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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2914/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Spain, signed at Luxembourg on 29 June 1970, provides in Article 2 (1), together with Article 4 of Annex I, for the opening by the Community of an annual Community tariff quota of 1 800 metric tons of other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in Spain; whereas, pursuant to Article 2 of the said Annex, the quota duty is equal to 40% of the Common Customs Tariff duty in respect of the product concerned; whereas the Community tariff quota contains quota duties of 5.2%, 5.6%, 5.6% and 6% for the products falling within subheadings 55.09 A I, A II, B I and B II;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of implementing other preferential arrangements as a result of a new Agreement between the European Economic Community and Spain, it is necessary to limit the quota period to the date on which the new Agreement enters into force;

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

to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, to represent as closely as possible the actual trend of the market in the products in question, the allocation should follow proportionately the requirements of the Member States calculated from both statistics of imports from Spain during a representative period and the economic outlook for the tariff period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Spain of the products concerned:

	1971	1972	1973
Germany	5.2	6.4	2.4
Benelux	2.2	2.8	9.8
France	75.7	78.0	47.1
Italy	16.9	12.8	40.7

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

Germany	6
Benelux	6
France	68
Italy	20

Whereas, to take account of future import trends in the various Member States of the product under consideration, the total quota volume should be divided into two tranches, the first being shared among the Member States and the second held as a reserve to cover at a later date the requirements of those Member States having used up their initial share; whereas to give Member State importers some certainty, the first of the Community quota might be fixed at 75% of the quota volume;

Whereas the initial shares of Member States may be used up more or less quickly; whereas, therefore, to avoid disruption of supplies any Member State which has almost used up its initial share must draw a supplementary share from the reserve; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, and as many times as the reserve allows; whereas the initial and supplementary shares must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent

to which the quota volume has been used up and inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1975 until the date of entry into force of a new Agreement between the European Economic Community and Spain but not later than 31 December 1975, the Common Customs Tariff duties in respect of the products originating in Spain and listed below shall be partially suspended at the levels indicated for each of them within the limits of a global Community tariff quota of 1 800 metric tons:

CCT heading No	Description	Rate of duty %
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	5.2
	II. Other	5.6
	B. Other:	
	I. Of a width of less than 85 cm	5.6
	II. Other	6

Article 2

1. A first tranche amounting to 1 350 metric tons of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the share which, subject to Article 5, shall be valid until the end of the period specified in Article 1 shall be as follows:

Germany	80 metric tons
Benelux	80 metric tons
France	920 metric tons
Italy	270 metric tons

2. The second tranche, of 450 metric tons, shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed without delay, by notifying the Commission, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used up, that Member State shall in accordance with the same conditions draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

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

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there are reasons for considering that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of

the products concerned effected up to 15 September 1975 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made, without interruption, against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2915/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Spain, signed at Luxembourg on 29 June 1970, provides in Article 2 (1), together with Article 3 of Annex I, for the opening by the Community of an annual total Community tariff quota of 1 200 000 metric tons of certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Spain; whereas, pursuant to Article 2 of the said Annex, the quota duty is equal to 40% of the Common Customs Tariff duties effectively applied in this year in respect of the product concerned;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of implementing after preferential arrangements as a result of a new Agreement between the European Economic Community and Spain, it is necessary to limit the quota period to the date the new Agreement enters into force.

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, to represent as closely as possible the actual development of the market in the products in question, the allocation should follow proportionately the requirement of the Member States calculated from both statistics of imports from Spain during a representative period and the economic outlook for the tariff period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Spain of the products concerned:

	1971	1972	1973
Germany	19.80	34.60	49.0
Benelux	25.40	9.10	15.3
France	13.00	8.40	11.2
Italy	41.80	47.90	24.5

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

Germany	39
Benelux	17
France	11
Italy	33

Whereas, to take account of future import trends in the various Member States of the product under consideration, the total quota volume should be divided into two tranches, the first being shared among the Member States and the second held as a reserve to cover at a later date the requirements of those Member States having used up their initial share; whereas, to give Member State importers some certainty, the first tranche of the Community quota might be fixed at 80% of the quota volume;

Whereas the initial shares of Member States may be used up more or less quickly; whereas, therefore, to avoid disruption of supplies any Member State which has almost used up its initial share must draw

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description	Rate of duty %
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	0.8 2.8
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other	0.8 2.4
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	0.8

Article 2

1. The first tranche, amounting to 1 000 000 metric tons of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the respective shares which, subject to Article 5, shall be valid until the end of the period stipulated in Article 1 shall consist of the following amounts:

Germany	390 000 metric tons
Benelux	170 000 metric tons
France	110 000 metric tons
Italy	330 000 metric tons

2. The second tranche, amounting to 200 000 metric tons, shall constitute a reserve.

Article 3

1. If 90% or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, that Member State shall, by notifying the Commission, draw a third share

equal to 7.5% of its initial share, rounded up to the next unit where necessary, to the extent permitted by the amount of the reserve.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. By derogation from paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed therein, if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

A Member State which on 15 September 1975 has not used up its initial share shall return to the reserve not later than 10 October 1975 the unused portion

exceeding 20% of the initial amount. It may return a greater portion if there are grounds for believing that it may not be used up.

Member States shall, not later than 10 October 1975, notify the Commission of the total quantities of the said goods imported up to and including 15 September 1975 and charged against the appropriate Community tariff quota and any quantities of the initial share returned to the reserve.

Article 6

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

It shall inform the Member States not later than 15 October 1975 of the amounts still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up a reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

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

Done at Brussels, 18 November 1974.

Article 7

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares in the Community tariff quotas.
2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.
3. Member States shall charge imports of the said goods against their shares as and when such goods are entered for home use.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2916/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in Israel

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and the State of Israel, signed at Luxembourg on 29 June 1970, provides in Article 2 (1), together with Article 3 of Annex I, for the opening by the Community for the period from 1 January 1975 to 30 September 1975 of a Community tariff quota of 225 metric tons of other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in Israel; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 50% of the Common Customs Tariff duty in respect of the product concerned; whereas, therefore, a Community tariff quota of 225 metric tons at duty rates of 6.5%, 7%, 7% and 7.5% for products falling within subheadings 55.09 A I, A II, B I and B II respectively should be opened;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of implementing other preferential arrangements as a result of a new agreement between the European Economic Community and the State of Israel, it is necessary to limit the quota period to the date the new Agreement enters into force.

