton Textiles the offer made by the Community lays down that the preferences, in the form of duty-free ceilings, will be granted to the countries benefiting from generalized preferences which are signatories to the Long-term Arrangement or possibly to those countries benefiting from generalized preferences which undertake in respect of the Community commitments similar to those existing under that Arrangement and for its duration; whereas, having particular regard to the link which Article 6 of the Long-term Arrangement establishes between cotton products and substitute products, it appears justified in these circumstances and by virtue of the fact that a total suspension of customs duties is involved to include in the same scheme as that described above those substitute textile products given in the conditional list of partial and limited reductions of customs duties deposited with GATT by the Community during the last series of tariff negotiations;

Whereas the offer made by the Community includes a clause stipulating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date;

whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the associated countries following the implementation of the generalized preference scheme;

Whereas, moreover, the Conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas, in accordance with Protocol No 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme will be applicable in the new Member States from 1 January 1974;

Whereas for the various categories of textile products in question Council Regulation (EEC) No 3502/73 ⁽³⁾ of 18 December 1973 opening, allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries and Council Regulation (EEC) No 3503/73 ⁽⁴⁾ of 18 December 1973 opening tariff preferences in respect of certain textile products originating in developing countries put into effect the abovementioned offer for 1974 in favour of those developing countries satisfying the conditions outlined above and listed in Annex B to those Regulations; whereas this measure has been taken on a transitional basis, the Commission counting on the countries thus concerned to take measures ensuring that equivalent objectives were respected, at least throughout 1974; whereas Yugoslavia for its part has entered into commitments similar to those made under the Long-term Arrangement; whereas Yugoslavia should, therefore, also be granted the benefit of tariff preferences for the abovementioned textile products and also for 1974; whereas, in order not to affect the advantages which the present beneficiaries enjoy for these products, separate ceilings at zero duty should be opened exclusively for products originating in

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 358, 28. 12. 1973.

⁽⁴⁾ OJ No L 358, 28. 12. 1973.

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 29.

Yugoslavia; whereas each of these ceilings should under normal conditions be equal to the maximum amount fixed by Regulations (EEC) No 3502/73 and (EEC) No 3503/73 for corresponding products, with a lower limit of 10 % and an upper limit of 100 % of the quantities of the types of products in question exported from Yugoslavia to the Community in 1968; whereas these ceilings must be adjusted in order to take account of certain special cases where there are no deliveries from Yugoslavia; whereas these ceilings must be adjusted, however, to take account *inter alia* of certain particular cases where there are no deliveries from Yugoslavia;

Whereas, therefore, in respect of each of the types of products listed in the Annex to this Regulation, the Community should until 31 December 1974 allow duty-free imports up to the Community ceilings indicated opposite each of those classes; whereas the benefit of these tariff quotas should apply only to products originating in Yugoslavia, and the concept of originating products should be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 ⁽¹⁾ of 27 June 1968 on the common definition of the concept of the origin of goods;

Whereas, in the event, these objectives may be attained by a method of administration based on the charging at Community level of imports of the products in question against the abovementioned ceilings as and when the products are entered for home use and are accompanied by a certificate of origin; whereas this form of administration should make it possible to reintroduce duties as soon as the ceilings have been reached at Community level;

Whereas this form of administration requires close and particularly rapid collaboration between the Member States and the Commission, and the Commission must in particular be able to follow the extent to which charges are made in respect of the ceilings and inform the Member States thereof; whereas this collaboration must be sufficiently close for the Commission to be able to take adequate measures to reintroduce the normal duties,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1974, subject to Articles 2 and 4 (2), the Common Customs Tariff

duties and the tariff duties of the new Member States on the products listed in the Annex shall be totally suspended for Community ceilings up to the volume in metric tons indicated in column 3 of the Annex in respect of each of those products.

Ireland is authorized to apply quota duties equal to the duties which it applies to imports of the same products from Member States other than the United Kingdom.

2. The benefit of the suspension referred to in paragraph 1 is granted only for products originating in Yugoslavia. For the purposes of this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

As soon as the ceilings indicated in column 3 of the Annex have been reached at Community level, the normal duties may be reintroduced at any time on imports of products originating in Yugoslavia, until the end of the period specified in Article 1 (1).