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports of the product in question until the quota is used up; whereas a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the product in question, the allocation should follow proportionately the

requirements of the Member States calculated from both statistics of imports from Israel during a representative reference period and the economic outlook for the tariff period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Israel of the products concerned:

	1971	1972	1973
Germany	89.9	94.5	89.8
Benelux	—	0.5	0.1
France	2.5	2.5	4.6
Italy	7.6	2.5	5.5

Whereas, in view of these factors and of the estimates submitted by certain Member States, initial quotas may be fixed approximately at the following percentages:

Germany	88.9
Benelux	1.3
France	4.5
Italy	5.3

Whereas, to take account of future import trends in the various Member States for the products concerned, each quota volume should be divided into two tranches, the first being allocated amongst the Member States and the second held as a reserve to cover at a later date the requirements of Member States which have used up their initial share; whereas, to give importers some certainty, the first tranche of each Community tariff quota could be fixed at about 75% of the quota volumes;

Whereas the initial shares may be used up more or less quickly; whereas, therefore, to avoid disruption of supplies, any Member State which has almost used up its initial share must draw a supplementary share from the reserve; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, and as many times as the reserve allows; whereas each initial and supplementary share must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the tariff quotas have been used up and inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1975 until the date of entry into force of a new Agreement between the European Economic Community and the State of Israel but not later than 30 September 1975, the Common Customs Tariff duties in respect of the products originating in Israel set out in the table below shall be partially suspended at the rates indicated for each of them, within the limits of an overall Community tariff quota of 225 metric tons:

CCT heading No	Description	Rate of duty %
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	6.5
	II. Other	7.0
	B. Other:	
	I. Of a width of less than 85 cm	7.0
	II. Other	7.5

Article 2

1. A first tranche of 169 metric tons of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until the end of the period stipulated in Article 1 shall be as follows:

Germany	150 metric tons
Benelux	2 metric tons
France	8 metric tons
Italy	9 metric tons

2. A second tranche of 56 metric tons shall constitute a reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 15% of its initial share, rounded up where necessary to the next unit to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 90% or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions imposed by paragraph 1, draw a third share, equal to 7.5% of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90% or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

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

Article 4

Supplementary shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

A Member State which on 15 July 1975 has not used up its initial share shall return to the reserve not later than 1 August 1975 the unused portion exceeding 20% of the initial amount. It may return a greater portion if there are grounds for believing that it may not be used up.

Member States shall, not later than 1 August 1975, notify the Commission of the total quantities of the said goods imported up to and including 15 July 1975 and charged against the Community tariff quota and any quantities of the initial share returned to the reserve.

Article 6

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

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

Done at Brussels, 18 November 1974.

It shall inform the Member States, not later than 5 August 1975, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 7

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

2. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when such goods are entered for home use.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2917/74 OF THE COUNCIL

of 18 November 1974

opening, allocation and providing for the administration of a Community tariff quota for cotton yarn falling within heading No 55.05 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 750 metric tons of cotton yarn not put up for retail sale falling within heading No 55.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30 % of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the generalized system of preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be con-

finied to the original Member States and the additional volume of 375 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community, from Malta, of the products concerned:

	1971		1972		1973	
Germany	41.5	34.5	57.3	51.4	45.5	39.8
Benelux	42.0	34.8	28.7	25.7	34.8	30.4
France	2.1	1.7	5.4	4.8	8.0	7.0
Italy	14.4	12.0	8.6	7.8	11.7	10.2
Denmark		—		0.1		0.0
Ireland		5.3		3.2		0.1
United Kingdom		11.7		7.0		12.5

Whereas, in view of these factors of the foreseeable development during 1975 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately as follows:

Benelux	21.0
Denmark	0.1
France	5.6
Germany	52.0
Ireland	1.0
Italy	9.0
United Kingdom	11.3

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be approximately 70% of the quota amount;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the

administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975 a tariff quota of 1 125 metric tons shall be opened in the Community for cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche, amounting to 805 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Germany	410 metric tons
Benelux	185 metric tons
France	50 metric tons
Italy	80 metric tons
Denmark	1 metric ton
Ireland	9 metric tons
United Kingdom	70 metric tons

2. The second tranche of 320 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member

State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed without delay to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent

to which the reserve has been used as soon as it received the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2918/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 600 metric tons of man-made fibres (discontinuous or waste), carded, combed, or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30 % of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than generalized system of preferences, the above-mentioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume

laid down in the Agreement should be confined to the original Member States and the additional volume of 300 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1971		1972		1973	
Germany	—	—	—	—	—	—
Benelux	7.7	1.7	—	—	—	—
France	—	—	—	—	—	—
Italy	92.3	20.3	100	66.8	—	—
Denmark		—		—	—	—
Ireland		10.4		15.5	—	—
United Kingdom		67.6		17.7	—	—

Whereas, both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	10.0
Denmark	3.3
France	13.3
Germany	10.0
Ireland	5.0
Italy	41.8
United Kingdom	16.6

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be approximately 65% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the

Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, a Community tariff quota of 900 metric tons shall be opened in the Community for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche of 575 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	60 metric tons
Denmark	20 metric tons
France	80 metric tons
Germany	60 metric tons
Ireland	30 metric tons
Italy	250 metric tons
United Kingdom	75 metric tons

2. The second tranche of 325 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product in question effected up to and including 15 September 1975 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with

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

Done at Brussels, 18 November 1974.

Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

For the Council
The President
Ch. BONNET

REGULATION (EEC) No 2919/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 100 metric tons of outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the generalized system of preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should

be confined to the original Member States and the additional volume of 50 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1971		1972		1973	
Germany	12.5	1.1	4.3	0.8	—	—
Benelux	—	—	—	—	—	—
France	75.0	6.6	93.6	17.1	94.6	52.0
Italy	12.5	1.1	2.1	0.4	5.4	2.9
Denmark		—		—		0.6
Ireland		1.1		0.1		2.9
United Kingdom		90.1		81.6		41.0

Whereas both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas initial quota shares may consequently be fixed approximately as follows:

Benelux	8.3
Denmark	4.2
France	41.2
Germany	12.5
Ireland	4.2
Italy	12.5
United Kingdom	16.6

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the

Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, a Community tariff quota of 150 metric tons shall be opened in the Community for outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche of 120 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	10 metric tons
Denmark	5 metric tons
France	50 metric tons
Germany	15 metric tons
Ireland	5 metric tons
Italy	15 metric tons
United Kingdom	20 metric tons

2. The second tranche of 30 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with

Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2920/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 300 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the generalized system of preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be confined to the original Member States and the additional volume of 150 metric tons resulting from

the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota may be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1971		1972		1973	
Germany	42.7	24.8	55.5	43.4	31.0	19.4
Benelux	44.6	26.0	27.3	21.4	35.1	22.0
France	7.1	4.2	11.7	9.2	11.9	7.4
Italy	5.6	3.2	5.5	4.2	22.0	13.7
Denmark		11.7		7.6		29.0
Ireland		0.3		0.2		0.2
United Kingdom		29.8		14.0		8.3

Whereas in view of these factors of the foreseeable development during 1975 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately as follows:

Benelux	12.8
Denmark	13.9
Germany	47.6
France	9.5
Ireland	0.3
Italy	3.2
United Kingdom	12.7

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 65% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the

administration of shares granted to the above mentioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, a Community tariff quota of 450 metric tons shall be opened in the Community for men's and boys' outer garments from Malta falling within heading No 61.01 of the Common Customs Tariff.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche amounting to 315 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	40 metric tons
Denmark	55 metric tons
France	30 metric tons
Germany	150 metric tons
Ireland	1 metric ton
Italy	10 metric tons
United Kingdom	29 metric tons

2. The second tranche of 135 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2921/74 OF THE COUNCIL

of 18 November 1974

totally suspending the customs duties on certain industrial products originating in Malta

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, by virtue of the Agreement ⁽¹⁾ establishing an association between the European Economic Community and Malta, the Community applies the Common Customs Tariff duties, reduced by 70%, to products covered by this Agreement; whereas it seems advisable provisionally to increase this tariff advantage by means of the total suspension of the customs duties applicable to such products; whereas, however, this measure cannot affect the products subject to the tariff quotas provided for in the abovementioned Agreement;

Whereas, in order to avoid the danger of disrupting traditional patterns of trade by imports of such products, provision should be made to enable the Commission to reintroduce at any time, by means of a Regulation, the levying of conventional duties in respect of Malta,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, the Common Customs Tariff duties and the customs tariff duties of the new Member States shall be totally suspended in respect of products falling within

Chapters 25 *et seq.* of the Common Customs Tariff covered by the Agreement establishing an association between the European Economic Community and Malta, pursuant to Article 1 of Annex I thereto, with the exception of products falling within heading Nos 55.05, 56.04, 60.05 and 61.01.

Ireland, however, shall be authorized to apply to such products duties equal to those which it applies to Member States other than the United Kingdom.

2. The suspension referred to in paragraph 1 shall apply solely to products originating in Malta. The rules of origin shall be those in force at the time as regards the implementation of the above Agreement.

The rule whereby the condition requiring sufficient processing is waived in respect of products originating in the Community as originally constituted shall not, however, apply in the case of the abovementioned products when they undergo in Malta only insufficient working or processing as defined in items 1 to 6 of list A, annexed to the Protocol to the aforesaid Agreement.

Article 2

In order to avoid disrupting traditional trade patterns by imports of products benefiting from the duty suspension provided for in Article 1, the Commission may, by means of a Regulation, reintroduce the levying of customs duties at any time up to the end of the calendar year at the level applicable in pursuance of Article 1 of Annex I to the aforesaid Agreement.

Article 3

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

⁽¹⁾ OJ No L 61, 14. 3. 1971, p. 3.

REGULATION (EEC) No 2922/74 OF THE COUNCIL

of 18 November 1974

on the opening, allocation and administration of a Community tariff quota for certain textile fibres falling within heading No 56.04 of the Common Customs Tariff, 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 Agreement⁽¹⁾ establishing an association between the European Economic Community and the Republic of Cyprus, hereinafter called the 'Agreement', and the Protocol⁽²⁾ laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community, hereinafter called the 'Protocol', provide for the opening of an annual Community tariff quota of 100 metric tons of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus; whereas, pursuant to the joint declaration in Article 2 of the Protocol, the tariff quota should be allocated among the Member States as follows: 70 metric tons for the Community as originally constituted and 30 metric tons for the new Member States; whereas Annex 1 to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession⁽³⁾ should be observed; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand and for the new Member States on the other hand;

Whereas, as regards the Community as originally constituted:

- it is necessary to ensure to all importers equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for this quota to all imports of the products concerned until the quota has been used up;
- in the light of the principles elicited above, the Community nature of the quota may be best preserved by an arrangement allocating it among the Member States; whereas in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both statistics of each State's imports of the said imports of the said products originating in Cyprus over a representative reference period and the economic outlook for the quota period concerned;
- however, as during the last three years no such products originating in Cyprus have been imported and as no forecast can be made for 1975, a significative and balanced participation by each of these States on this quota would ensure fair distribution among them;
- in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of those Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the quota should be determined at a level which, under present circumstances, may be approximately 75%;

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1973, p. 88.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 14.

- the initial share of the Member States may be used up more or less quickly; whereas, in order to take this fact into account and to avoid any break in continuity, it is important that any Member State having almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares of the quota must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;
- if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve in order to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;
- since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and jointly represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members;

Whereas as regards the new Member States:

- pursuant to the Protocol, a gross amount of 30 metric tons is allocated to the new Member States; whereas, for the purposes of the allocation of this amount among them, both the past and the prospective future situations are the same as those which faced the original Member States; whereas, therefore, the quota should be allocated

equally among the new Member States in the same way;

- the quota duties are to be calculated by the new Member States in accordance with Articles 3, 4, 5, 6 and 7 of the Protocol;
- it is necessary to ensure to all importers equal and uninterrupted access to the quota and uninterrupted application of the rates laid down for this quota to all imports of the products concerned until the quota has been used up,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1975 a tariff quota of 100 metric tons shall be opened within the Community in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the following provisions.

SECTION I

Provisions applicable to the Community as originally constituted

Article 2

The Common Customs Tariff duties shall be partially suspended at the rates indicated below in respect of 70 metric tons of the quota referred to in Article 1:

CCT heading No	Description	Rate of duty %
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning:	
	A. Synthetic textile fibres	2.5
	B. Regenerated textile fibres	3.0

Article 3

1. A first tranche of 52 metric tons of the amount specified in Article 2 shall be allocated among the Member States; the shares which, subject to Article 6, are valid until 31 December 1975 shall be as follows:

Germany	14 metric tons
Benelux	10 metric tons
France	15 metric tons
Italy	13 metric tons

2. The second tranche of 18 metric tons shall constitute the reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3 (1), or 90% of that share less the amount returned into the reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn up by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1975.

Article 6

If, by 15 September 1975, a Member State has not used up its initial share, it shall not later than 10 October 1975 return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the said goods effected up to and including 15 September 1975 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserve has been used up as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify the Member States of the amount in reserve after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for charges to be made, without interruption, against their accumulated shares of the Community quota.

SECTION II

Provisions applicable to the new Member States*Article 9*

Within the limits of the tariff quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 10

Within the quota, 30 metric tons shall be allocated to the new Member States as follows:

Denmark	10 metric tons
Ireland	8 metric tons
United Kingdom	12 metric tons

SECTION III

General provisions*Article 11*

1. Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

2. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

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

Done at Brussels, 18 November 1974.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 2.