Article 3

1. Imports of the products in question shall be actually charged against the Community ceilings as and when the products are entered for home use and are accompanied by a certificate of origin pursuant to the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is reintroduced.

3. The extent to which the ceilings have actually been filled shall be determined at Community level on the basis of imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close collaboration with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

2. The Commission shall, by means of a Regulation, reintroduce the levying of normal duties in respect of Yugoslavia, in accordance with Article 2.

against the Community ceilings provided for in Article 1 (1).

Article 5

The Member States shall regularly inform the Commission of imports which are actually charged

Article 6

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG

ANNEX

List of the products originating in Yugoslavia which are covered by generalized tariff preferences for certain textile products

Order No	CCT heading No 1	Description (2)	Community ceiling (in metric tons) (3)
1	54.05	Woven fabrics of flax or yarn	36
2	55.05	Cotton yarn, not put up for retail sale:	
		A. Multiple or cabled, finished, in balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding 900 g	15
3		B. Other:	
		I. Measuring, per single yarn, 120 000 m or more per kg	12
4	55.06	Cotton yarn, put up for retail sale	3.5
5	55.07	Cotton gauze	4.5
6	55.08	Terry towelling and similar terry fabrics, of cotton	12
7	55.09	Other woven fabrics of cotton:	
		B. Other	90
8	58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)	80
9	58.10	Embroidery, in the piece, in strips or in motifs	28
10	60.01	Knitted or crocheted fabric, not elastic or rubberized:	15
		B. Of man-made fibres	
		C. Of other textile materials	
11	ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, of cotton	15
12	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	45
		A. Outer garments and clothing accessories:	
		ex II. Other, of cotton	
		ex B. Other, of cotton	
	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings):	
		A. Fabric:	
13		— In cotton fabric	4.5
14		— Other	4.5
	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs:	
15		— In cotton fabric	
		— Other	83

Order No	CCT heading No 1	Description 2	Community ceiling (in metric tons) 3
16	ex 61.04	Women's, girls' and infants' under garments, of cotton	51
17	61.05	Handkerchiefs	28
18	62.01	Travelling rugs and blankets: B. Other: I. Of Cotton	15
19	62.03	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: I. Used: ex (b) Other: — In cotton fabric ex II. Other: — In cotton fabric	81
20	62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods	90

REGULATION (EEC) No 3579/73 OF THE COUNCIL

of 28 December 1973

on the increase in volume of the supplementary Community tariff quota for ferro-silicon falling within subheading No 73.02 C of the Common Customs Tariff for 1973

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 draft Regulation submitted by the Commission;

Whereas by Regulation (EEC) No 2729/72 ⁽¹⁾, the Council opened and allocated among the Member States, for the year 1973, a duty-free conventional Community tariff quota of 20 000 metric tons of ferro-silicon falling within subheading No 73.02 C of the Common Customs Tariff;

Whereas, in view of current Community production potential, the said quota volume will not suffice to cover the import requirements of certain Member States for ferro-silicon from third countries; whereas it is therefore desirable to increase the volume of the said quota, while however limiting the increase to 7 000 metric tons in view of the need not to jeopardize future expansion of this production sector in the Community; whereas for the same reasons the quota duty applicable within

the framework of the said increase should be set at 7 %,

HAS ADOPTED THIS REGULATION:

Article 1

The volume set out in Article 1 of Regulation (EEC) No 2729/72 shall be increased to 27 000 metric tons; within the framework of this increase the quota duty shall be suspended at the level of 7 %.

Article 2

The share assigned to Benelux under Article 2 of Regulation (EEC) No 2729/72 shall be increased to 22 500 metric tons.

Article 3

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

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

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG

⁽¹⁾ OJ No L 291, 28. 12. 1972, p. 62.

REGULATION (EEC) No 3580/73 OF THE COUNCIL

of 28 December 1973

increasing the Community tariff quota of unwrought zinc falling within subheading
No 79.01 A of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having consulted the Commission;

Whereas Council Regulation (EEC) No 2741/72 ⁽¹⁾ of 19 December 1972 opened and allocated among the Member States a Community tariff quota for 1973 of 20 000 metric tons for unwrought zinc falling within subheading No 79.01 A of the Common Customs Tariff; whereas exceptionally, it is opportune to increase the initial quota by 700 metric tons,

Article 1

The amount provided for in Article 1 of Regulation (EEC) No 2741/72 shall be increased to 20 700 metric tons.