Article 12

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

Article 13

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

Article 14

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2923/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, 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 Agreement ⁽¹⁾ establishing an association between the European Economic Community and the Republic of Cyprus, hereinafter called the 'Agreement', and the Protocol ⁽²⁾ laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community, hereinafter called the 'Protocol', provide for the opening of an annual Community tariff quota of 500 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus; whereas pursuant to the joint declaration on Article 2 of the Protocol the tariff quota should be allocated among the Member States as follows: 100 metric tons for the Community as originally constituted and 400 metric tons for the new Member States; whereas Article 1 of Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 30% of the Common Customs Tariff duties; whereas, as regards the duties applicable to goods within the limits of the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession ⁽³⁾ should be observed; whereas, to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted on the one hand and for the new Member States on the other hand;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to

all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Cyprus over a representative period and the economic outlooks for the quota period concerned;

However, as during the past three years no such products originating in Cyprus have been imported into the Community as originally constituted and whereas a minimal amount has been imported into only one of the new Member States; whereas no forecast can be made for 1975; whereas, to ensure fair distribution of the two quota amounts between the Member States concerned, each Member State should make a significative contribution to the relevant quota amount; whereas such contributions may approximately correspond to the following percentages:

Benelux	27.8
Germany	19.4
France	27.8
Italy	25.0
Denmark	45.0
Ireland	5.0
United Kingdom	50.0

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of these amounts should be divided into two tranches, the first tranche being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1973, p. 88.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 14.

determined at a level which, under present circumstances, may be approximately 75% and 50% of the quota amount respectively;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the relevant reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserves allow; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to prevent a part of the tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1975 a tariff quota of 500 metric tons shall be opened within the Community in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus. This quota shall be allocated and administered in accordance with the provisions set out below.

Article 2

1. The Common Customs Tariff duty shall be partially suspended at the rate of 5.1% in respect of 100 metric tons of the quota referred to in Article 1.

2. Within the limits of 400 metric tons of the tariff quota referred to in Article 1, the new Member States shall apply the duties laid down in the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 3

1. A first tranche of 72 metric tons of the amount specified in Article 2 (1) shall be allocated among the Member States of the Community as originally constituted; the shares which, subject to Article 6, are valid until 31 December 1975 shall be as follows:

Germany	20 metric tons
Benelux	14 metric tons
France	20 metric tons
Italy	18 metric tons

The second tranche of 28 metric tons shall constitute the relevant reserve.

2. A first tranche of 200 metric tons of the amount mentioned in Article 2 (2) shall be distributed between the new Member States; the shares, which subject to Article 6 are valid until 31 December 1975, shall be as follows:

Denmark	90 metric tons
Ireland	5 metric tons
United Kingdom	105 metric tons

The second tranche of 200 metric tons shall constitute the relevant reserve.

Article 4

1. If 90% or more of the initial share of a Member State laid down in Article 3, or 90% of that share less the amount returned into the relevant reserve where the provisions of Article 6 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share, equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the relevant reserve is sufficient.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in accordance with the conditions laid down in paragraph 1, to draw a third share, equal to 7.5% of its initial share, rounded up to the next unit.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in

the same way, to draw a fourth share equal to the third.

This process shall be applied until the relevant reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3 a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1975.

Article 6

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20 % of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the said goods effected up to and including 15 September 1975 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the relevant reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States in accordance with Articles 3 and 4 and shall inform each State of the extent to which the reserves have been used up as soon as it receives the notifications.

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

Done at Brussels, 18 November 1974.

The Commission shall, not later than 15 October 1975, notify the Member States of the amounts in the reserves after the return of shares pursuant to Article 6.

The Commission shall ensure that any drawing which uses up one or the other reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 8

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 4 it is possible for changes to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the share allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

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

Article 9

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

Article 10

The Member States and the Commission shall co-operate closely in order to ensure that this Regulation is observed.

Article 11

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2924/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Turkey (1975)

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, pending the entry into force of the Supplementary Protocol signed in Ankara on 30 June 1973 containing the adjustments to be made to the Agreement establishing an Association between the European Economic Community and Turkey and to the Additional Protocol ⁽¹⁾ consequent on the accession of new Member States, the Community has undertaken, in an Interim Agreement ⁽²⁾ which runs only for the period prior to the entry into force of this Supplementary Protocol, which is applicable until 31 December 1974 but which has been extended for 1975 in accordance with the terms laid down in Article 13 thereof to implement certain provisions of the Supplementary Protocol relating to trade in goods; whereas under Article 6 of the Interim Agreement amending the first paragraph of the single Article of Annex 1 to the Additional Protocol, the Community must totally suspend the customs duties applicable to certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in Turkey, within the limit of an annual Community tariff quota of 340 000 metric tons; whereas, pursuant to Article 2 of the abovementioned Interim Agreement, the new Member States must apply zero duties to the products concerned;

Whereas equal and direct access to the said quota by all importers and the uninterrupted application of the rate laid down for the said quotas to all imports of the products in question into all Member States should be guaranteed until the quotas are exhausted; whereas utilization of this quota, based on allocation between Member States, would appear to safeguard the Community character of the said quota as regards the principles described above; whereas in order to ensure that such allocation takes

as much account as possible of the actual development of the market of the products concerned, the allocation of shares should be in direct proportion to the needs of Member States, calculated, on the one hand, on the basis of statistics relating to imports from Turkey during a given representative period and, on the other, on the basis of the economic prospects for the quota period considered;

Whereas, during the last three years for which complete statistics are available, imports of these products from Turkey into the various Member States were as follows:

	<i>(metric tons)</i>		
	1971	1972	1973
Benelux	—	96 222	—
Denmark	—	—	12 000
Germany	42 304	300 000	300 000
France	—	—	—
Ireland	—	—	—
Italy	—	110 162	134 035
United Kingdom	—	38 200	40 000

Whereas this information indicates that imports of these products are very irregular and that the calculation of the percentages they represent in relation to the total imports into the Community of the same products from Turkey would not therefore be significant; whereas the calculation of the imports from Member States in question for the quota period considered proves difficult as a result of the irregularity noted in imports during the foregoing years; whereas the foreseeable import figures put forward by the Member States for the quota period concerned leads to the quota considered being allocated according to the percentages indicated hereafter:

Benelux	16.55
Denmark	4.14
Germany	42.07

⁽¹⁾ OJ No L 293, 29. 12. 1972, p. 4.

⁽²⁾ OJ No L 277, 3. 10. 1973, p. 2.