Article 2

The Community reserve provided for in Article 2 (2) of Regulation (EEC) No 2741/72 shall be increased to 2 700 metric tons.

Article 3

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

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

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG

⁽¹⁾ OJ No L 291, 28. 12. 1972, p. 140.

REGULATION (EEC) No 3581/73 OF THE COUNCIL

of 28 December 1973

derogating from Regulation (EEC) No 1693/72 in respect of the procedures laid down for the mobilization of food aid to the countries of the Sahel

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾, and in particular Article 22a thereof;

Having regard to Council Regulation No 359/67/EEC⁽³⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by the Act⁽⁴⁾ concerning the conditions of Accession and the Adjustments to the Treaties, and in particular Article 23a thereof;

Whereas, in view of the transportation difficulties facing the countries of the Sahel, it would be advisable to adopt a system which is sufficiently flexible to enable the products supplied as food aid to be forwarded to their distribution points as soon as possible upon arrival in the ports of discharge in Africa;

Whereas, by the Council Decision of 28 December 1973⁽⁵⁾ concerning the financing by the Community of certain expenditure on food aid supplied under the 1973/74 programme, it was provided in respect of Community food-aid action for the countries of the Sahel, that Community financing should extend to the cost of delivering the products to their distribution points;

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

Done at Brussels, 28 December 1973.

Whereas recourse to the tendering procedure provided for in Article 4 of Council Regulation (EEC) No 1693/72⁽⁶⁾ of 3 August 1972 laying down the criteria for the mobilization of cereals intended as food aid does not always enable the desired flexibility and speed to be attained in delivering the goods from the cif stage to the distribution points; whereas consequently it is advisable to provide for the possibility of having recourse to other procedures, such as direct agreement,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 4 (3) of Regulation (EEC) No 1693/72, recourse may be had, where necessary, to procedures other than invitation to tender, for the provision of transport from the cif stage to the distribution points of cereals and rice made available to the countries of the Sahel by way of food aid in the context of the 1973/74 programme.

Article 2

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

For the Council

The President

Ove GULDBERG

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁵⁾ See page 53 of this Official Journal.

⁽⁶⁾ OJ No L 178, 5. 8. 1972, p. 3.

REGULATION (EEC) No 3582/73 OF THE COUNCIL

of 28 December 1973

laying down general rules for the supply of skimmed-milk powder as food aid to the countries of the Sahel and Ethiopia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ concerning the conditions of Accession and the adjustments to the Treaties, and in particular Article 6 (6) thereof;

Having regard to the proposal from the Commission;

Whereas the countries of the Sahel and Ethiopia have made known their requirements as regards skimmed-milk powder;

Whereas it will not be possible to dispose, on normal terms during the 1973/74 milk year, of the quantities of skimmed-milk powder held by intervention agencies; whereas 14 000 metric tons of this product can be granted as food aid;

Whereas to enable effective and as efficient as possible use to be made of the aid, provision should be made for the financing of the cost of transportation to the distribution points and, if necessary, the cost of supplying the vitamins to be added to the milk;

Whereas the transportation of skimmed-milk powder, resort should normally be made to the tendering procedure, by competition amongst interested undertakings established in the Community; whereas, however, for the sake of flexibility and speed it might be desirable, in exceptional cases, to resort to a procedure of mutual agreement,

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

Done at Brussels, 28 December 1973.

HAS ADOPTED THIS REGULATION:

Article 1

14 000 metric tons of skimmed-milk powder shall be put at the disposal of the countries listed below and allocated as follows:

Upper Volta	2 600 metric tons
Mali	2 900 metric tons
Mauritania	2 000 metric tons
Niger	3 200 metric tons
Chad	800 metric tons
Ethiopia	2 500 metric tons

Article 2

To meet the objectives mentioned in Article 1, the labelling, the transport of the skimmed-milk powder to distribution points and, where applicable, the supply of the vitamins to be added to the milk shall be financed by the Community.

Article 3

Transportation up to the cif stage shall normally be covered by a tendering procedure; however, in exceptional cases, resort can be made to a procedure of mutual agreement.

Article 4

Transportation from the cif stage to the distribution points shall normally be covered by a tendering procedure, or, if necessary, by recourse to a procedure of mutual agreement.

Exceptionally, the cost of this transportation stage shall be wholly or partially paid to the recipient countries, in the form of a cash contribution, if provided for in the supply agreement.

Article 5

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

For the Council
The President
Ove GULDBERG

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

REGULATION (EEC) No 3583/73 OF THE COUNCIL

of 28 December 1973

laying down general rules for the supply of milk fats as food aid to the countries of the Sahel and Ethiopia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk products, as last amended by the Act ⁽²⁾ concerning the conditions of Accession and the Adjustments to the Treaties, and in particular Article 6 (6) thereof;

Having regard to the proposal from the Commission;

Whereas the countries of the Sahel and Ethiopia have made known their requirements as regards milk fats;

Whereas it will not be possible to dispose, on normal terms during the 1973/74 milk year, of the quantities of butter held by intervention agencies; whereas it is possible to grant food aid of 7 320 metric tons of butter in the form of 6 000 metric tons of butteroil;

Whereas to enable effective use to be made of the aid, provision should be made for the financing of the cost of transportation to the distribution points;

Whereas for the manufacture and transportation of butteroil, resort should normally be made to the tendering procedure by competition amongst interested undertakings established in the Community; whereas, however, for the sake of flexibility and speed, it might, in exceptional cases, be desirable to resort to a procedure of mutual agreement,

HAS ADOPTED THIS REGULATION:

Article 1

7 320 metric tons of butter held by intervention agencies shall be put at the disposal of the countries

of the Sahel and Ethiopia as food aid, in the form of 6 000 metric tons of butteroil. The quantities for each beneficiary country and the means of financing them are laid down in the Annex to this Regulation.

Article 2

The processing of butter into butteroil, its packing and transportation from the factory to distribution points shall be covered by a tendering procedure. However, it shall be possible to resort to a procedure of mutual agreement for transportation to the cif stage, in emergency cases, or, from the cif stage to distribution points, if necessary.

Exceptionally, the cost of transportation from the cif stage to distribution points shall be wholly or partially paid to the recipient countries in the form of a cash contribution, if provided for in the Supply Agreement.

Article 3

The sums to be paid to the undertaking to which a contract is awarded as the result of an invitation to tender or privately shall be due only where:

- (a) the undertaking satisfies the conditions laid down in the invitation to tender; and
- (b) the quality and packing of the delivered product are found on inspection to conform to the relevant Community provisions.

Provision may be made for partial advance payment of such amounts.

Article 4

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

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

Done at Brussels, 28 December 1973.

For the Council
The President
Ove GULDBERG

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

ANNEX

Food-aid programme: Butteroil

Recipient country	Butteroil (metric tons)	Financing
Upper Volta	1 800	Distribution points
Mali	300	Distribution points
Mauritania	1 000	Distribution points
Niger	1 450	Distribution points
Chad	150	Distribution points
Ethiopia	1 300	Distribution points

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 December 1973

concerning the financing by the Community of certain expenditure on food aid supplied
under the 1973/74 programme

(73/448/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community;

Having regard to Council Regulation (EEC) No
1703/72 ⁽¹⁾ of 3 August 1972, amending Regulation
(EEC) No 2052/69 concerning the financing by the
Community of expenditure resulting from the
implementation of the Food-Aid Convention of 1967
and fixing the Regulations for the financing by the
Community of expenditure arising from the
implementation of the 1971 Food-Aid Convention,
and in particular Article 8 (1) and Article 10 (1)
thereof;

Having regard to the proposal from the
Commission;

Whereas, in view of the situation that now exists in
the Sahel countries and Ethiopia, the necessity for
the Community to bear the transport costs of food

aid in cereals to their distribution points has become
evident,

HAS DECIDED AS FOLLOWS:

Sole Article

For the purpose of the Community's food-aid
activities in respect of Upper Volta, Mali,
Mauritania, Niger, Senegal, Chad and Ethiopia,
under the 1973/74 Food-Aid Programme, Community
financing shall extend to the cost of delivering the
products to the distribution points. This financing
can be met, exceptionally, if provided by the
agreement, in the form of a lump-sum contribution.

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG

⁽¹⁾ OJ No L 180, 8. 8. 1972, p. 1.