France	8-28
Ireland	4-14
Italy	12-41
United Kingdom	12-41

Whereas to take into account the uncertainty in the development of imports of the said products into Member States, the quota amount should be divided into two tranches, the first tranche being allocated between the Member States, and the second tranche forming a reserve intended to meet subsequently the needs of the Member States which have exhausted their original share of the quota; whereas, in order to ensure some security to importers in each Member State, the first tranche of the Community quota should be fixed at a relatively high level which, under the circumstances, might amount to approximately 85% of the quota volume;

Whereas the initial quota shares of those Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas such method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance of one of the initial shares remains in one or other Member State, it is essential that that Member State pay a certain percentage of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas it does not seem possible for the moment, taking into account the differences still existing in the national provisions governing the market of the products in question, to lay down a single method of administration;

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, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Subject to any measures taken under paragraphs 2 and 4 of the single Article of Annex 1 to the Additional Protocol between the European Economic Community and Turkey, a Community tariff quota of 340 000 metric tons shall be opened from 1 January to 31 December 1975 for the following petroleum products, refined in Turkey and falling within Chapter 27 of the Common Customs Tariff:

CCT heading No	Description
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: A. Light oils: III. For other purposes B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oil: c) For other purposes II. Fuel oil: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 (a) d) For other purposes

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description
27.11	Petroleum gases and other gaseous hydrocarbons: B. Other: I. Commercial propane and commercial butane: c) For other purposes
27.12	Petroleum jelly: A. Crude: III. For other purposes
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other

2. Within the Community tariff quota, Common Customs Tariff duties shall be totally suspended.

Within the limits of the quota, the new Member States shall also exempt the petroleum products concerned from duty.

Article 2

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

2. The first tranche of 290 000 metric tons, shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	48 000 metric tons
Denmark	12 000 metric tons
Germany	122 000 metric tons
France	24 000 metric tons
Ireland	12 000 metric tons
Italy	36 000 metric tons
United Kingdom	36 000 metric tons

3. The second tranche of 50 000 metric tons shall constitute a reserve.

Article 3

1. If 90% or more of one of the initial shares of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve where the provisions of Article 5 have been applied, has been exhausted, that Member State concerned shall proceed without delay, by notifying the Commission, to draw a second share equal to 10% of its initial share, where appropriate rounded up to the next figure, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed under the conditions laid down in paragraph 1 to draw a third share equal to 5% of its initial share, where appropriate rounded up to the next figure.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, under the same conditions, to draw a fourth share equal to the third.

This procedure shall be followed until the reserve has been exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, on 15 September 1975, a Member State has not used up its initial quota share, it shall, not later than 10 October 1975, return to the reserve the unused portion of its share in excess of 20% of the initial amount. It may return a larger quantity if there are reasons to consider that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected up to and including 15 September 1975 and charged against the Community quota and, where appropriate, the proportion of their original quota share that is being returned to the reserve.

Article 6

The Commission shall keep account of the initial share opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the state of the reserve after the return of quota shares pursuant to Article 5.

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

Done at Brussels, 18 November 1974.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Every Member State shall take all appropriate measures to ensure shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against its accumulated share of the relevant Community quota.

2. The Member States shall take all measures necessary to ensure that importers of the products in question established in its territory have free access to the shares allocated to it.

3. The extent to which a Member State has used up its quota shares shall be determined on the basis of the importations of the products in question entered with the customs authorities for home use.

Article 8

The Member States shall inform the Commission at regular intervals of imports of the products in question actually charged against their quota shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2925/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of Community tariff quotas for certain textile products falling within heading Nos 55.05 and 55.09 and subheading ex 58.01 A of the Common Customs Tariff, coming from Turkey (1975)

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, pending the entry into force of the Supplementary Protocol signed in Ankara on 30 June 1973 containing the adjustments to be made to the Agreement establishing an Association between the European Economic Community and Turkey and to the Additional Protocol⁽¹⁾ consequent on the accession of new Member States, the Community has undertaken, in an Interim Agreement⁽²⁾ which runs only for the period prior to the entry into force of this Supplementary Protocol which is applicable until 31 December 1974 but which has been extended for 1975 in accordance with the terms laid down in Article 13 thereof, to implement certain provisions of the Supplementary Protocol relating to trade in goods; whereas, under Article 6 of this Interim Agreement amending Article 1 of Annex 2 to the Additional Protocol, the Community must reduce by 75% the customs duties on imports from Turkey of certain textile products falling within heading Nos 55.05 and 55.09 of the Common Customs Tariff, within the limit of annual Community tariff quotas of 390 metric tons for cotton yarn and 1 390 metric tons for woven fabrics of cotton, whereas the abovementioned Article 6 allocates these Community tariff quotas as follows:

— for cotton yarn:

300 metric tons to the Community as originally constituted, 40 metric tons to Denmark, 10 metric tons to Ireland and 40 metric tons to the United Kingdom;

— for woven fabrics of cotton:

1 000 metric tons to the Community as originally constituted, 20 metric tons to Denmark, 10 metric tons to Ireland and 360 metric tons to the United Kingdom;

Whereas, moreover, it appears desirable to provide for an initial provisional adjustment of the tariff advantages for these goods:

— for the Community as originally constituted, by a total suspension of the customs duties of the Common Customs Tariff, and an increase of 50% of the volume of quotas allocated to these Member States;

— for the new Member States, by a total suspension of the duties applicable within the limits of the quotas fixed above, increased by 50%;

Whereas these adjustments may, if necessary, be reviewed during the quota year;

Whereas pursuant to Article 1 of Annex 2 to the Supplementary Protocol, together with Article 2 of the Interim Agreement, for the duration of 1975 in particular, the Community must reduce by 25% the duties applicable in respect of third countries to carpets, carpeting and rugs, knotted (made up or not) of wool or of fine animal hair, (excluding hand-made carpets, carpeting and rugs) imported from Turkey; whereas it also appears advisable to improve this tariff advantage provisionally by means of a total suspension of the duties applicable to the products in question within a Community tariff quota initially fixed at 160 metric tons and allocated in accordance with the same percentages as those adopted for 1974 under the generalized tariff preferences;

Whereas, in order to comply with the special provisions of the Interim Agreement, different systems should be provided for the Member States of the Community as originally constituted and for the new Member States;

⁽¹⁾ OJ No L 293, 29. 12. 1972, p. 4

⁽²⁾ OJ No L 277, 3. 10. 1973, p. 2.

Whereas, as regards the Community as originally constituted:

- it is necessary to guarantee to all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rate laid down for those quotas to all imports of the product concerned into all Member States until the quota has been used up;
- in the light of the principles mentioned above, the Community nature of the quotas can best be respected by allocating the Community tariff quotas among the Member States; whereas, in order to reflect most accurately the actual

development of the market in the product concerned, such allocation shall be in proportion to the needs of the Member States, assessed by reference both to the statistics of each State's imports from Turkey over a representative period and to the economic outlook for the quota period concerned; whereas, in spite of the limited need for imports from Turkey of the products concerned, as shown by the statistics for the majority of the Member States, the Community character of the tariff quotas concerned should be safeguarded by making provisions to cover needs which might arise in these Member States;

- imports into the various Member States from Turkey were as follows during the last three years for which complete statistics are available:

	1971		1972		1973	
	metric tons	%	metric tons	%	metric tons	%
<i>Cotton yarn</i>						
Germany	8 458	49.19	11 736	48.35	10 734	42.79
Benelux	4 626	26.90	6 144	25.31	6 795	27.08
France	242	1.41	412	1.70	162	0.65
Italy	3 867	22.50	5 982	24.64	7 397	29.48
<i>Other woven fabrics of cotton</i>						
Germany	371	13.99	570	21.17	877	30.99
Benelux	848	31.97	995	36.96	953	33.67
France	603	22.74	747	27.75	412	14.56
Italy	830	31.30	380	14.12	588	20.78

- in view of these figures and foreseeable market trends for the products concerned during 1975, the initial shares may be fixed approximately at the following percentages:

	<i>Cotton yarn</i>	<i>Other woven fabrics of cotton</i>
Germany	43.8	23.1
Benelux	19.7	30.8
France	5.2	34.6
Italy	31.3	11.5

- in order to take into account the uncertainty of the import trends for the products concerned in the Member States, the quota volumes should be divided into two instalments, the first instalment being allocated to the Member States and the second held as a reserve intended ultimately to cover the requirements of those Member States

which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers, the first instalment should be determined at a relatively high level, which, under present circumstances, may be about 80% of each quota volume;

- the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of one of its initial quota shares should draw an additional quota share from the corresponding reserve; whereas, this must be done by each Member State as and when each of its additional quota shares is almost entirely used up and repeated as many times as each of the reserves

allows; whereas each of the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

— if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a percentage of it back into the corresponding reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

— 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, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members;

Whereas as regards the new Member States in particular:

— the quota volumes to be allocated to those new Member States under Article 6 of the Interim Agreement, as well as the duties to be applied in those Member States for the purposes of these quotas determined in accordance with Article 2 of the said Agreement, are to be adjusted as set out below;

— equal and uninterrupted access to the quotas should be ensured to all importers and the duties should be applied without interruption to all imports of the products concerned until the quotas have been used up,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, Community tariff quotas shall be opened for the following products coming from Turkey, as shown below:

CCT heading No	Description	Quota (metric tons)
55.05	Cotton yarn, not put up for retail sale	885
55.09	Other woven fabrics of cotton	2 085
58.01	Carpets, carpeting and rugs (made up or not) ex A. Of wool or of fine animal hair excluding handmade carpets, carpeting and rugs	160

2. The quotas shall be allocated and administered in accordance with the following provisions.

112 metric tons for carpets made of wool or fine animal hair.

SECTION I

Provisions applicable to the Community as originally constituted

Article 2

1. Within the quota customs tariff duties shall be totally suspended within the limit of 750 metric tons for cotton yarn not put up for retail sale, 1 500 metric tons for other woven fabrics of cotton, and

Article 3

1. The quotas referred to in Article 2 shall be divided into two instalments.

2. The first instalment of each of these quotas shall be shared amongst the Member States; the shares which, subject to Article 6, shall be valid until 31 December 1975 shall be as follows:

	(metric tons)		
	CCT heading No		
	55.05	55.09	ex 58.01A
Germany	252	240	34.7
Benelux	113	320	12.9
France	30	360	24.4
Italy	180	120	18.0

The second instalment of each quota, amounting to 175, 460 and 22 metric tons respectively, shall make up the corresponding reserve.

Article 4

1. If 90% or more of one of any Member State's initial shares, as laid down in Article 3 (2) or 90% of that share less the amount returned into the corresponding reserve where Article 6 has been applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares has been used up, 90% or more of the second share drawn by one of the Member States has been used up, that Member State shall, in the manner provided for in paragraph 1, draw a third share equal to 7.5% of its initial share.

3. If, after one or other of its second shares has been used up, 90% or more of the third share drawn by a Member State has been used up, the latter shall, in the same manner, draw a fourth share equal to the third.

This procedure shall be followed until the reserve has been exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 5

Each of the additional shares drawn pursuant to Article 4 shall be valid until 31 December 1975.

Article 6

If, on 15 September 1975, a Member State has not used up one or other of its initial shares, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there are reasons to consider that this may not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1975 and, where appropriate, the proportion of each of their initial shares that they are returning to each of the reserves.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4, and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

It shall, not later than 15 October 1975, notify the Member States of the state of each of the reserves after the return of shares pursuant to Article 6.

It shall ensure that any drawing which uses up a reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 8

The Member States shall take all measures necessary to ensure that, when additional shares are drawn pursuant to Article 4, it is possible for imports to be counted without interruption against their accumulated shares of the Community tariff quotas.

SECTION II

Provisions applicable to the new Member States

Article 9

1. Within the tariff quotas referred to in Article 1, the following shares shall be allocated to the new Member States:

	(metric tons)		
	CCT heading No		
	55.05	55.09	ex 58.01 A
Denmark	60	30	11.2
Ireland	15	15	1.6
United Kingdom	60	540	35.2

2. Within the limits of these quotas, the new Member States shall apply zero duties for the textile products concerned.

SECTION III

General Provisions

Article 10

1. The Member States shall take all measures necessary to ensure for importers of the products concerned established in their territory free access to the shares allocated to them.

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

Done at Brussels, 18 November 1974.

2. The Member States shall count imports of the products concerned against their shares as and when such products are presented for customs clearance under cover of a declaration that they have been made available for consumption.

3. The extent to which the Member States' shares have been used up shall be established on the basis of imports counted in accordance with paragraph 2.

Article 11

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

Article 12

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

Article 13

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2926/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota
for certain petroleum products falling within Chapter 27 of the Common Customs
Tariff, refined in the Arab Republic of Egypt

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement ⁽¹⁾ between the European Economic Community and the Arab Republic of Egypt and the Protocol ⁽²⁾ laying down certain provisions relating to the Agreement between the European Economic Community and the Arab Republic of Egypt consequent on the accession of new Member States to the European Economic Community provides for the opening of an annual Community tariff quota of 360 000 metric tons for certain petroleum products falling within Chapter 27 of the Common Customs Tariff, refined in the Arab Republic of Egypt; whereas the Protocol provides that the tariff quota should be allocated among the Member States as follows: 200 000 metric tons for the Community as originally constituted, 5 000 metric tons for Denmark, 5 000 metric tons for Ireland and 150 000 metric tons for the United Kingdom; whereas Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 45% of the duties of the Common Customs Tariff; whereas, as regards the duties applicable to the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession should be complied with; whereas to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted, on the one hand, and for the new Member States, on the other;

Whereas as regards the Community as originally constituted:

— equal and uninterrupted access to the quota should be ensured for all importers and quota

duties applied continuously to all imports of the said products until the quota has been used up;

- in the light of the above principles the Community nature of the quota may best be preserved by an arrangement allocating it among the Member States; whereas in order to provide the most accurate reflection of actual market trends for the said products, such allocation should be proportionate to the needs of the Member States, calculated both from the statistics for each Member State's imports from the Arab Republic of Egypt over a representative reference period and from economic prospects for the quota period in question;
- in view of the fact, however, that over the past three years the said products have been imported into only one Member State, and in small quantities, and that no estimates can be made for 1975 and, in order to ensure a fair distribution among the Member States concerned, the initial percentage share, having regard to the potential demand for the said products in the various Member States, should be approximately 25% each;
- in order to take account of import trends for the products in question in the Member States concerned, the quota amount should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the quota should be fixed in this case at approximately 70%;
- the initial quota shares may be used up at different rates; whereas, therefore, to avoid disruption of supplies, any Member State which

⁽¹⁾ OJ No L 251, 7. 9. 1973, p. 13.

⁽²⁾ OJ No L 251, 7. 9. 1973, p. 3.

has almost used up its initial quota share must draw an additional quota share from the reserve; whereas this must be done by each Member State as each one of its additional quota shares is almost used up, and as many times as the reserve allows; whereas the initial and additional quota shares shall be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States concerned and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

- if, at a given date in the quota period, a considerable quantity of the initial quota share is left over in one of the Member States concerned, it is essential that that State should return a significant proportion to the reserve to prevent a part of the quota allocated to the Community as originally constituted from remaining unused in one Member State when it could be used in others;
- 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, any measure

concerning the administration of the quota shares allocated to that Economic Union may be carried out by any one of its members;

Whereas, as regards the new Member States:

- the quota duties shall be calculated by the new Member States in accordance with Articles 3 and 4 of the Protocol;
- equal and uninterrupted access to the quota should be ensured for all importers and quota duties should be applied continuously to all imports of the products in question until the quota has been used up,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to any measures which may be taken in application of Article 3 (2) and (4) of Annex I to the Agreement between the European Economic Community and the Arab Republic of Egypt, a Community tariff quota of 360 000 metric tons shall be opened from 1 January to 31 December 1975 for the products listed below refined in the Arab Republic of Egypt:

CCT heading No	Description
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, those oils being the basic constituents of the preparations: A. Light oils: III. For other purposes B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oil: c) For other purposes II. Fuel oil: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 (a) d) For other purposes

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

CCT heading No	Description
27.11	Petroleum gases and other gaseous hydrocarbons: B. Other: I. Commercial propane and commercial butane: c) For other purposes
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other:
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other

The quota shall be allocated and administered in accordance with the following provisions.

SECTION I

Provisions applicable to the Community as originally constituted

Article 2

Common Customs Tariff duties shall be partially suspended at the rates indicated below for 200 000 metric tons of the quota referred to in Article 1:

CCT heading No	Rate of duty %
27.10 A III	2.7
27.10 B III	2.7
27.10 C I c)	1.5
27.10 C II c)	1.5
27.10 C III c)	1.8
27.10 C III d)	2.7
27.11 B I c)	0.6
27.12 A III	0.9
27.12 B	3.1
27.13 B I c)	0.9
27.13 B II	2.7
27.14 C II	0.9

Article 3

1. A first instalment of 140 000 metric tons of the amount mentioned in Article 2 shall be allocated among the Member States; the shares which, subject to Article 6, are valid until 31 December 1975 are as follows:

Germany	35 000 metric tons
Benelux	30 000 metric tons
France	35 000 metric tons
Italy	40 000 metric tons

2. The second instalment of 60 000 metric tons shall make up the reserve.

Article 4

1. If 90% or more of a Member State's initial quota share specified in Article 3 (1), or of that share less the portion returned to the reserve where Article 6 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second quota share, to the extent that the reserve is sufficient, equal to 15% of its initial quota share, rounded up to the next unit where necessary.

2. If, after its initial quota share has been used up, 90% or more of the second quota share drawn

by a Member State has been used up, that Member State shall, in the manner provided for in paragraph 1, draw a third quota share, equal to 7.5% of its initial quota share, rounded up where necessary to the next unit.

3. If, after its second quota share has been used up, 90% or more of the third quota share drawn by a Member State has been used up, that Member State shall, in the same manner, draw a fourth quota share equal to the third.

This procedure shall be followed until the reserve has been used up.

4. Notwithstanding paragraphs 1 to 3, a Member State may draw smaller shares than those fixed in these paragraphs if there is reason to believe that those fixed might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 5

Additional quota shares drawn pursuant to Article 4 shall be valid until 31 December 1975.

Article 6

A Member State which on 15 September 1975 has not used up its initial quota share shall return to the reserve not later than 10 October 1975 the unused portion exceeding 20% of the initial amount. It may return a greater portion if there is reason to believe that it may not be used up.

Member States shall, not later than 10 October 1975, notify the Commission of the total quantities of the products in question imported up to and including 15 September 1975 and charged against the Community tariff quota and any quantities returned to the reserve.

Article 7

The Commission shall keep an account of the quota shares opened by the Member States pursuant to Articles 3 and 4 and shall, as soon as information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1975, inform the Member States of the amount still in the reserve after returns have been made pursuant to Article 6.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 8

Member States shall take all necessary measures to ensure that additional shares taken up under Article 4 are so drawn as to allow for uninterrupted charges against their accumulated shares of the Community quota.

SECTION II

Provisions applicable to the new Member States

Article 9

Within the tariff quota referred to in Article 1, the new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 10

Under the quota, 160 000 metric tons shall be allocated among the new Member States as follows:

Denmark	5 000 metric tons
Ireland	5 000 metric tons
United Kingdom	150 000 metric tons

SECTION III

General provisions

Article 11

1. Every Member State shall take all measures necessary to ensure that importers of the products in question established in their territory have free access to the shares allocated to it.

2. The extent to which a Member State has used up its shares shall be determined on the basis of the importations of the products in question entered with the customs authorities for home use.

Article 12

Member States shall regularly inform the Commission of imports of products refined in the Arab Republic of Egypt actually charged against their quota shares.

collaborate closely in order to ensure that this Regulation is respected.

*Article 14**Article 13*

Member States and the Commission shall

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

REGULATION (EEC) No 2927/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in the Arab Republic of Egypt

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement⁽¹⁾ between the European Economic Community and the Arab Republic of Egypt and the Protocol⁽²⁾ laying down certain provisions relating to the Agreement between the European Economic Community and the Arab Republic of Egypt consequent on the accession of new Member States to the European Economic Community provides for the opening of an annual Community tariff quota of 3 250 metric tons of other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in the Arab Republic of Egypt; whereas the Protocol provides that the tariff quota should be allocated among the Member States as follows: 2 500 metric tons for the Community as originally constituted, 90 metric tons for Denmark, 10 metric tons for Ireland and 650 metric tons for the United Kingdom; whereas Annex I to the Agreement provides that the duties applicable to the quota shall be equal to 45% of the duties of the Common Customs Tariff; whereas, as regards the duties applicable to the quota by the new Member States, the special provisions of the Protocol and of the Act of Accession should be complied with; whereas, to comply with the special provisions of the Protocol, separate arrangements should be made for the Member States of the Community as originally constituted, on the one hand, and for the new Member States, on the other;

Whereas as regards the Community as originally constituted:

- equal and uninterrupted access to the quota should be ensured for all importers and quota

duties applied continuously to all imports of the said products until the quota has been used up;

- in the light of the above principles, the Community nature of the quota may best be preserved by an arrangement allocating it among these Member States; whereas in order to provide the most accurate reflection of actual market trends for the said products, such allocation should be proportionate to the needs of these Member States, calculated both from the statistics for each Member State's imports from the Arab Republic of Egypt over a representative reference period and from economic prospects for the quota period in question;
- over the past three years for which statistics are available, the following percentages represent the respective imports of the Member States concerned in relation to imports of the said products from the Arab Republic of Egypt into the Community as originally constituted:

	1971	1972	1973
Germany	3.0	4.3	10.4
Benelux	27.2	29.3	31.9
France	1.2	10.0	1.1
Italy	68.6	56.4	56.6

- in view of these factors, of the foreseeable development during 1975 of the market for the products in question and in particular of the estimates submitted by certain Member States initial quota shares may be fixed approximately as follows:

Germany	15.8
Benelux	19.7
France	11.8
Italy	52.7

⁽¹⁾ OJ No L 251, 7. 9. 1973, p. 13.

⁽²⁾ OJ No L 251, 7. 9. 1973, p. 3.

- in order to take account of import trends for the products in question in the Member States concerned, the quota amount should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the quota should be fixed in this case at approximately 50%;
- the initial quota shares may be used up at different rates; whereas, therefore, to avoid disruption of supplies, any Member State which has almost used up its initial quota share shall draw an additional quota share from the reserve; whereas this shall be done by each Member State whenever one of its additional quota shares has been almost used up, and as many times as the reserve allows; whereas the initial and additional quota shares shall be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;
- if, at a given date in the quota period, a considerable quantity of the initial quota share is left over in one of the Member States concerned, it is essential that that State should return a significant proportion to the reserve to prevent a part of the quota allocated to the Community as originally constituted from remaining unused in one Member State when it could be used in others;
- 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, any measure concerning the

administration of the quota shares allocated to that Economic Union may be carried out by any one of its members;

Whereas, as regards the new Member States:

- the quota duties shall be calculated by the new Member States in accordance with Articles 3 and 4 of the Protocol
- equal and uninterrupted access to the quota should be ensured for all importers and quota duties applied continuously to all imports of the products in question until the quota has been used up,

HAS ADOPTED THIS REGULATION:

Article 1

A Community tariff quota of 3 250 metric tons shall be opened from 1 January until 31 December 1975 for other woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff, originating in the Arab Republic of Egypt.

This quota shall be allocated and administered in accordance with the provisions set out below.

SECTION I

Provisions applicable to the Community as originally constituted

Article 2

The Common Customs Tariff duties shall be partially suspended at the rate indicated below for 2 500 metric tons of the quota referred to in Article 1:

CCT heading No	Description	Rate of duty %
55.09	Other woven fabrics of cotton:	
	A. Containing 85% or more by weight of cotton:	
	I. Of a width or less than 85 cm	5.8
	II. Other	6.3
	B. Other:	
	I. Of a width of less than 85 cm	6.3
	II. Other	6.7

Article 3

1. A first instalment of 1 235 metric tons of the amount mentioned in Article 2 shall be allocated among the Member States; the shares which, subject to Article 6, shall be valid until 31 December 1975 shall be:

Germany	205 metric tons
Benelux	300 metric tons
France	180 metric tons
Italy	550 metric tons

2. The second instalment of 1 265 metric tons shall make up the reserve.

Article 4

1. If 90% or more of a Member State's initial quota share specified in Article 3 (1), or of that share less the portion returned to the reserve where Article 6 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second quota share, to the extent that the reserve is sufficient, equal to 15% of its initial quota share, rounded up to the next unit where necessary.

2. If, after its initial quota share has been used up, 90% or more of the second quota share drawn by a Member State has been used up, that Member State shall, in the manner laid down in paragraph 1, draw a third quota share equal to 7.5% of its initial quota share, rounded up where necessary to the next unit.

3. If, after its second quota share has been used up, 90% or more of the third quota share drawn by a Member State has been used up, that Member State shall, in the same manner, draw a fourth quota share equal to the third.

This procedure shall be followed until the reserve has been used up.

4. Notwithstanding paragraphs 1 to 3, a Member State may draw smaller quota shares than those fixed in those paragraphs, if there is reason to believe that those fixed might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 5

Additional quota shares drawn pursuant to Article 4 shall be valid until 31 December 1975.

Article 6

A Member State which on 15 September 1975 has not used up its initial quota share shall return to the reserve not later than 10 October 1975, the unused portion exceeding 20% of the initial amount. It may return a greater portion if there are grounds for believing that it may not be used up.

Member States shall, not later than 10 October 1975, notify to the Commission the total quantities of the products in question imported up to and including 15 September 1975 and charged against the Community tariff quota and any quantities returned to the reserve.

Article 7

The Commission shall keep an account of the quota shares opened by the Member States pursuant to Article 3 and 4 and shall, as soon as information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1975, inform the Member States of the amount still in reserve after returns have been made pursuant to Article 6.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 8

Member States shall take all necessary measures to ensure that additional shares taken up under Article 4 are so drawn as to allow for uninterrupted charges against their accumulated shares of the Community quota.

SECTION II

Provisions applicable to the new Member States*Article 9*

Within the tariff quota referred to in Article 1, the new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession, the Agreement and the Protocol.

Article 10

750 metric tons of the quota referred to in Article 1 shall be allocated among the new Member States as follows:

Denmark	90 metric tons
Ireland	10 metric tons
United Kingdom	650 metric tons

SECTION III

General provisions*Article 11*

1. Member States shall ensure that the quota shares allocated to them are freely accessible to importers of the products in question established in their territory.

2. Member States shall charge imports of the products in question against their quota shares as the products are presented for customs clearance under

cover of a declaration that they have been made available for consumption.

3. The extent to which Member States' shares have been used up shall be ascertained from imports charged under the conditions laid down in paragraph 2.

Article 12

Member States shall regularly inform the Commission of imports of the said products originating in the Arab Republic of Egypt actually charged against their quota shares.

Article 13

Member States and the Commission shall collaborate closely in order to ensure that the provisions of this Regulation are observed.

Article 14

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET
