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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3154/78

of 29 December 1978

opening, allocating and providing for the administration of Community tariff quotas for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 of cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

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

Whereas tariff preferences have been applied from second half of 1971 under the conditions set out a

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

whereas these preferences should continue to be applied throughout 1979; whereas having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1976; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear appropriate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 110 % of each of the preferential amounts open in 1978;

Whereas in practice the latest complete statistics available are those relating to the year 1976; whereas, however, for 1974, the statistics in question and particularly those relating to the value of the Community's external trade are expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff or the European unit of account (EUA) applicable in respect of the Common Customs Tariff pursuant to Article 2 of Regulation (EEC) No 2779/78⁽¹⁾; whereas, therefore, it is necessary to define a conversion rate between these two units; whereas one EUR unit is equivalent in practice to one European unit of account; whereas the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances, and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in European units of account of the Common Customs Tariff; whereas the European unit of account must be introduced into the preferences scheme; whereas, however, in order to take account of the specific nature of the sectors concerned, appropriate conversion rates should be fixed for this Regulation;

Whereas, taking into account the interests of the ACP States, for plywood, blockboard, laminboard, battenboard and similar laminated products, falling within heading No 44.15, the quota amount should be limited to 296 741 m³; whereas in the same way as regards leather falling within subheading 41.02 ex B and footwear falling within heading Nos 64.01 and 64.02, the situation of the Community sectors concerned leaves no alternative but to repeat for 1979 the quota amounts laid down for the preference year 1978;

Whereas, in accordance with Protocol 23 to the Act of Accession⁽²⁾, the generalized tariff preference scheme

became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annexes A and B which originate in the countries and territories listed in Annex C, that the Community should open for 1979 duty-free Community tariff quotas within the limits of the amounts, in cubic metres or European units of account, shown against each of these products;

Whereas charges against each of these tariff quotas must, in respect of the products originating in any of the abovementioned countries or territories, come within a specified percentage of the amount of the quota; whereas the benefit of such tariff quotas should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽³⁾;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community quota or maximum amount;

Whereas it is necessary in particular to ensure equal and continuous access for all Community importers to the abovementioned quotas and the uninterrupted application of the rate laid down for those quotas to all imports of the products concerned into all Member States until those quotas are used up; whereas, having regard to the principles set out above, the Community nature of the quotas can be respected by allocating the quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quotas may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas the application of the generally accepted principles in respect of the allocation of the Community tariff quotas which have been opened hitherto cannot be reconciled with the continuity necessary for the

⁽¹⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 1.

application of the tariff preferences concerned; whereas it would accordingly be advisable to retain a fixed scale for allocating the Community tariff quotas concerned among the Member States; whereas, using as a basis general economic criteria relating to external trade, the gross national product and population, the percentages for the initial shares of the Member States in the quota amounts are as follows for the quota year under consideration:

Germany	27.5%,
Benelux	10.5%,
France	19.0%,
Italy	15.0%,
Denmark	5.0%,
Ireland	1.0%,
United Kingdom	22.0%;

Whereas, however, taking into account the more precise information already available concerning trade in plywood, blockboard, laminboard, battenboard and similar laminated products, falling within heading No 44.15 of the Common Customs Tariff, these percentages should be replaced by 4.78, 2.76, 0.35, 1.05, 4.58, 1.98 and 84.5% respectively;

Whereas in connection with the Member States' participation in the Community tariff quota for the abovementioned products falling within heading No 44.15, it should be borne in mind that United Kingdom imports in recent years from developing countries, in particular from Malaysia and Singapore, have been increasing substantially; whereas the introduction of customs duties on these imports might alter traditional trade flows to the detriment of the developing countries which benefited from duty-free entry; whereas this situation is a special reason for a portion of the said Member State's share being accessible without limitation to the countries covered by the generalized preference scheme;

Whereas it would appear to be possible, without affecting the Community nature of the tariff quota for the products listed in Annex A, to provide temporarily for a utilization scheme based on a single allocation among the Member States; whereas, moreover, the allocation set out by this Regulation in no way prejudices the possibility of adopting the general method of allocation of Community tariff quotas comprising the setting up of a reserve share; whereas at the present juncture it appears feasible that such allocation could be made according to the specific percentages set out above;

Whereas the percentage for the shares of the Member States in the Community tariff quota referred to above,

in view of the duration and amount thereof, does not appear in this instance to compromise equal access for Community importers to the Community tariff quota in question; whereas for this same reason it would appear expedient to allow each Member State to choose the system for administering its share;

Whereas, to take account of future import trends for the products listed in Annex B in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at a relatively high level which in the event could normally be about 80% of the quota volumes;

Whereas Member States may exhaust their initial shares for the products listed in Annex B at different rates; whereas to avoid disruption of supplies on this account it should be provided that each Member State which has almost used up one of its initial shares should draw an additional share from the corresponding 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 each of the reserves allows; whereas each of these initial and additional shares must be available for use until the end of the quota period; whereas, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; 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 tariff quotas are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one of the initial shares of one or other Member State, it is essential that that Member State return a portion of it to the corresponding reserve in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the Common Customs Tariff duties on the products listed in Annexes A and B shall be totally suspended within the framework of Community tariff quotas for amounts which shall be expressed in cubic metres or European units of account, and which shall be indicated against each product in column 3 of those Annexes.

For the purposes of applying this Regulation, the preferential amounts expressed in European units of account (EUA) shall be converted into national currencies at the following rates:

1 EUA	=	3.6043955 DM
	=	49.508625 Bfrs/Lfrs
	=	3.5770435 Fl
	=	5.5616255 FF
	=	647.971 Lit
	=	7.4775175 Dkr
	=	0.42930445 I £
	=	0.4293044 £.

The application of these rates may not result, in terms of national currency, in charges against each of the quotas concerned being lower than those resulting from the corresponding minimum obligations laid down for 1978.

2. These tariff quotas shall apply solely in respect of products originating in the countries and territories listed in Annex C. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas. For the purposes of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given in column 4 of Annexes A and B against each category of products.

4. Any amendment to Annex C, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to

the amounts of the quotas and to the maximum amounts appearing in columns 3 and 4 of Annexes A and B.

5. After the quotas opened under this Regulation have been used up, Common Customs Tariff duties on imports of the products in question originating in the countries listed in Annex D shall continue to be totally suspended.

Article 2

For the products listed in Annex A the Community tariff quotas referred to in Article 1 shall be allocated in shares which shall be for each Member State the amounts given in column 5 of Annex A against the products in question.

Article 3

1. A first tranche of each of the Community tariff quotas listed in Annex B, expressed in units of account in column 5 of Annex B, shall be allocated among the Member States; the shares which, subject to Article 6, shall be valid until 31 December 1979, shall for each Member State be as indicated in column 6 of Annex B against each of the products listed therein.

2. The second tranche of each of the tariff quotas shall constitute the reserve specified in each case in column 7 of Annex B.

Article 4

1. If a Member State has used 90% or more of one of its initial shares as fixed in Annex B, or of that share minus any portion returned to the reserve pursuant to Article 6, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share, rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting one of its initial shares, has used 90% or more of the second share drawn by it, that Member State shall draw a third share, under the conditions laid down in paragraph 1, to the extent that the reserve so permits, equal to 5% of its initial share.

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

This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Member States applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing. However, for products falling within subheadings 41.02 ex B, 42.02 B and 42.03 A, B II, B III and C, this percentage is raised to 50 %.

Article 5

Any additional shares drawn pursuant to Article 4 shall be valid until 31 December 1979.

Article 6

The Member States shall return to the reserve, not later than 1 October 1979, the unused portion of their initial share which, on 15 September 1979, is in excess of 20% of their initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1979, notify the Commission of the total imports of the product concerned effected up to and including 15 September 1979 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 an account of the shares opened by the Member States pursuant to Articles 3 and 4 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 6.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 4 are opened in such a way that imports may be charged without interruption against their cumulative shares of the Community quota.

Article 8

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

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

Article 9

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 1 (3) is observed. When the charges, at Community level, of products originating in each of the countries and territories listed in Annex C, against any one of the Community tariff quotas reach the maximum amount laid down in column 4 of Annexes A and B, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be re-introduced in respect of the country or territory in question. This notification shall be published in the *Official Journal of the European Communities*.

Article 10

Member States shall inform the Commission on request or at least monthly of imports of the products in question charged against their shares.

Article 11

Member States and the Commission shall cooperate closely to ensure that the provisions of the above Articles are observed.

Article 12

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

Products referred to in Article 2 subject to a zero-duty Community tariff quota under the generalized tariff preferences granted to developing countries and territories

Order No	CCT heading No (1)	Description (2)	Quota amount (in EUA (a)) (3)	Maximum amount per country or territory (4)		Share of quota amounts allocated to Member States (in EUA (a))
				%	EUA (a)	
1	44.15	Plywood, block-board, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry	296 741 m ³ (¹)	30	89 022 m ³ (¹)	Germany 12 185 m ³ Benelux 8 190 m ³ France 1 040 m ³ Italy 3 115 m ³ Denmark 13 590 m ³ Ireland 5 875 m ³ United Kingdom 250 746 m ³ (¹)
2	64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	2 422 350	20	484 470	Germany 654 034 Benelux 242 235 France 448 135 Italy 339 129 Denmark 121 117 Ireland 12 112 United Kingdom 605 588
3	64.02 (*)	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material: A. Footwear with uppers of leather	19 796 700	15	2 969 505	Germany 5 345 110 Benelux 1 979 670 France 3 662 390 Italy 2 771 535 Denmark 989 835 Ireland 98 985 United Kingdom 4 949 175
4	64.02	Footwear with outer soles of leather or composition leather, footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material: B. Other	10 991 400	15	1 648 710	Germany 2 967 680 Benelux 1 099 140 France 2 033 410 Italy 1 538 795 Denmark 549 570 Ireland 54 955 United Kingdom 2 747 850

(a) Unless otherwise indicated.

(¹) The provisions of Article 1 (3) do not apply up to a proportion limited to 141 305 m³ of the share allocated to the United Kingdom.

(*) Products falling within subheading 64.02 A, originating in the countries and territories listed in Section II of Annex C, are excluded from the benefit of this tariff quota.

ANNEX B
List of products referred to in Article 3 subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries and territories

Order No	CCT heading No (1)	Description (2)	Quota amount (in EUA) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in EUA) (5)	Initial share of quota amounts allocated to Member States (in EUA) (6)	Amount of reserve (in EUA) (7)
				%	EUA			
1	29.23 (a)	Single or complex oxygen-function amino-compounds: D. Amino-acids: III. Glutamic acid and its salts	230 000	50	115 000	184 000	Germany Benelux France Italy Denmark Ireland United Kingdom	46 000
2	41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06 or 41.08: ex B. Other, excluding leather not further prepared than tanned	19 864 580	30	5 959 375	13 905 205	Germany Benelux France Italy Denmark Ireland United Kingdom	5 959 375

(a) Products originating in Romania and which fail within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Quota amount (in EUA) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in EUA) (5)	Initial share of quota amounts allocated to Member States (in EUA) (6)	Amount of reserve (in EUA) (7)
				%	EUA			
3	42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: A. Of artificial plastic sheeting	6 333 600	30	1 900 080	5 066 880	Germany Benelux France Italy Denmark Ireland United Kingdom	1 266 720
4	42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: B. Of other materials	13 673 730	30	4 102 119	9 571 611	Germany Benelux France Italy Denmark Ireland United Kingdom	4 102 119
5	42.03	Articles of apparel and clothing accessories, of leather or of composition leather: A. Articles of apparel B. Gloves, including mittens and mitts: II. Special for sports III. Other C. Other clothing accessories	14 752 994	30	4 425 898	10 327 096	Germany Benelux France Italy Denmark Ireland United Kingdom	4 425 898

Order No	CCT heading No (1)	Description (2)	Quota amount (in EUA) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in EUA) (5)	Initial share of quota amounts allocated to Member States (in EUA) (6)	Amount of reserve (in EUA) (7)
				%	EUA			
6	85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus: A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras: III. Receivers, whether or not combined with a sound recorder or reproducer C. Parts of the goods of subheadings A and B above: III. Other	23 341 500	15	3 501 225	18 673 200	Germany 5 135 130 Benelux 1 960 686 France 3 547 908 Italy 2 800 980 Denmark 933 660 Ireland 186 732 United Kingdom 4 108 104	4 668 300
7	85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semiconductor devices; light-emitting diodes; electronic micro-circuits: D. Diodes, transistors and similar semiconductor devices; light-emitting diodes; electronic micro-circuits E. Parts	7 641 900	20	1 528 380	6 113 520	Germany 1 681 218 Benelux 641 920 France 1 161 569 Italy 917 028 Denmark 305 676 Ireland 61 135 United Kingdom 1 344 974	1 528 380

Order No	CCT heading No (1)	Description (2)	Quota amount (in EUA) (3)	Maximum amount per country or territory (4)		Amount of first tranche (in EUA) (5)	Initial share of quota amounts allocated to Member States (in EUA) (6)	Amount of reserve (in EUA) (7)
				%	EUA			
8	94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof: B. Other	23 342 130	20	4 668 426	18 673 704	Germany Benelux France Italy Denmark Ireland United Kingdom	4 668 426
9	94.03	Other furniture and parts thereof	17 516 520	20	3 503 304	14 013 216	Germany Benelux France Italy Denmark Ireland United Kingdom	3 503 304

ANNEX C

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 – OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex D.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX D

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3155/78

of 29 December 1978

opening and providing for the administration of preferential Community tariff ceilings for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is

variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

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

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied throughout 1979; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1976; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear appropriate to limit for each product the considerable improvement resulting from the said method to a level which does not in general exceed 115 % of each of the preferential amounts open in 1978;

Whereas in practice the latest complete statistics available are those relating to the year 1976; whereas, however, for 1974, the statistics in question and

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

particularly those relating to the value of the Community's external trade are expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff or the European unit of account (EUA) applicable in respect of the Common Customs Tariff pursuant to Article 2 of Regulation (EEC) No 2779/78 ⁽¹⁾; whereas, therefore, it is necessary to define a conversion rate between these two units; whereas one EUR unit is equivalent in practice to one European unit of account and the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances, and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in European units of account of the Common Customs Tariff; whereas the European unit of account should remain the only unit to be used within the preference system, along with its rates for conversion into national currencies;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries and territories listed in Annex B, that the Community should allow, for each category of these products and throughout 1979, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽³⁾; whereas charges against each of these ceilings must, as a general rule, come within a Community maximum amount of 50 % in respect of the products originating in any of the abovementioned countries; whereas, however, in order to ensure that all the countries and territories in question are able to benefit from this preferential system, the Community maximum amount should, for certain products, be reduced to 20, 30 or 40 %;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least

developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community ceiling or maximum amount;

Whereas the products listed in Annex A were in general previously subject to preferential Community tariff quotas;

Whereas experience in recent years has shown that this improvement in the Community preferences scheme can only be achieved if an effort is made to ensure a more balanced distribution of the advantages granted to all the beneficiary countries and territories; whereas for this reason and in order to afford each of them equal opportunity to benefit from the preferential ceilings, it seems adequate to limit to 15 % the maximum amount for each of the beneficiary countries and territories which have either reached the maximum amount for a given product during two consecutive years since 1972 or which, according to the most up-to-date statistics available, supply the Community with at least 40 % of its imports of the product in question from the beneficiary countries and territories as a whole; whereas, however, in order to avoid damaging the interests of the less favoured of these beneficiary countries and territories the 15 % limit will not be applied in the case of those which have a very low *per capita* national product, or which for a given product have charged against the preferences an amount representing at least 10 % of their deliveries to the Community of industrial manufactured products eligible for the Community preferences scheme; whereas, in addition, in order to ensure that the new maximum amounts are not less than those fixed hitherto, the abovementioned maximum amount of 15 % shall in general only apply or shall only become applicable where, in absolute value, it is higher than the level determined on the basis of the 1974 preferences;

Whereas, furthermore, for some of the products affected by the fixing of the maximum amount at 15 %, this improvement is conditional upon the introduction of measures calculated to encourage the principal suppliers benefiting from the system to ensure a balanced distribution of their deliveries throughout the Community instead of concentrating them in specific areas, or even in one single area of the Community; whereas to this end general provision should be made for the levying of the normal customs duties to be re-introduced in a Member State when preferential imports originating in a single beneficiary country or territory reach 50 % or, eventually, 40 % of the maximum amount envisaged above; whereas this measure does not interfere with the immediate re-introduction of the levying of the normal customs

⁽¹⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 1.

duties at Community level when preferential imports reach the Community maximum amounts; whereas, as regards the Community ceilings, there is nothing to prevent provision being made only for the possibility of the Community's re-introducing the levying of the normal customs duties when the said ceilings are reached at Community level;

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe every 10 days the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce the levying of customs duties either generally or individually when any of the ceilings or maximum amounts are reached;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Articles 2 and 4 (2) of this Regulation.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined

in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to the provisions of Articles 2 and 4 (2), and with the exception of certain products the value of the ceilings for which is given in Annex A, this suspension shall be granted, in respect of each category of products, within a Community ceiling which shall be expressed in European units of account and which shall be equal to the amount obtained by adding together the values of cif imports in 1974 of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and in general 5 % of the value of cif imports in 1976 from other countries and from countries and territories already enjoying such arrangements.

However, in general the ceiling resulting from the sum of this addition may in no case exceed 115 % of the ceiling fixed for the 1978 preference year.

For the particular purpose of the abovementioned calculations, all statistical data are to be considered as being expressed in European units of account of the Common Customs Tariff.

4. Subject to the provisions of Articles 2 and 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a Community maximum amount expressed as a percentage or in European units of account against each of the products in column 3 of Annex A.

5. However, in the case of the products originating in the beneficiary countries or territories indicated by one or two asterisks in column 3 of Annex A, the amount charged against the preferences in a single Member State shall be limited to 50 % or 40 %, respectively, of the maximum laid down in paragraph 4. The normal customs duties shall again be levied as soon as this level is reached, unless the Member State concerned previously notifies the Commission that it does not intend to avail itself of this limitation for all or some of the products concerned. The Commission shall inform the Member States of this fact without delay.

6. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail a corresponding adjustment to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings fixed or calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products

originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts determined in accordance with Article 1 (4) for imports into the Community of products originating in each of the countries or territories referred to in Article 1 (2) are reached at Community level for one of these countries or territories, the Commission shall without delay inform the Member States of the date on which the normal tariff must be restored in respect of the countries or territories concerned. This information shall be published in the *Official Journal of the European Communities*.

However, in the case of products originating in one or other of the countries or territories indicated by three asterisks in column 3 of Annex A, when the amounts charged against the preferences reach the Community maximum amount in one Member State, that Member State shall without delay re-introduce the levying of the normal customs duty. It shall notify the Commission, which shall inform the other Member States of this fact, at the same time fixing the earliest date on which the levying of the normal tariff must be re-introduced in these States also. This information shall be published in the *Official Journal of the European Communities*.

3. However, paragraphs 1 and 2 shall not apply to the imports in question originating in the countries listed in Annex C.

4. Without prejudice to the foregoing provisions, where the levying of the normal customs duty is re-introduced under the conditions described in Article 1 (5) the Member State concerned shall immediately notify the Commission, which shall without delay inform the other Member States.

Article 3

1. Imports of the products in question shall be charged against the Community ceilings and maximum amounts

as and when the products are entered for home use, on the basis of the customs value of the said products, and provided that they are accompanied by a certificate of origin in accordance with the rules laid down in Article 1 (2).

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

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

Article 4

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

2. The Commission shall issue regulations to re-introduce the levying of the normal customs duties within the context of the ceilings established in respect of all the countries and territories referred to in Article 1 (2).

Article 5

Member States shall when requested inform the Commission of imports of the products in question charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Until the levying of the normal customs duties is re-introduced the information shall cover, in particular, and automatically, the returns relating to the amounts charged against the preferences during the previous 10 days, which must be forwarded within five full days of the end of each 10-day period.

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of products originating in developing countries and territories, enjoying generalized tariff preferences, in respect of which duties under the Common Customs Tariff are totally suspended within the limit of Community ceilings and maximum amounts per beneficiary country or territory (a)

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
1	28.27	Lead oxides; red lead and orange lead	20 % of a ceiling of 7 833 540 EUA, reduced to 15 %, or 1 175 030 EUA for Mexico (*) (***)
2	28.56	Carbides, whether or not chemically defined: C. Of calcium	50 % of a ceiling of 788 000 EUA reduced to 195 000 EUA for Yugoslavia (*) (***)
3	31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus III. Containing the two fertilizing substances: nitrogen and potassium: b) Other IV. Other B. Goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg	50 % of a ceiling of 4 496 730 EUA, reduced to 15 %, or 674 510 EUA for Yugoslavia (**) (***)
4	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre: B. Other: I. Regenerated cellulose	50 % of a ceiling of 2 453 000 EUA reduced to 418 000 EUA for Yugoslavia (**) (***)
5	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre: B. Other: II. Cellulose nitrates	50 % of a ceiling of 577 000 EUA reduced to 92 000 EUA for Yugoslavia (*) (***)

(a) Manufactured and semi-finished industrial products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
6	48.01 (a)	Paper and paperboard (including cellulose wadding), in rolls or sheets: C. Kraft paper and kraft board: II. Other	50 % of a ceiling of 42 136 000 EUA reduced to 15 %, or 6 320 400 EUA for Yugoslavia (**) (***)
7	67.04 (a)	Wigs, false beards, eyebrows and eye lashes, switches and the like, of human or animal hair or of textiles; other articles of human hair (including hair nets)	30 % of a ceiling of 35 346 000 EUA reduced to 6 147 000 EUA for South Korea (*) (***)
8	69.02 (a)	Refractory bricks, blocks, tiles and similar refractory constructional goods, other than goods falling within heading No 69.01	50 % of a ceiling of 9 736 000 EUA reduced to 1 693 000 EUA for Yugoslavia (***)
9	69.08	Glazed setts, flags and paving, hearth and wall tiles	50 % of a ceiling of 6 526 575 EUA, reduced to 15 %, or 978 986 EUA for South Korea (***)
10	70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	50 % of a ceiling of 2 366 000 EUA reduced to 411 000 EUA for Yugoslavia (**) (***)
11	70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	30 % of a ceiling of 5 861 000 EUA, reduced to 15 %, or 879 150 EUA for Yugoslavia (***)
12	71.16	Imitation jewellery	50 % of a ceiling of 16 082 000 EUA, reduced to 15 %, or 2 412 300 EUA for Hong Kong (**) (***)
13	73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits	50 % of a ceiling of 13 039 000 EUA, reduced to 2 289 000 EUA for Yugoslavia (*) (***)
14	74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire	50 % of a ceiling of 6 294 000 EUA reduced to 1 095 000 EUA for Yugoslavia (***)
15	79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes: A. Plates, sheets, strip and foil	50 % of a ceiling of 4 285 000 EUA, reduced to 743 000 EUA for Yugoslavia (***)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
16	85.01	Electrical goods of the following descriptions: generators, motors converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: II. Other	40 % of a ceiling of 19 784 000 EUA, reduced to 15 %, or 2 967 600 EUA for Yugoslavia (**) (***)
17	85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09: B. Other	50 % of a ceiling of 6 703 000 EUA, reduced to 15 %, or 1 005 450 EUA for Hong Kong (**) (***)
18	85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors	20 % of a ceiling of 12 852 000 EUA, reduced to 15 %, or 1 927 800 EUA for Yugoslavia (**) (***)
19	87.14 (a)	Other vehicles (including trailers), not mechanically propelled, and parts thereof: B. Trailers and semi-trailers: II. Other	50 % of a ceiling of 13 787 000 EUA reduced to 15 %, or 2 068 050 EUA for Yugoslavia (*) (***)
20	90.05 (a)	Refracting telescopes (monocular and binocular), prismatic or not	30 % of a ceiling of 6 724 000 EUA, reduced to 15 %, or 1 008 600 EUA for South Korea (***) and Hong Kong (***)
21	92.11 (a)	Gramophones, dictating machines and other sound recorders or reproducers, including record players and tape decks, with or without sound heads; television image and sound recorders or reproducers: A. Sound recorders or reproducers	20 % of a ceiling of 26 133 187 EUA, reduced to 15 %, or 3 919 978 EUA for South Korea (***) and Hong Kong (***)
22	97.02 (a)	Dolls	20 % of a ceiling of 24 619 600 EUA, reduced to 15 %, or 3 692 940 EUA for Hong Kong (**) (***) and South Korea (**) (***)
23	97.03	Other toys; working models of a kind used for recreational purposes	20 % of a ceiling of 60 475 000 EUA, reduced to 15 %, or 9 071 250 EUA for Hong Kong (**) (***) and South Korea (**) (***)

(a) Products originating in Romania and which fall within this tariff heading are also eligible for Community preferential tariff arrangements.

Order No	CCT heading No (1)	Description (2)	Level of the maximum amounts (3)
24	97.05 (a)	Carnival articles; entertainment articles (for example, conjuring tricks and novelty jokes); Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor)	20 % of a ceiling of 8 791 000 EUA, reduced to 15 %, or 1 318 650 EUA for Hong Kong (***)
25	98.15	Vacuum flasks and other vacuum vessels, complete with cases; parts thereof, other than glass inners	50 % of a ceiling of 1 249 000 EUA, reduced to 199 000 EUA for Hong Kong (***)

(a) Products originating in Romania and which fall within this tariff heading (excluding Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor), of glass) are also eligible for Community preferential tariff arrangements.

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 – OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries to which Article 2 (1) and (2) does not apply

660	Afghanistan	386	Malawi
666	Bangladesh	667	Maldives
284	Benin	232	Mali
675	Bhutan	672	Nepal
391	Botswana	240	Niger
328	Burundi	652	North Yemen
306	Central African Empire	324	Rwanda
244	Chad	819	Samoa
334	Ethiopia	342	Somalia
252	Gambia	656	South Yemen
260	Guinea	224	Sudan
452	Haiti	352	Tanzania
684	Laos	350	Uganda
395	Lesotho	236	Upper Volta

COUNCIL REGULATION (EEC) No 3156/78

of 29 December 1978

opening preferential tariffs for certain products originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements (additional amount); whereas such additional amount is

variable and is calculated each year on the basis of the latest figures available, provided that this entails no reduction in the ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

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

Whereas tariff preferences have been applied from the second half of 1971 under the conditions set out above; whereas these preferences should continue to be applied throughout 1979; whereas, having regard to the terms of the offer concerned and to the need to improve the generalized preferences, the abovementioned basic amount refers to 1974, while the additional amount generally refers to 1976; whereas, however, the application of this method of calculation should remain compatible with the progressive nature of the preference scheme in such a way as to provide a period of adaptation for the industrial sectors affected in the Community; whereas for this purpose it would appear appropriate to limit for each product the considerable improvement resulting from the said method to a level which does not exceed 150 % of each of the preferential amounts open in 1978;

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

Whereas in practice the latest complete statistics available are those relating to the year 1976; whereas, however, for 1974, the statistics in question and

particularly those relating to the value of the Community's external trade are expressed in a statistical unit (EUR) which is not defined in the same way as the unit of account (u.a.) prescribed for the Common Customs Tariff or the European unit of account (EUA) applicable in respect of the Common Customs Tariff pursuant to Article 2 of Regulation (EEC) No 2779/78 ⁽¹⁾; whereas therefore it is necessary to define a conversion rate between these two units; whereas one EUR unit is equivalent in practice to one European unit of account and the same value should be ascribed to the latter as to the unit of account (u.a.); whereas it seems appropriate therefore in these circumstances and for the particular ends of the calculations required under this Regulation, to consider the statistics expressed in EUR in this Regulation as if expressed in European units of account of the Common Customs Tariff; whereas the European unit of account should remain the only unit to be used within the preference system, along with its rates for conversion into national currencies;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽²⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries and territories listed in Annex B, that the Community should allow, for each category of these products and throughout 1979, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽³⁾; whereas charges against each of these ceilings must, as a general rule, come within a Community maximum amount of 50 % in respect of the products originating in any of the abovementioned countries; whereas, however, in order in particular to safeguard access by all the abovementioned countries and territories to this preferential scheme, the Community maximum amount for certain products should be reduced to a lower percentage;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo declaration, the Community reaffirmed that special treatment should be granted to the least

developed among the developing countries whenever this is possible; whereas, therefore, charges of products originating in the least developed developing countries appearing on the list drawn up under United Nations resolution 3487 (XXX) of 12 December 1975 should not be subject to the Community ceiling or maximum amount;

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are entered for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of the levying of customs duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce the levying of customs duties either generally or individually when any of the ceilings or maximum amounts are reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Articles 2 and 4 (2) of this Regulation.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to the provisions of Articles 2 and 4 (2) and with the exception of certain products the value of the ceilings for which is given in Annex A, this suspension

⁽¹⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 1.

shall be granted, in respect of each category of products, within a Community ceiling which shall be expressed in European units of account and which shall be equal to the amount obtained by adding together the value of cif imports in 1974 of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5 % of the value of cif imports in 1976 from other countries and from countries and territories already enjoying such arrangements. However, the ceiling resulting from the sum of this addition may in no case exceed 150 % of the preferential ceilings open for 1978.

For the particular purpose of the abovementioned calculations, all statistical data are to be considered as being expressed in European units of account of the Common Customs Tariff.

4. Subject to the provisions of Articles 2 and 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries listed in Annex B should not exceed a Community maximum amount equivalent to 50 % of this ceiling, with the exception of certain products for which the maximum amount shall be reduced to the percentage or value shown in Annex A.

5. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail corresponding adjustments to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings fixed or calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of customs duties on imports of the products in question from all the countries concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4), which are laid down for Community imports of products originating in each of the countries referred to in Article 1 (2), are reached for any one of these countries at Community level, the levying of customs duties on

imports of the products in question from the country concerned may at any time be re-introduced until the end of the period referred to in Article 1 (1).

3. Paragraphs 1 and 2 shall not apply to the imports in question originating in the countries listed in Annex C.

Article 3

1. Imports of the products in question shall be charged against the Community ceilings and maximum amounts as and when the products are entered for home use, on the basis of the customs value of the said products, and provided that they are accompanied by a certificate of origin in accordance with the rules laid down in Article 1 (2).

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

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

Article 4

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

2. The Commission shall re-introduce the levying of customs duties in respect of all the countries referred to in Article 1 (2) or in respect of any one of them by means of a Regulation in accordance with the conditions laid down in Article 2 (1) and (2).

Article 5

Member States shall inform the Commission, on request or at least monthly, of imports of the products in question actually charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of products originating in developing countries and territories, enjoying generalized tariff preferences, in respect of which duties under the Common Customs Tariff are totally suspended (a) (b)

CHAPTER 25

- 25.19 A Magnesium oxide other than calcined natural magnesium carbonate
- 25.22 Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
- 25.23 Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
- 25.31 A Fluorspar

CHAPTER 27

- 27.03 B Agglomerated peat
- 27.04 Coke and semi-coke of coal, of lignite or of peat; whether or not agglomerated; retort carbon:
 - A. Coke and semi-coke of coal:
 - I. For the manufacture of electrodes
 - C. Other
- 27.06 Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
- 27.07 Oils and other products of the distillation of high temperature coal tar; similar products as defined in Note 2 to this Chapter
- 27.08 Pitch and pitch coke, obtained from coal tar or from other mineral tars
- 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 ⁽¹⁾:
 - 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

(a) Manufactured and semi-finished industrial products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

(b) Preferences are not to be granted in respect of the products, marked with an asterisk, originating in Romania.

⁽¹⁾ The Community ceiling as defined in Article 1 (3) is set at 703 500, 275 000 and 1 700 000 tonnes for products falling within subheadings 27.10 A III, B III, C I c), C II c) and C III c) and d) respectively; the Community maximum amount referred to in Article 1 (4) is reduced to 20 % for these products.

- 27.10 III. Lubricating oils; other oils:
(*cont'd*) c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27
 d) For other purposes
- 27.11 Petroleum gases and other gaseous hydrocarbons
- 27.12 Petroleum jelly
- 27.13 Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
- 27.14 Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
- 27.16 Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)

CHAPTER 28

- ex 28.01 Halogens (fluorine, chlorine, bromine and iodine), excluding crude iodine
- 28.02 Sulphur, sublimed or precipitated; colloidal sulphur
- 28.03 Carbon (including carbon black)
- ex 28.04 Hydrogen, rare gases and other non-metals, but not including selenium and silicon
- 28.06 Hydrochloric acid and chlorosulphuric acid
- 28.08 Sulphuric acid; oleum
- 28.09 Nitric acid; sulphonitric acids
- 28.10 Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-) ⁽¹⁾
- 28.12 Boric oxide and boric acid
- 28.13 Other inorganic acids and oxygen compounds of non-metals (excluding water)
- 28.14 Halides, oxyhalides and other halogen compounds of non-metals
- 28.15 Sulphides of non-metals; phosphorus trisulphide
- 28.16 Ammonia, anhydrous or in aqueous solution (*) ⁽²⁾
- 28.17 Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
- 28.18 Hydroxide and peroxide of magnesium; oxides, hydroxides and peroxides, of strontium or barium
- 28.19 Zinc oxide and zinc peroxide ⁽³⁾
- 28.20 B Artificial corundum
- 28.21 Chromium oxides and hydroxides
- 28.22 Manganese oxides

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 655 000 EUA and 25 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 7 914 000 EUA.

⁽³⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 536 000 EUA.

- 28.23 Iron oxides and hydroxides; earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3
- 28.24 Cobalt oxides and hydroxides; commercial cobalt oxides
- 28.25 Titanium oxides
- 28.28 Hydrazine and hydroxylamine and their inorganic salts; other inorganic bases and metallic oxides, hydroxides and peroxides
- 28.29 Fluorides; fluorosilicates, fluoroborates and other complex fluorine salts
- 28.30 Chlorides, oxychlorides and hydroxychlorides; bromides and oxybromides; iodides and oxyiodides
- 28.31 Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites
- 28.32 Chlorates and perchlorates; bromates and perbromates; iodates and periodates
- 28.35 Sulphides; polysulphides
- 28.36 Dithionites, including those stabilized with organic substances; sulphonylates
- 28.37 Sulphites and thiosulphates
- 28.38 Sulphates (including alums) and persulphates
- 28.39 Nitrites and nitrates
- 28.40 Phosphites, hypophosphites and phosphates
- 28.42 Carbonates and percarbonates; commercial ammonium carbonate containing ammonium carbamate
- 28.43 Cyanides and complex cyanides
- 28.44 Fulminates, cyanates and thiocyanates
- 28.45 Silicates; commercial sodium and potassium silicates
- 28.46 Borates and perborates
- 28.47 Salts of metallic acids (for example, chromates, permanganates, stannates)
- 28.48 Other salts and peroxysalts of inorganic acids, but not including azides
- 28.49 Colloidal precious metals; amalgams of precious metals; salts and other compounds, inorganic or organic, of precious metals including albuminates, proteinates, tannates and similar compounds, whether or not chemically defined
- 28.50 Fissile chemical elements and isotopes; other radio-active chemical elements and radio-active isotopes; compounds, inorganic or organic, of such elements or isotopes, whether or not chemically defined; alloys, dispersions and cermets, containing any of these elements, isotopes or compounds:

B. Other (a)

(a) Ex B: Artificial radio-active isotopes and their compounds (EURATOM).

- 28.51 Isotopes and their compounds, inorganic or organic, whether or not chemically defined, other than isotopes and compounds falling within heading No 28.50:
B. Other
- 28.52 Compounds, inorganic or organic, of thorium, of uranium depleted in U 235, of rare earth metals, of yttrium or of scandium, whether or not mixed together
- 28.54 Hydrogen peroxide (including solid hydrogen peroxide)
- 28.55 Phosphides, whether or not chemically defined
- 28.56 Carbides, whether or not chemically defined:
A. Of silicon
B. Of boron
D. Of aluminium; of chromium; of molybdenum; of tungsten; of vanadium; of tantalum; of titanium
E. Other
- 28.57 Hydrides, nitrides and azides, silicides and borides, whether or not chemically defined
- 28.58 Other inorganic compounds (including distilled and conductivity water and water of similar purity); liquid air (whether or not rare gases have been removed); compressed air; amalgams, other than amalgams of precious metals

CHAPTER 29

- 29.01 Hydrocarbons
- 29.02 Halogenated derivatives of hydrocarbons
- 29.03 Sulphonated, nitrated or nitrosated derivatives of hydrocarbons
- 29.04 Acyclic alcohols and their halogenated, sulphonated, nitrated and nitrosated derivatives:
A. Saturated monohydric alcohols ⁽¹⁾
B. Unsaturated monohydric alcohols
C. Polyhydric alcohols:
I. Diols, triols and tetraols
IV. Other polyhydric alcohols
V. Halogenated, sulphonated, nitrated or nitrosated derivatives of polyhydric alcohols
- 29.05 Cyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.06 Phenols and phenol-alcohols (*) (a)
- 29.07 Halogenated, sulphonated, nitrated or nitrosated derivatives of phenols or phenol-alcohols
- 29.08 Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides and ether peroxides and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.09 Epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three or four member ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives

(a) The asterisk covers only subheading 29.06 A I.

⁽¹⁾ For products falling within subheading 29.04 A I, the Community ceiling referred to in Article 1 (3) is set at 466 000 EUA.

- 29.10 Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.11 Aldehydes, aldehyde-alcohols, aldehyde-ethers, aldehyde-phenols and other single or complex oxygen-function aldehydes; cyclic polymers of aldehydes; paraformaldehyde (*) (a)
- 29.12 Halogenated, sulphonated, nitrated or nitrosated derivatives of products falling within heading No 29.11
- 29.13 Ketones, ketone-alcohols, ketone-phenols, ketone-aldehydes, quinones, quinone-alcohols, quinone-phenols, quinone-aldehydes and other single or complex oxygen-function ketones and quinones, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (b)
- 29.14 Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (c)
- 29.15 Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives (*) (d)
- 29.16 Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives ⁽¹⁾ ⁽²⁾
- 29.19 Phosphoric esters and their salts, including lactophosphates, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.21 Other esters of mineral acids (excluding halides) and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives
- 29.22 Amine-function compounds
- ex 29.23 Single or complex oxygen-function amino-compounds, excluding glutamic acid and its salts
- 29.24 Quaternary ammonium salts and hydroxides; lecithins and other phosphoaminolipins
- 29.25 Carboxamide-function compounds; amide-function compounds of carbonic acid
- 29.26 Carboxyimide-function compounds (including ortho-benzoic sulphimide and its salts) and imine-function compounds (including hexamethylenetetramine and trimethylenetrinitramine)
- 29.27 Nitrile-function compounds (*) (e)
- 29.28 Diazo-, azo- and azoxy-compounds
- 29.29 Organic derivatives of hydrazine or of hydroxylamine
- 29.30 Compounds with other nitrogen-functions
- 29.31 Organo-sulphur compounds

(a) The asterisk covers only subheading 29.11 E ex I (4-hydroxy-3-methoxybenzaldehyde).

(b) The asterisk covers only subheading 29.13 A ex I (acetone).

(c) The asterisk covers only subheading 29.14 D I.

(d) The asterisk covers only subheading 29.15 C I.

(e) The asterisk covers only heading No ex 29.27 (acrylonitrile).

⁽¹⁾ For citric acid falling within subheading 29.16 A IV a), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 434 280 EUA and 30 % respectively.

⁽²⁾ For salicylic acid falling within subheading 29.16 B I (a), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 308 000 EUA and 40 % respectively.

- 29.33 Organo-mercury compounds
- 29.34 Other organo-inorganic compounds
- 29.35 Heterocyclic compounds; nucleic acids ⁽¹⁾
- 29.36 Sulphonamides
- 29.37 Sultones and sultams
- 29.38 Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent (*) (a)
- 29.39 Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones
- 29.41 Glycosides, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives
- 29.42 Vegetable alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives
- 29.43 Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
- 29.44 Antibiotics(*) (b)
- 29.45 Other organic compounds

CHAPTER 30

- 30.01 Organo-therapeutic glands or other organs, dried, whether or not powdered; organo-therapeutic extracts of glands or other organs or of their secretions; other animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included
- 30.02 Antisera; microbial vaccines, toxins, microbial cultures (including ferments but excluding yeasts) and similar products
- 30.03 Medicaments (including veterinary medicaments)
- 30.04 Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 of this Chapter
- 30.05 Other pharmaceutical goods

CHAPTER 31

- 31.02 Mineral or chemical fertilizers, nitrogenous:
 - B. Urea, containing more than 45% by weight of nitrogen on the dry anhydrous product ⁽²⁾ (*)
 - C. Other ⁽³⁾ (*)

(a) The asterisk covers only subheading 29.38 B ex II (vitamins B 12).

(b) The asterisk covers only subheading 29.44 A (penicillins) and ex C (tetracycline).

⁽¹⁾ For melamine falling within subheading 29.35 ex Q, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 632 000 EUA and 40 % respectively.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 315 000 EUA and 20 % respectively.

⁽³⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 418 800 EUA and 20 % respectively.

- 31.03 Mineral or chemical fertilizers, phosphatic (*)
- 31.04 B Mineral or chemical fertilizers, potassic, mentioned in Note 3 (B) to this Chapter
- 31.05 Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg:
- A. Other fertilizers:
- III. Containing the two fertilizing substances: nitrogen and potassium:
- a) Natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44%), of a total nitrogen content not exceeding 16.3% by weight

CHAPTER 32

- 32.01 Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives:
- B. Other
- 32.03 Synthetic organic tanning substances and inorganic tanning substances; tanning preparations, whether or not containing natural tanning materials; enzymatic preparations for pre-tanning (for example, of enzymatic, pancreatic or bacterial origin)
- 32.04 Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin
- 32.05 Synthetic organic dyestuffs (including pigment dyestuffs); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre; natural indigo ⁽¹⁾
- 32.06 Colour lakes
- 32.07 Other colouring matter; inorganic products of a kind used as luminophores
- 32.08 Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
- 32.09 Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments in linseed oil, white spirit, spirits of turpentine, varnish or other paint or enamel media; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined in Note 4 to this chapter
- 32.10 Artists', students' and signboard painters' colours, modifying tints, amusement colours and the like, in tables, tubes, jars, bottles, pans or in similar forms or packings, including such colours in sets or outfits, with or without brushes, palettes or other accessories
- 32.11 Prepared driers
- 32.12 Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
- 32.13 Writing ink, printing ink and other inks

CHAPTER 33 ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETICS AND TOILET PREPARATIONS

⁽¹⁾ For products falling within subheading 32.05 A, the Community ceiling referred to in Article 1 (3) is set at 9 429 000 EUA.

CHAPTER 34 SOAP, ORGANIC SURFACE-ACTIVE AGENTS, WASHING PREPARATIONS, LUBRICATING PREPARATIONS, ARTIFICIAL WAXES, PREPARED WAXES, POLISHING AND SCOURING PREPARATIONS, CANDLES AND SIMILAR ARTICLES, MODELLING PASTES AND 'DENTAL WAXES'

CHAPTER 35

- 35.02 B Albuminates and other albumin derivatives
- 35.03 Gelatin (including gelatin in rectangles, whether or not coloured or surface-worked) and gelatin derivatives; glues derived from bones, hides, nerves, tendons or from similar products and fish glues; isinglass ⁽¹⁾
- 35.04 Peptones and other protein substances (excluding enzymes of heading No 35.07) and their derivatives; hide powder, whether or not chromed
- 35.06 Prepared glues not elsewhere specified or included; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg
- 35.07 Enzymes; prepared enzymes not elsewhere specified or included

CHAPTER 36 EXPLOSIVES; PYROTECHNIC PRODUCTS; MATCHES; PYROPHORIC ALLOYS; CERTAIN COMBUSTIBLE PREPARATIONS (*) (a)

CHAPTER 37 PHOTOGRAPHIC AND CINEMATOGRAPHIC GOODS

CHAPTER 38

- 38.01 Artificial graphite; colloidal graphite, other than suspensions in oil
- 38.03 Activated carbon; activated natural mineral products; animal black, including spent animal black
- 38.05 Tall oil
- 38.06 Concentrated sulphite lye
- 38.07 Spirits of turpentine (gum, wood and sulphate) and other terpenic solvents produced by the distillation or other treatment of coniferous woods; crude dipentene; sulphite turpentine; pine oil (excluding 'pine oils' not rich in terpineol)
- 38.08 Rosin and resin acids, and derivatives thereof other than ester gums included in heading No 39.05; rosin spirit and rosin oils
- 38.09 Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
- 38.11 Disinfectants, insecticides, fungicides, rat poisons, herbicides, anti-sprouting products, plant-growth regulators and similar products, put up in forms or packings for sale by retail or as preparations or articles (for example, sulphur-treated bands, wicks and candles, flypapers)
- 38.12 Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:
 - A. Prepared glazings and prepared dressings:
 - II. Other
 - B. Prepared mordants

(a) The asterisk covers only heading No 36.06.

⁽¹⁾ For gelatin and gelatin derivatives falling within subheading 35.03 ex B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 860 000 EUA and 30 % respectively.

- 38.13 Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes
- 38.14 Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils
- 38.15 Prepared rubber accelerators
- 38.16 Prepared culture media for development of micro-organisms
- 38.17 Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades
- 38.18 Composite solvents and thinners for varnishes and similar products
- ex 38.19 Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding D-glucitol (sorbitol), other than that falling within subheading 29.04 C III ..

CHAPTER 39

- 39.01 Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters, and other unsaturated polyesters, silicones)
- 39.02 Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins) (*) (a)
- 39.03 Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre (*):
 - A. Adhesive strips of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber
 - B. Other:
 - III. Cellulose acetates
 - IV. Other cellulose esters
 - V. Cellulose ethers and other chemical derivatives of cellulose
 - VI. Vulcanized fibre
- 39.04 Hardened proteins (for example, hardened casein and hardened gelatin)
- 39.05 Natural resins modified by fusion (run gums); artificial resins obtained by esterification of natural resins or of resinic acids (ester gums); chemical derivatives of natural rubber (for example, chlorinated rubber, rubber hydrochloride, oxidized rubber, cyclized rubber)
- 39.06 Other high polymers, artificial resins and artificial plastic materials, including alginic acid, its salts and esters; linnoxyn
- 39.07 Articles of materials of the kinds described in heading Nos 39.01 to 39.06

CHAPTER 40

- 40.02 Synthetic rubber latex; pre-vulcanized synthetic rubber latex; synthetic rubber; factice derived from oils

(a) The asterisk covers only subheadings 39.02 C I, C IV and C VII a).

- 40.03 Reclaimed rubber
- 40.05 Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch
- 40.06 Unvulcanized natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized natural or synthetic rubber (for example, coated or impregnated textile thread, rings and discs)
- 40.07 Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber
- 40.08 Plates, sheets, strip, rods and profile shapes, of unhardened vulcanized rubber
- 40.09 Piping and tubing, of unhardened vulcanized rubber
- 40.10 Transmission, conveyor or elevator belts or belting, of vulcanized rubber
- 40.11 Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds (*):
 — Inner tubes and tyre cases (new or used) of the kind used on bicycles, cycles with an auxiliary motor, motor-cycles or motor-scooters ⁽¹⁾
 — Other (including tyre cases with sewn-in inner tubes, for racing bicycles, and tyre flaps) ⁽²⁾
- 40.12 Hygienic and pharmaceutical articles (including teats), of unhardened vulcanized rubber, with or without fittings of hardened rubber
- 40.13 Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanized rubber
- 40.14 Other articles of unhardened vulcanized rubber
- 40.15 Hardened rubber (ebonite and vulcanite), in bulk, plates, sheets, strip, rods, profile shapes or tubes; scrap, waste and powder, of hardened rubber
- 40.16 Articles of hardened rubber (ebonite and vulcanite)

CHAPTER 41

- 41.03 Sheep and lambskin leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other ⁽³⁾
- 41.04 Goat and kidskin leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other ⁽⁴⁾
- 41.05 Other kinds of leather, except leather falling within heading No 41.06 or 41.08:
 B. Other:
 II. Other ⁽⁵⁾

⁽¹⁾ For these products, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 579 000 EUA and 20 % respectively.

⁽²⁾ For these products, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 11 901 000 EUA and 20 % respectively.

⁽³⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 095 000 EUA and 45 % respectively.

⁽⁴⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 999 000 EUA and 45 % respectively.

⁽⁵⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 540 000 EUA and 20 % respectively.

- 41.06 Chamois-dressed leather ⁽¹⁾
- 41.08 Patent leather and imitation patent leather; metallized leather
- 41.10 Composition leather with a basis of leather or leather fibre, in slabs, in sheets or in rolls

CHAPTER 42

- 42.01 Saddlery and harness, of any material (for example, saddles, harness, collars, traces, knee-pads and boots), for any kind of animal
- 42.03 Articles of apparel and clothing accessories, of leather or of composition leather:
 - B. Gloves, including mittens and mitts:
 - I. Protective, for all trades ⁽²⁾ (*)
- 42.04 Articles of leather or of composition leather of a kind used in machinery or mechanical appliances or for industrial purposes
- 42.05 Other articles of leather or of composition leather
- 42.06 Articles made from gut (other than silk-worm gut), from goldbeater's skin, from bladders or from tendons

CHAPTER 43

- 43.02 Furskins, tanned or dressed, including furskins assembled in plates, crosses and similar forms; pieces or cuttings, of fur skin, tanned or dressed, including heads, paws, tails and the like (not being fabricated)
- 43.03 Articles of fur skin (*) (a)
- 43.04 Artificial fur and articles made thereof

CHAPTER 44

- ex 44.02 Coconut charcoal
- 44.05 Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm
- 44.07 Railway or tramway sleepers of wood
- ex 44.09 Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; chipwood; drawn wood; wood shavings of a kind suitable for use in the manufacture of vinegar or for the clarification of liquids; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrella handles, tool handles or the like
- 44.11 Fibre building board of wood or other vegetable material, whether or not bonded with natural or artificial resins or with other organic binders ⁽³⁾ (*)
- 44.12 Wood wool and wood flour
- 44.13 Wood (including blocks, strips and friezes for parquet or wood block flooring, not assembled), planed, tongued, grooved, rebated, chamfered, V-jointed, centre V-jointed, beaded, centre-beaded or the like, but not further manufactured ⁽⁴⁾

(a) The asterisk covers only subheading 43.03 ex B (gloves).

⁽¹⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 418 000 EUA.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 17 369 000 EUA and 15 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 10 882 000 EUA and 30 % respectively.

⁽⁴⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 9 724 000 EUA.

- 44.14 Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm:
- A. Small boards for the manufacture of pencils
 - B. Other ⁽¹⁾ (*)
- 44.16 Cellular wood panels, whether or not faced with base metal
- 44.17 'Improved' wood, in sheets, blocks or the like
- 44.18 Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like ⁽²⁾ (*)
- 44.19 Wooden beadings and mouldings, including moulded skirting and other moulded boards
- 44.20 Wooden picture frames, photograph frames, mirror frames and the like
- 44.21 Complete wooden packing cases, boxes, crates, drums and similar packings
- 44.22 Casks, barrels, vats, tubs, buckets and other coopers' products and parts thereof, of wood, including staves
- 44.23 Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels) ⁽³⁾
- 44.24 Household utensils of wood (*) (a) ⁽⁴⁾
- 44.25 Wooden tools, tool bodies, tool handles, broom and brush bodies and handles; boot and shoe lasts and trees, of wood ⁽⁵⁾
- 44.26 Spools, cops, bobbins, sewing thread reel and the like, of turned wood
- 44.27 Standard lamps, table lamps and other lighting fittings, of wood; articles of furniture, of wood, not falling within Chapter 94; caskets, cigarette boxes, trays, fruit bowls, ornaments and other fancy articles, of wood; cases for cutlery, for drawing instruments or for violins, and similar receptacles, of wood; articles of wood for personal use or adornment, of a kind normally carried in the pocket, in the handbag or on the person; parts of the foregoing articles, of wood
- 44.28 Other articles of wood

CHAPTER 45

- 45.02 Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)
- 45.03 Articles of natural cork
- 45.04 Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork

(a) The asterisk covers only heading No 44.24 (clothes-pegs).

⁽¹⁾ For products falling within this subheading, the Community maximum amount referred to in Article 1 (4) is set at 40 %.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 5 937 000 EUA and 40 % respectively.

⁽³⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 40 %.

⁽⁴⁾ For products falling within this heading, the Community ceiling referred to in Article 1 (3) is set at 3 542 000 EUA.

⁽⁵⁾ For products falling within subheading 44.25 ex B (broom and brush bodies and handles), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 164 000 EUA and 30 % respectively.

CHAPTER 46

- ex 46.02 Plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips, other than those of unspun vegetable materials; plaiting materials bound together in parallel strands or woven in sheet form, including matting, mats and screens; straw envelopes for bottles ⁽¹⁾
- 46.03 Basketwork, wickerwork and other articles of plaiting materials, made directly to shape; articles made up from goods falling within heading No 46.02; articles of loofah ⁽²⁾ (*)

CHAPTER 47

- 47.01 Pulp derived by mechanical or chemical means from any fibrous vegetable material
- 47.02 Waste paper and paperboard; scrap articles of paper or of paperboard, fit only for use in paper-making:
A. Waste paper and paperboard

CHAPTER 48

- 48.01 Paper and paperboard (including cellulose wadding), in rolls or sheets:
A. Newsprint
B. Cigarette paper
C. Kraft paper and kraft board:
 I. For the manufacture of paper yarn of heading No 57.07 or of paper yarn reinforced with metal of heading No 59.04
D. Paper weighing not more than 15 g/m² for use in stencil making
E. Hand-made paper and paperboard
F. Other
- 48.03 Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
- 48.04 Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
- 48.05 Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets
- 48.07 Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets
- 48.08 Filter blocks, slabs and plates, of paper pulp
- 48.10 Cigarette paper, cut to size, whether or not in the form of booklets or tubes
- 48.11 Wallpaper and lincrusta; window transparencies of paper
- 48.12 Floor coverings prepared on a base of paper or of paperboard, whether or not cut to size, with or without a coating of linoleum compound

⁽¹⁾ For plaiting materials bound together in parallel strands or woven in sheet form, including matting, mats and screens, and straw envelopes for bottles, falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 511 000 EUA and 30 % respectively.

⁽²⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 20 %.

- 48.13 Carbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes
- 48.14 Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery
- 48.15 Other paper and paperboard, cut size or shape
- 48.16 Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
- 48.18 Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting-pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard
- 48.19 Paper or paperboard labels, whether or not printed or gummed
- 48.20 Bobbins, spools, cops and similar supports of paper pulp, paper or paperboard (whether or not perforated or hardened)
- 48.21 Other articles of paper pulp, paper, paperboard or cellulose wadding

CHAPTER 49 PRINTED BOOKS, NEWSPAPERS, PICTURES AND OTHER PRODUCTS OF THE PRINTING INDUSTRY; MANUSCRIPTS, TYPESCRIPTS AND PLANS

CHAPTER 64

- 64.03 Footwear with outer soles of wood or cork (*)
- 64.04 Footwear with outer soles of other materials (*)
- 64.05 Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal (*)
- 64.06 Gaiters, spats, leggings, puttees, cricket pads, shin-guards and similar articles, and parts thereof (*)

CHAPTER 65 HEADGEAR AND PARTS THEREOF

CHAPTER 66

- 66.01 Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas) ⁽¹⁾ (*)
- 66.02 Walking-sticks (including climbing-sticks and seat-sticks), canes, whips, riding-crops and the like
- 66.03 Parts, fittings, trimmings and accessories of articles falling within heading No 66.01 or 66.02

CHAPTER 67

- 67.01 Skins and other parts of birds with their feathers or down, feathers, parts of feathers, down, and articles thereof (other than goods falling within heading No 05.07 and worked quills and scapes)

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 027 000 EUA and 15 % respectively.

- 67.02 Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit ⁽¹⁾
- 67.03 Human hair, dressed, thinned, bleached or otherwise worked; wool, other animal hair and other textile materials prepared for use in making wigs and the like

CHAPTER 68 ARTICLES OF STONE, OF PLASTER, OF CEMENT, OF ASBESTOS, OF MICA AND OF SIMILAR MATERIALS ⁽²⁾ ⁽³⁾ ⁽⁴⁾ (a) ^(*)

CHAPTER 69

- 69.01 Heat-insulating bricks, blocks, tiles and other heat-insulating goods of siliceous fossil meals or of similar siliceous earths (for example, kieselguhr, tripolite or diatomite)
- 69.03 Other refractory goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than goods falling within heading No 69.01
- 69.04 Building bricks (including flooring blocks, support or filler tiles and the like)
- 69.05 Roofing tiles; chimney-pots, cowls, chimney-liners, cornices and other constructional goods, including architectural ornaments
- 69.06 Piping, conduits and guttering (including angles, bends and similar fittings)
- 69.07 Unglazed setts, flags and paving, hearth and wall tiles ⁽⁵⁾
- 69.09 Laboratory, chemical or industrial wares; troughs, tubs and similar receptacles of a kind used in agriculture; pots, jars and similar articles of a kind commonly used for the conveyance or packing of goods
- 69.10 Sinks, washbasins, bidets, water closet pans, urinals, baths and like sanitary fixtures
- 69.11 Tableware and other articles of a kind commonly used for domestic or toilet purposes ⁽⁶⁾ ^(*)
- 69.12 Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery ^(*) (b)
- 69.13 Statuettes and other ornaments, and articles of personal adornment; articles of furniture
- 69.14 Other articles

CHAPTER 70

- 70.01 B Glass in the mass (excluding optical glass)
- 70.03 Glass in balls, rods and tubes, unworked (not being optical glass)
- 70.04 Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles

(a) The asterisk covers only heading No 68.01.

(b) The asterisk covers only subheading 69.12 C.

⁽¹⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 40 %.

⁽²⁾ For products falling within heading No 68.12, the Community amount referred to in Article 1 (4) is set at 40 %.

⁽³⁾ For products falling within subheading 68.13 B I, the Community maximum amount referred to in Article 1 (4) is reduced to 40 %.

⁽⁴⁾ For products falling within subheading 68.13 B II and III, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 983 000 EUA and 40 % respectively.

⁽⁵⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 20 %.

⁽⁶⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) are set at 1 781 000 EUA and 20 % respectively.

- 70.06 Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked
- 70.07 Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; multiple-walled insulating glass; leaded lights and the like
- 70.08 Safety glass consisting of toughened or laminated glass, shaped or not
- 70.09 Glass mirrors (including rear-view mirrors), unframed, framed or backed
- 70.10 Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass (*) (a)
- 70.11 Glass envelopes (including bulbs and tubes) for electric lamps, electronic valves or the like
- 70.12 Glass inners for vacuum flasks or for other vacuum vessels ⁽¹⁾
- 70.14 Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass:
- A. Articles for electrical lighting fittings:
- I. Facetted glass, plates, balls, pear-shaped drops, flower-shaped pieces, pendants and similar articles for trimming chandeliers
- II. Other (for example, diffusers, ceiling lights, bowls, cups, lampshades, globes, tulip-shaped pieces) ⁽²⁾
- B. Other ⁽³⁾
- 70.15 Clock and watch glasses and similar glasses (including glass of a kind used for sunglasses but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like; glass spheres and segments of spheres, of a kind used for the manufacture of clock and watch glasses and the like
- 70.16 Bricks, tiles, slabs, paving blocks, squares and other articles of pressed or moulded glass, of a kind commonly used in buildings; multi-cellular glass in blocks, slabs, plates, panels and similar forms
- 70.17 Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated; glass ampoules
- 70.18 Optical glass and elements of optical glass, other than optically worked elements; blanks for corrective spectacle lenses
- 70.19 Glass beads, imitation pearls, imitation precious and semi-precious stones, fragments and chippings, and similar fancy or decorative glass smallwares, and articles of glassware made therefrom; glass cubes and small glass plates, whether or not on a backing, for mosaics and similar decorative purposes; artificial eyes of glass, including those for toys but excluding those for wear by humans; ornaments and other fancy articles of lamp-worked glass; grains (ballotini)
- 70.20 Glass fibre (including wool), yarns, fabrics, and articles made therefrom
- 70.21 Other articles of glass

CHAPTER 71

- 71.01 Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport)

(a) The asterisk covers only heading No ex 70.10 (carboys, bottles and jars, of unworked glass, of a capacity exceeding 0.25 litre but not exceeding 2.5 litres).

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 318 000 EUA and 40 % respectively.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 971 000 EUA and 20 % respectively.

⁽³⁾ For products falling within this subheading, the Community maximum amount referred to in Article 1 (4) is reduced to 25 %.

- 71.02 Precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)
- 71.03 Synthetic or reconstructed precious or semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)
- ex 71.05 Silver, including silver gilt and platinum-plated silver, semi-manufactured
- 71.06 Rolled silver, unworked or semi-manufactured
- ex 71.07 Gold, including platinum-plated gold, semi-manufactured
- 71.08 Rolled gold on base metal or silver, unworked or semi-manufactured
- ex 71.09 Platinum and other metals of the platinum group, semi-manufactured
- 71.10 Rolled platinum or other platinum group metals, on base metal or precious metal, unworked or semi-manufactured
- 71.12 Articles of jewellery and parts thereof, of precious metal or rolled precious metal
- 71.13 Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
- 71.14 Other articles of precious metal or rolled precious metal
- 71.15 Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)

CHAPTER 73

- 73.04 Shot and angular grit, of iron or steel, whether or not graded; wire pellets of iron or steel
- 73.05 A Iron or steel powders
- 73.07 Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:
 - A. Blooms and billets:
 - II. Forged
 - B. Slabs and sheet bars (including tinplate bars):
 - II. Forged
 - C. Pieces roughly shaped by forging
- 73.10 Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:
 - B. Not further worked than forged
 - C. Not further worked than cold-formed or cold-finished
 - D. Clad or surface-worked (for example, polished, coated):
 - I. Not further worked than clad:
 - b) Cold-formed or cold-finished
 - II. Other
- 73.11 Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron and steel, whether or not drilled, punched or made from assembled elements:

- 73.11 (cont'd) A. Angles, shapes and sections:
- II. Not further worked than forged
 - III. Not further worked than cold-formed or cold-finished
 - IV. Clad or surface-worked (for example, polished, coated):
 - a) Not further worked than clad:
 - 2. Cold-formed or cold-finished
 - b) Other
- 73.12 Hoop and strip, of iron or steel, hot-rolled or cold-rolled:
- B. Not further worked than cold-rolled:
 - II. Other
 - C. Clad, coated or otherwise surface-treated:
 - I. Silvered, gilded or platinum-plated
 - II. Enamelled
 - III. Tinned:
 - b) Other
 - IV. Zinc-coated or lead-coated
 - V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):
 - a) Not further worked than clad:
 - 2. Cold-rolled
 - b) Other
 - D. Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)
- 73.13 Sheets and plates, of iron or steel, hot-rolled or cold-rolled:
- B. Other sheets and plates:
 - II. Not further worked than cold-rolled, of a thickness of:
 - a) 3 mm or more
 - IV. Clad, coated or otherwise surface-treated:
 - a) Silvered, gilded, platinum-plated or enamelled
 - V. Otherwise shaped or worked:
 - a) Cut into shapes other than rectangular shapes, but not further worked:
 - 1. Silvered, gilded, platinum-plated or enamelled
 - b) Other, excluding sheets and plates shaped by rolling
- 73.14 Iron or steel wire, whether or not coated, but not insulated
- 73.15 Alloy steel and high carbon steel in the form mentioned in heading Nos 73.06 to 73.14:
- A. High carbon steel:
 - I. Ingots, blooms, billets, slabs and sheet bars:
 - a) Forged
 - II. Pieces roughly shaped by forging
 - V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:
 - a) Not further worked than forged
 - c) Not further worked than cold-formed or cold-finished
 - d) Clad or surface-worked (for example, polished, coated):
 - 1. Not further worked than clad:
 - bb) Cold-formed or cold-finished
 - 2. Other
 - VI. Hoop and strip:
 - b) Not further worked than cold-rolled

- 73.15
(cont'd)
- c) Clad, coated or otherwise surface-treated:
 - 1. Not further worked than clad:
 - bb) Cold-rolled
 - 2. Other
 - d) Otherwise shaped or worked (for example, perforated, chamfered, lapjointed)
- VII. Sheets and plates:
- b) Not further worked than cold-rolled, of a thickness of:
 - 1. 3 mm or more
 - d) Otherwise shaped or worked:
 - 2. Other, excluding sheets and plates shaped by rolling
- VIII. Wire, whether or not coated, but not insulated
- B. Alloy steel:
- I. Ingots, blooms, billets, slabs and sheet bars:
 - a) Forged
 - II. Pieces roughly shaped by forging
- V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:
- a) Not further worked than forged
 - c) Not further worked than cold-formed or cold-finished
 - d) Clad or surface-worked (for example, polished, coated):
 - 1. Not further worked than clad:
 - bb) Cold-formed or cold-finished
 - 2. Other
- VI. Hoop and strip:
- b) Not further worked than cold-rolled
 - c) Clad, coated or otherwise surface-treated:
 - 1. Not further worked than clad:
 - bb) Cold-rolled
 - 2. Other
 - d) Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)
- VII. Sheets and plates:
- b) Other sheets and plates:
 - 2. Not further worked than cold-rolled, of a thickness of:
 - aa) 3 mm or more
 - 4. Otherwise shaped or worked:
 - bb) Other, excluding sheets and plates shaped by rolling
- VIII. Wire, whether or not coated, but not insulated
- 73.16 Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates, (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:
- A. Rails:
 - I. Current-conducting, with parts of non-ferrous metal
 - D. Fish-plates and sole plates:
 - II. Other
 - E. Other
- 73.17 Tubes and pipes, of cast iron (*)
- 73.19 High-pressure hydro-electric conduits of steel, whether or not reinforced
- 73.20 Tube and pipe fittings (for example, joints, elbows, unions and flanges), of iron or steel (*)

- 73.21 Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame-works, door and window frames, shutters, balustrades, pillars and columns), of iron or steel; plates, strip, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel
- 73.22 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 litres, whether or not lined or head-insulated, but not fitted with mechanical or thermal equipment
- 73.23 Casks, drums, cans, boxes and similar containers, or sheet or plate iron or steel, of a description commonly used for the conveyance or packing of goods
- 73.24 Containers, of iron or steel, for compressed or liquefied gas
- 73.25 Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables
- 73.26 Barbed iron or steel wire; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of kinds used for fencing, of iron or steel
- 73.27 Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire; expanded metal, of iron or steel
- 73.29 Chain and parts thereof, of iron or steel
- 73.30 Anchors and grapnels and parts thereof, of iron or steel
- 73.31 Nails, tacks, staples, hook-nails, corrugated nails, spiked cramps, studs, spikes and drawing pins, of iron or steel, whether or not with heads of other materials, but not including such articles with heads of copper
- 73.32 Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of iron or steel; rivets, cotters, cotter-pins, washers and spring washers, of iron or steel ⁽¹⁾
- 73.33 Needles for hand sewing (including embroidery), hand carpet needles and hand knitting needles, bodkins, crochet hooks, and the like, and embroidery stilettos, of iron or steel
- 73.34 Pins (excluding hatpins and other ornamental pins and drawing pins), hairpins and curling grips, of iron or steel
- 73.35 Springs and leaves for springs, of iron or steel
- 73.36 Stoves (including stoves with subsidiary boilers for central heatings), ranges, cookers, grates, fires and other space heaters, gas-rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel
- 73.37 Boilers (excluding boilers of heading No 84.01) and radiators, for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel

⁽¹⁾ For wood screws falling within subheading 73.32 ex B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 993 000 EUA and 30 % respectively.

73.38 Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring and polishing pads, gloves and the like, of iron or steel

73.40 Other articles of iron or steel ⁽¹⁾ (*) (a)

CHAPTER 74

74.02 Master alloys

74.04 Wrought plates, sheets and strip, of copper ⁽²⁾

74.05 Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm

74.06 Copper powders and flakes

74.07 Tubes and pipes and blanks therefor, of copper; hollow bars of copper ⁽³⁾

74.08 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper

74.10 Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables

74.11 Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire; expanded metal, of copper

74.15 Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper; bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper

74.16 Springs, of copper

74.17 Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper

74.18 Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper

74.19 Other articles of copper

CHAPTER 75

75.02 Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire

75.03 Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes

75.04 Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel

75.05 Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis

75.06 Other articles of nickel

(a) The asterisk only covers products other than parts of box pallets (with mash products).

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 6 850 200 EUA and 30 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 963 000 EUA and 25 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 489 000 EUA and 25 % respectively.

CHAPTER 76

- 76.02 Wrought bars, rods, angles, shapes and sections of aluminium; aluminium wire ⁽¹⁾ (*)
- 76.03 Wrought plates, sheets and strip, of aluminium ⁽²⁾ (*)
- 76.04 Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm
- 76.05 Aluminium powders and flakes
- 76.06 Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium
- 76.07 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium
- 76.08 Structures, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium
- 76.09 Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment
- 76.10 Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods
- 76.11 Containers, of aluminium, for compressed or liquefied gas
- 76.12 Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables
- 76.15 Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium
- 76.16 Other articles of aluminium

CHAPTER 77

- 77.02 Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium; other articles of magnesium
- 77.04 Beryllium, unwrought or wrought, and articles of beryllium

CHAPTER 78

- 78.02 Wrought bars, rods, angles, shapes and sections, of lead; lead wire
- 78.03 Wrought plates, sheets and strip, of lead
- 78.04 Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m²; lead powders and flakes

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 692 000 EUA and 20 % respectively.

⁽²⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 8 719 000 EUA and 20 % respectively.

78.05 Tubes and pipes and blanks, therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead

78.06 Other articles of lead

CHAPTER 79

79.02 Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire

79.04 Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc

79.06 Other articles of zinc

CHAPTER 80

80.02 Wrought bars, rods, angles, shapes and sections, of tin; tin wire

80.03 Wrought plates, sheets and strip, of tin

80.04 Tin foil (whether or not embossed, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m²; tin powders and flakes

80.05 Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin

80.06 Other articles of tin

CHAPTER 81

81.01 Tungsten (wolfram), unwrought or wrought, and articles thereof:

B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil

C. Other

81.02 Molybdenum, unwrought or wrought, and articles thereof:

B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil

C. Other

81.03 Tantalum, unwrought or wrought, and articles thereof:

B. Bars (other than bars not further prepared than sintered), rods, angles, shapes, sections, wire, filaments, plates, sheets, strip and foil

C. Other

81.04 Other base metals, unwrought or wrought, and articles thereof; cerments, unwrought or wrought, and articles thereof:

A. Bismuth:

II. Other

B. Cadmium:

II. Other

C. Cobalt:

II. Other

D. Chromium:

II. Other

E. Germanium:

II. Other

- 81.04 F. Hafnium (celtium):
(cont'd) II. Other
- G. Manganese:
II. Other
- H. Niobium (columbium):
II. Other
- IJ. Antimony:
II. Other
- K. Titanium:
II. Other
- L. Vanadium:
II. Other
- N. Thorium:
II. Other:
b) Other (EURATOM)
- O. Zirconium:
II. Other
- P. Rhenium:
II. Other
- Q. Gallium; indium; thallium:
II. Other
- R. Cermets:
II. Other

CHAPTER 82

- 82.01 Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
- 82.02 Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
- 82.03 Hand tools, the following: pliers (including cutting pliers), pincers, tweezers, tinmen's snips, bolt croppers and the like; perforating punches; pipe cutters; spanners and wrenches (but not including tap wrenches); files and rasps
- 82.04 Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated)
- 82.05 Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits
- 82.06 Knives and cutting blades, for machines or for mechanical appliances
- 82.07 Tool-tips and plates, sticks and the like for tool-tips, unmounted, of sintered metal carbides (for example, carbides of tungsten, molybdenum or vanadium)
- 82.08 Coffee-mills, mincers, juice-extractors and other mechanical appliances, of a weight not exceeding 10 kg and of a kind used for domestic purposes in the preparation, serving or conditioning of food or drink

- 82.09 Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor ⁽¹⁾
- 82.11 Razors and razor blades (including razor blade blanks, whether or not in strips)
- 82.12 Scissors (including tailors' shears), and blades therefor
- 82.13 Other articles of cutlery (for example, secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files)
- 82.14 Spoons, forks, fish-eaters, butter-knives, ladles and similar kitchen or tableware ⁽²⁾
- 82.15 Handles of base metal for articles falling within heading No 82.09, 82.13 or 82.14

CHAPTER 83

- 83.01 Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and part of such frames, of base metal; keys for any of the foregoing articles of base metal ⁽³⁾
- 83.02 Base metal fittings and mountings of a kind suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers); base metal hat-racks, hat-pegs, brackets and the like
- 83.03 Safes, strong-boxes, armoured or reinforced strong-rooms, strong-room linings and strong-room doors, and cash and deed boxes and the like, of base metal
- 83.04 Filing cabinets, racks, sorting boxes, paper trays, paper rests and similar office equipment, of base metal, other than office furniture falling within heading No 94.03
- 83.05 Fittings for loose-leaf binders, for files or for stationery books, of base metal; letter clips, paper clips, staples, indexing tags, and similar stationery goods, of base metal
- 83.06 Statuettes and other ornaments of a kind used indoors, of base metal; photograph, picture and similar frames, of base metal; mirrors of base metal
- 83.07 Lamps and lighting fittings, of base metal, and parts thereof, of base metal (excluding switches, electric lamp holders, electric lamps for vehicles, electric battery or magneto lamps, and other articles falling within Chapter 85 except heading No 85.22) ⁽⁴⁾
- 83.08 Flexible tubing and piping, of base metal
- 83.09 Clasps, frames with clasps for handbags and the like, buckles, buckle-clasps, hooks, eyes, eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods, handbags or other textile or leather goods; tubular rivets and bifurcated rivets, of base metal; beads and spangles, of base metal
- 83.11 Bells and gongs, non-electric, of base metal, and parts thereof of base metal

⁽¹⁾ For products falling within this heading, excluding blades therefor, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 473 000 EUA and 15 % respectively.

⁽²⁾ For products falling within subheading 82.14 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 437 000 EUA and 15 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 914 000 EUA and 15 % respectively.

⁽⁴⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (3) is set at 40 %.

- 83.13 Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal
- 83.14 Sign-plates, name-plates, numbers, letters and other signs, of base metal
- 83.15 Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbides, coated or cored with flux material, of a kind used for soldering, brazing, welding or deposition of metal or of metal carbides; wire and rods, of agglomerated base metal powder, used for metal spraying

CHAPTER 84

- 84.01 Steam and other vapour generating boilers (excluding central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers
- 84.02 Auxiliary plant for use with boilers falling within heading No 84.01 (for example, economizers, superheaters, soot removers, gas recoverers and the like); condensers for vapour engines and power units
- 84.03 Producer gas and water gas generators, with or without purifiers; acetylene gas generators (water process) and similar gas generators, with or without purifiers
- 84.05 Steam or other vapour power units, whether or not incorporating boilers
- 84.06 Internal combustion piston engines
- 84.07 Hydraulic engines and motors (including water wheels and water turbines)
- 84.08 Other engines and motors
- 84.09 Mechanically propelled road rollers
- 84.10 Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds (*) (a)
- 84.11 Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like
- 84.12 Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air
- 84.13 Furnace burners for liquid fuel (atomizers), for pulverized solid fuel or for gas; mechanical stokers, mechanical grates, mechanical ash dischargers and similar appliances
- 84.14 Industrial and laboratory furnaces and ovens, non-electric
- 84.15 Refrigerators and refrigerating equipment (electrical and other)
- 84.16 Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass-working machines) and cylinders therefor

(a) The asterisk covers only subheading 84.10 B II.

- 84.17 Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vapourizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical
- 84.18 Centrifuges filtering and purifying machinery and apparatus (other than filter funnels, milk strainers and the like), for liquids or gases
- 84.19 Machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing, capsuling or labelling bottles, cans, boxes, bags or other containers; other packing or wrapping machinery; machinery for aerating beverages; dish washing machines
- 84.20 Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
- 84.21 Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers (charged or not); spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines
- 84.22 Lifting, handling, loading or unloading machinery, telfers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not being machinery falling within heading No 84.23
- 84.23 Excavating, levelling, tamping, boring and extracting machinery, stationary or mobile, for earth, minerals or ores (for example, mechanical shovels, coal-cutters, excavators, scrapers, levellers and bulldozers); pile-drivers; snow-ploughs, not self-propelled (including snow-plough attachments)
- 84.24 Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors); lawn and sports ground rollers
- 84.25 Harvesting and threshing machinery; straw and fodder presses; hay or grass mowers; winnowing and similar cleaning machines for seed, grain or leguminous vegetables and egg-grading and other grading machines for agricultural produce (other than those of a kind used in the bread grain milling industry falling within heading No 84.29)
- 84.26 Dairy machinery (including milking machines)
- 84.27 Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like
- 84.28 Other agricultural, horticultural, poultry-keeping and bee-keeping machinery; germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders
- 84.29 Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
- 84.30 Machinery, not falling within any other heading of this Chapter, of a kind used in the following food or drink industries: bakery, confectionery, chocolate manufacture, macaroni, ravioli or similar cereal food manufacture, the preparation of meat, fish, fruit or vegetables (including mincing or slicing machines), sugar manufacture or brewing
- 84.31 Machinery for making or finishing cellulosic pulp, paper or paperboard
- 84.32 Book-binding machinery, including book-sewing machines
- 84.33 Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard

- 84.34 Machinery, apparatus and accessories for type-founding or type-setting; machinery, other than the machine-tools of heading No 84.45, 84.46 or 84.47, for preparing or working printing blocks, plates, or cylinders; printing type, impressed flongs and matrices printing blocks, plates and cylinders; blocks, plates, cylinders and lithographic stones, prepared for printing purposes (for example, planed, grained or polished)
- 84.35 Other printing machinery; machines for use ancillary to printing
- 84.36 Machines for extruding man-made textiles; machines of a kind used for processing natural or man-made textile fibres; textile spinning and twisting machines; textile doubling, throwing and reeling (including weft-winding) machines
- 84.37 Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net; machines for preparing yarns for use on such machines, including warping and warp sizing machines
- 84.38 Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles)
- 84.39 Machinery for the manufacture or finishing of felt in the piece or in shapes, including felt-hat making machines and hat-making blocks
- 84.40 Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor covering for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor
- 84.41 Sewing machines; furniture specially designed for sewing machines; sewing machine needles:
- A. Sewing machines; furniture specially designed for sewing machines:
- I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor:
- a) Sewing machines having a value (not including frames, tables or furniture) or more than 65 EUA each
- b) Other ⁽¹⁾
- II. Other sewing machines and other sewing machine heads ⁽²⁾
- III. Parts, furniture specially designed for sewing machines ⁽³⁾
- B. Sewing machine needles
- 84.42 Machinery (other than sewing machines) for preparing, tanning or working hides, skins or leather (including boot and shoe machinery)
- 84.43 Converters, ladles, ingot moulds and casting machines, of a kind used in metallurgy and in metal foundries
- 84.44 Rolling mills and rolls therefor

⁽¹⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 983 000 EUA and 15 % respectively.

⁽²⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 426 000 EUA and 40 % respectively.

⁽³⁾ For products falling within this subheading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 1 366 000 EUA and 40 % respectively.

- 84.45 Machine-tools for working metal or metal carbides, not being machines falling within heading No 84.49 or 84.50
- 84.46 Machine-tools for working stone, ceramics, concrete, asbestos-cement and like mineral materials or for working glass in the cold, other than machines falling within heading No 84.49
- 84.47 Machine-tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
- 84.48 Accessories and parts suitable for use solely or principally with the machines falling within heading Nos 84.45 to 84.47, including work and tool holders, self-opening dieheads, dividing heads and other appliances for machine-tools; tool holders for any type of tool or machine-tool for working in the hand
- 84.49 Tools for working in the hand, pneumatic or with self-contained non-electric motor
- 84.50 Gas-operated welding, brazing, cutting and surface tempering appliances
- 84.51 Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines
- 84.52 Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device ⁽¹⁾
- 84.53 Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data on to data media in coded form and machines for processing such data, not elsewhere specified or included
- 84.54 Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines)
- 84.55 Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54
- 84.56 Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand
- 84.57 Glass-working machines (other than machines for working glass in the cold); machines for assembling electric filament and discharge lamps and electronic and similar tubes and valves
- 84.58 Automatic vending machines (for example, stamp, cigarette, chocolate and food machines), not being games of skill or chance
- 84.59 Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:
- A. For the manufacture of the products mentioned in subheading 28.51 A (EURATOM)
 - B. Nuclear reactors (EURATOM)
 - C. Specially designed for the recycling of irradiated nuclear fuels (for example, sintering of radioactive metal oxides, sheathing) (EURATOM)

⁽¹⁾ For machines falling within subheading 84.52 A, other than those with a print-out, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 28 840 000 EUA and 25 % respectively.

- 84.59 D. Rope or cable-making machinery, including electric wire and cable-making machines
(*cont'd*)
- E. Other
- 84.60 Moulding boxes for metal foundry; moulds of a type used for metal (other than ingot moulds), for metal carbides, for glass, for mineral materials (for example, ceramic pastes, concrete or cement) or for rubber or artificial plastic materials
- 84.61 Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure-reducing valves and thermostatically controlled valves (*) (a)
- 84.62 Ball, roller or needle roller bearings (*)
- ex 84.63 Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gearboxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings, but not including forged or roughly shaped shafts, of a weight exceeding 150 tonnes, for generators or turbines
- 84.64 Gaskets and similar joints of metal sheeting combined with other material (for example, asbestos, felt and paperboard) or of laminated metal foil; sets or assortments of gaskets and similar joints, dissimilar in composition, for engines, pipes, tubes and the like, put up in pouches, envelopes or similar packings
- 84.65 Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features and not falling within any other heading in this Chapter

CHAPTER 85

- 85.01 Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus; inductors:
- A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:
- I. Synchronous motors of an output of not more than 18 watts ⁽¹⁾
- B. Transformers, static converters, rectifiers and rectifying apparatus; inductors
- C. Parts ⁽²⁾
- 85.02 Electro-magnets; permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets; electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders; electro-magnetic clutches and couplings; electro-magnetic brakes; electro-magnetic lifting heads
- 85.03 Primary cells and primary batteries ⁽³⁾ (*)
- 85.04 Electric accumulators ⁽⁴⁾
- 85.05 Tools for working in the hand, with self-contained electric motor

(a) The asterisk covers only subheading 84.61 ex B (taps, cocks, valves and similar appliances of pig iron or cast iron).

⁽¹⁾ For products falling within subheading 85.01 A I, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 344 000 EUA and 20 % respectively.

⁽²⁾ For products falling within subheading 85.01 C, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 279 000 EUA and 25 % respectively.

⁽³⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 441 000 EUA and 30 % respectively.

⁽⁴⁾ For products falling within subheading 85.04 A (lead-acid accumulators), the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 652 000 EUA and 20 % respectively.

- 85.06 Electro-mechanical domestic appliances, with self-contained electric motor
- 85.07 Shavers and hair clippers, with self-contained electric motor
- 85.08 Electrical starting and ignition equipment for internal combustion engines (including ignition magnetos, magneto-dynamos, ignition coils, starter motors, sparking plugs and glow plugs); generators (dynamos and alternators) and cut-outs for use in conjunction with such engines
- 85.09 Electrical lighting and signalling equipment and electrical windscreen wipers, defrosters and demisters, for cycles or motor vehicles
- 85.10 Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09:
A. Miners' safety lamps
- 85.11 Industrial and laboratory electric furnaces, ovens and inductions and dielectric heating equipment; electric or laser-operated welding, brazing, soldering or cutting machines and apparatus
- 85.12 Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hairdressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
- 85.13 Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)
- 85.14 Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers
- 85.15 Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus ⁽¹⁾:
A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras:
I. Transmitters
II. Transmitter-receivers
IV. Television cameras
B. Other apparatus
C. Parts of the goods of subheadings A and B above:
I. Cabinets and cases
II. Parts of base metal, obtained by turning bars, angles, shapes, sections or wire, of solid section, the greatest diameter of which does not exceed 25 mm
- 85.16 Electric traffic control equipment for railways, roads or inland waterways and equipment used for similar purposes in port installations or upon airfields
- 85.17 Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16

⁽¹⁾ For products falling within subheadings 85.15 A I, II, IV; B; C I, II, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 18 423 000 EUA and 25 % respectively.

- 85.18 Electrical capacitors, fixed or variable ⁽¹⁾
- 85.19 Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels ⁽²⁾ ⁽³⁾
- 85.20 Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc-lamps ⁽⁴⁾
- 85.21 Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light-emitting diodes; electronic micro-circuits ⁽⁵⁾:
- A. Valves and tubes
- B. Photocells, including photo-transistors
- C. Mounted piezo-electric crystals
- 85.22 Electrical appliances and apparatus, having individual functions, not falling within any other heading of this Chapter
- 85.24 Carbon brushes, arc-lamp carbons, battery carbons, carbon electrodes and other carbon articles of a kind used for electrical purposes
- 85.25 Insulators of any material
- 85.26 Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
- 85.27 Electrical conduit tubing and joints therefor, of base metal lined with insulating material
- 85.28 Electrical parts of machinery and apparatus, not being goods falling within any of the preceding headings of this Chapter

CHAPTER 86 RAILWAY AND TRAMWAY LOCOMOTIVES, ROLLING-STOCK AND PARTS THEREOF; RAILWAY AND TRAMWAY TRACK FIXTURES AND FITTINGS; TRAFFIC SIGNALLING EQUIPMENT OF ALL KINDS (NOT ELECTRICALLY POWERED)

CHAPTER 87

- 87.01 Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys
- 87.02 Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those falling within heading No 87.09)

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 587 000 EUA and 20 % respectively.

⁽²⁾ For products falling within subheading 85.19 A, the Community maximum amount referred to in Article 1 (4) is set at 25 %.

⁽³⁾ For products falling within subheading 85.19 B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 9 209 000 EUA and 40 % respectively.

⁽⁴⁾ For products falling within subheading 85.20 A, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 4 027 000 EUA and 20 % respectively.

⁽⁵⁾ For products falling within subheadings 85.21 A, B and C, the Community ceiling referred to in Article 1 (3) is set at 12 800 000 EUA.

- 87.03 Special purpose motor lorries and vans (such as breakdown lorries, fire-engines, fire-escapes, road sweeper lorries, snow-ploughs, spraying lorries, crane lorries, searchlight lorries, mobile workshops and mobile radiological units), but not including the motor vehicles falling within heading No 87.02)
- 87.04 Chassis fitted with engines, for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.05 Bodies (including cabs) for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.06 Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03
- 87.07 Works trucks, mechanically propelled, of the type used in factories, warehouses, dock areas or airports for short distance transport or handling of goods (for example, platform trucks, fork-lift trucks and straddle carriers); tractors of the type used on railway station platforms; parts of the foregoing vehicles
- 87.08 Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles
- 87.09 Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds
- 87.10 Cycles (including delivery tricycles), not motorized ⁽¹⁾ (*)
- 87.11 Invalid carriages, whether or not motorized or otherwise mechanically propelled
- 87.12 Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11 ⁽²⁾ (*) (a)
- 87.13 Baby carriages and parts thereof
- 87.14 Other vehicles (including trailers), not mechanically propelled, and parts thereof:
 - A. Animal-drawn vehicles
 - B. Trailers and semi-trailers:
 - I. Specially designed for the transport of highly radio-active materials (EURATOM)
 - C. Other vehicles
 - D. Parts

CHAPTER 88 AIRCRAFT AND PARTS THEREOF; PARACHUTES; CATAPULTS AND SIMILAR AIRCRAFT LAUNCHING GEAR; GROUND FLYING TRAINERS

CHAPTER 89 SHIPS, BOATS AND FLOATING STRUCTURES

CHAPTER 90

- 90.01 Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material
- 90.02 Lenses, prisms, mirrors and other optical elements of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked

(a) The asterisk covers only subheading 87.12 B.

⁽¹⁾ For products falling within this heading, the Community maximum amount referred to in Article 1 (4) is set at 20 %.

⁽²⁾ For products falling within subheading 87.12 B, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 3 901 000 EUA and 30 % respectively.

- 90.03 Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
- 90.04 Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
- 90.06 Astronomical instruments (for example, reflecting telescopes, transit instruments and equatorial telescopes), and mountings therefor, but not including instruments for radio-astronomy
- 90.07 Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20
- 90.08 Cinematographic cameras, projectors, sound recorders and sound reproducers but not including re-recorders or film editing apparatus; any combination of these articles
- 90.09 Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers ⁽¹⁾
- 90.10 Apparatus and equipment of a kind used in photographic or cinematographic laboratories, not falling within any other heading in this Chapter; photocopying apparatus (whether incorporating an optical system or of the contact type) and thermocopying apparatus; screens for projectors
- 90.11 Microscopes and diffraction apparatus, electron and proton
- 90.12 Compound optical microscopes, whether or not provided with means for photographing or projecting the image
- 90.13 Optical appliances and instruments (but not including lighting appliances other than searchlights or spotlights), not falling within any other heading of this Chapter; lasers, other than laser diodes
- 90.14 Surveying (including photogrammetrical surveying), hydrographic, navigational meteorological, hydrological and geophysical instruments; compasses; rangefinders
- 90.15 Balances of a sensitivity of 5 cg or better, with or without their weights
- 90.16 Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors
- 90.17 Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments) ⁽²⁾
- 90.18 Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; artificial respiration, ozone therapy, oxygen therapy, aerosol therapy or similar apparatus; breathing appliances (including gas masks and similar respirators)
- 90.19 Orthopaedic appliances, surgical belts, trusses and the like; splints and other fracture appliances; artificial limbs, eyes, teeth and other artificial parts of the body; hearing-aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 868 000 EUA and 45 % respectively.

- 90.20 Apparatus based on the use of X-rays or of the radiations from radioactive substances (including radiography and radiotherapy apparatus); X-ray generators; X-ray tubes; X-ray screens; X-ray high tension generators; X-ray control panels and desks; X-ray examination or treatment tables, chairs and the like
- 90.21 Instruments, apparatus or models, designed solely for demonstrational purposes (for example, in education or exhibition), unsuitable for other uses
- 90.22 Machines and appliances for testing mechanically the hardness, strength, compressibility, elasticity and the like properties of industrial materials (for example, metals, wood, textiles, paper or plastics)
- 90.23 Hydrometers and similar instruments; thermometers, pyrometers, barometers, hygrometers, psychrometers, recording or not; any combination of these instruments
- 90.24 Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats, level gauges, flow meters, heat meters, automatic oven-draught regulators), not being articles falling within heading No 90.14
- 90.25 Instruments and apparatus for physical or chemical analysis (such as polarimeters, refractometers, spectrometers, gas analysis apparatus), instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like (such as viscometers, porosimeters, expansion meters); instruments and apparatus for measuring or checking quantities of heat, light or sound (such as photometers (including exposure meters), calorimeters); microtomes
- 90.26 Gas, liquid and electricity supply or production meters; calibrating meters therefor
- 90.27 Revolution counters, production counters, taximeters, mileometers, pedometers, and the like, speed indicators (including magnetic speed indicators) and tachometers (other than articles falling within heading No 90.14); stroboscopes
- 90.28 Electrical measuring, checking, analysing or automatically controlling instruments and apparatus
- 90.29 Parts or accessories suitable for use solely or principally with one or more of the articles falling within heading No 90.23, 90.24, 90.26, 90.27 or 90.28

CHAPTER 91

- 91.01 Pocket-watches, wrist-watches, and other watches, including stop-watches
- 91.02 Clocks with watch movements (excluding clocks of heading No 91.03)
- 91.03 Instrument panel clocks and clocks of a similar type, for vehicles, aircraft or vessels
- 91.04 Other clocks
- 91.05 Time of day recording apparatus; apparatus with clock or watch movement (including secondary movement) or with synchronous motor, for measuring, recording or otherwise indicating intervals of time
- 91.06 Time switches with clock or watch movement (including secondary movement) or with synchronous motor
- 91.07 Watch movements (including stop-watch movements), assembled
- 91.08 Clock movements, assembled
- 91.09 Watch cases and parts of watch cases ⁽¹⁾

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 2 741 000 EUA and 25 % respectively.

91.10 Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof

91.11 Other clock and watch parts

CHAPTER 92

92.01 Pianos (including automatic pianos, whether or not with keyboards); harpsichords and other keyboard stringed instruments; harps but not including aeolian harps

92.02 Other string musical instruments

92.03 Pipe and reed organs, including harmoniums and the like

92.04 Accordions, concertinas and similar musical instruments; mouth organs

92.05 Other wind musical instruments

92.06 Percussion musical instruments (for example, drums, xylophones, cymbals, castanets)

92.07 Electro-magnetic, electrostatic, electronic and similar musical instruments (for example, pianos, organs, accordions)

92.08 Musical instruments not falling within any other heading of this Chapter (for example, fairground organs, mechanical street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effects of all kinds; mouthblown sound-signalling instruments (for example, whistles and boatswains' pipes)

92.10 Parts and accessories of musical instruments, including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds

92.11 Gramophones, dictating machines and other sound recorders or reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders or reproducers:

B. Television image and sound recorders or reproducers

92.12 Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording ⁽¹⁾

92.13 Other parts and accessories of apparatus falling within heading No 92.11

CHAPTER 93 ARMS AND AMMUNITIONS; PARTS THEREOF (*) (a)

CHAPTER 94

94.01 Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof:

A. Specially designed for aircraft

94.02 Medical, dental, surgical or veterinary furniture (for example, operating tables, hospital beds with mechanical fittings); dentists' and similar chairs with mechanical elevating, rotating or reclining movements; parts of the foregoing articles

(a) The asterisk covers only subheading 93.07 B.

⁽¹⁾ For products falling within this heading, the Community ceiling and maximum amount referred to in Article 1 (3) and (4) are set at 7 741 000 EUA and 30 % respectively.

- 94.04 Mattress supports; articles of bedding or similar furnishing fitted with springs or stuffed or internally fitted with any material or of expanded, foam or sponge rubber or expanded, foam or sponge artificial plastic material, whether or not covered (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows)

CHAPTER 95 ARTICLES AND MANUFACTURES OF CARVING OR MOULDING MATERIAL

CHAPTER 96 BROOMS, BRUSHES, POWDER-PUFFS AND SIEVES (*) (a)

CHAPTER 97

- 97.01 Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles and pedal motorcars); dolls' prams and dolls' pushchairs
- 97.04 Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table-tennis requisites ⁽¹⁾ (*) (b)
- 97.06 Appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games (other than articles falling within heading No 97.04):
- B. Tennis rackets
- C. Other
- 97.07 Fish-hooks, line fishing rods and tackle; fish landing nets and butterfly nets; decoy 'birds', lark mirrors and similar hunting or shooting requisites
- 97.08 Roundabouts, swings, shooting galleries and other fairground amusements; travelling circuses, travelling menageries and travelling theatres

CHAPTER 98

- 98.01 Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs; blanks and parts of such articles
- 98.02 Slide fasteners and parts thereof
- 98.03 Fountain pens, stylograph pens and pencils (including ballpoint pens and pencils and other pens), pen-holders, pencil-holders and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No 98.04 or 98.05
- 98.04 Pen nibs and nib points
- 98.05 Pencils (other than pencils of heading No 98.03), pencil leads, slate pencils, crayons and pastels, drawing charcoals and writing and drawing chalks; tailors' and billiard chalks
- 98.06 Slates and boards, with writing or drawing surfaces, whether framed or not
- 98.07 Date, sealing or numbering stamps, and the like (including devices for printing or embossing labels), designed for operating in the hand; hand-operated composing sticks and hand printing sets incorporating such composing sticks
- 98.08 Typewriter and similar ribbons, whether or not on spools; ink-pads with or without boxes
- 98.09 Sealing wax (including bottle-sealing wax) in sticks, cakes or similar forms; copying pastes with a basis of gelatin, whether or not with a paper or textile backing

(a) The asterisk covers only subheadings 96.01 B I and III.

(b) The asterisk covers only subheading 97.04 A.

⁽¹⁾ For products falling within heading No 97.04, the Community maximum amount referred to in Article 1 (4) is set at 25 %.

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|-------|--|
| 98.10 | Mechanical lighters and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks |
| 98.11 | Smoking pipes; pipe bowls, stems and other parts of smoking pipes (including roughly shaped blocks of wood or root); cigar and cigarette holders and parts thereof |
| 98.12 | Combs, hair-slides and the like |
| 98.14 | Scent and similar sprays of a kind used for toilet purposes, and mounts and heads therefor |
| 98.16 | Tailors' dummies and other lay figures; automata and other animated displays of a kind used for shop window dressing |
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ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 – OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries to which Article 2 (1) and (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3157/78

of 29 December 1978

opening, allocating and providing for the administration of Community tariff preferences
for textile products originating in developing countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and
Social Committee ⁽²⁾,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas, in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50% of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should normally be calculated on the basis of the total value for 1968 of cif imports from the

countries benefiting from this scheme excluding those already enjoying various preferential tariff arrangements granted by the Community (basic amount), plus 5% of the value of cif imports from other countries, and from the countries already enjoying such arrangements (additional amount);

Whereas, however, in respect of cotton textile products formerly covered by the long-term arrangement regarding international trade in cotton textiles, the offer in question laid down that the preferences in the form of duty-free ceilings normally calculated according to the formula set out in the preceding recital would be granted to the countries enjoying generalized preferences which are signatories to the long-term arrangement, or possibly to those countries which undertook *vis-à-vis* the Community commitments similar to those existing under that arrangement, and that they would be accorded for the duration of the said arrangement; whereas the arrangement was due to expire on 30 September 1973 and was extended to 31 December 1973; whereas, provisionally for the period 1 January 1974 to 30 June 1978, it was considered that the countries concerned would adopt measures with equivalent aims, for both cotton textile and like products, pending the implementation of the arrangement regarding international trade in textiles ⁽³⁾; whereas the latter expired on 31 December 1977 and whereas the Community has participated in negotiations for its renewal and has accepted its prolongation, subject to the conditions and rules set out in a protocol to which have been attached the conclusions adopted by the Textiles Committee on 14 December 1977; whereas, within the framework of the said arrangement regarding international trade in textiles, bilateral agreements have been negotiated between the Community and certain supplier countries and territories which enjoy generalized preferences covering trade in textiles for the period 1 January 1978 to 31 December 1982; whereas under these agreements these countries and territories have accepted a quantitative limitation of their exports of certain textile products to the Community during the said period; whereas it would therefore be sufficient under this Regulation to limit the benefit of preferences in the textile sector to products originating in the said countries and territories and in those which were to give the Community similar undertakings;

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 118, 30. 4. 1974, p. 1.

Whereas, however, the implementation of a system of tariff preferences for textile products which will take due account of the results of the textile policy pursued under the arrangement regarding international trade in textiles constitutes a fairly complex operation necessitating an intensive study of the specific rules to be put into effect and of their impact on trade in textile products in general and preferential imports in particular; whereas, furthermore, this study cannot be carried out without certain information being known relating to the application of this arrangement, particularly as regards the functioning of the system of surveillance introduced to ensure the proper working of the agreements;

Whereas it was therefore desirable to extend, on exactly the same basis and for a further period of six months beginning 1 July 1978, the arrangements laid down in Regulation (EEC) No 2706/77⁽¹⁾, which was applicable during the first half of 1978;

Whereas the arrangements laid down in Regulation (EEC) No 2706/77 should be extended for a further period of six months, with the volumes concerned being increased by 5%,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 30 June 1979, the Common Customs Tariff duties on the products listed in Annexes A, B and C shall be totally suspended within the framework of Community tariff quotas or within the limits of Community ceilings.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex D, subject to the details given in Annexes A, B and C.

However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community shall not be charged against the tariff quotas or ceilings referred to in paragraph 1. For the purposes of this Regulation, the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

With regard to carpets, carpeting and rugs of wool or fine animal hair, falling within heading No 58.01 and

mentioned in Annexes A and C, the certificates of origin for these products shall state the number of knots per metre of warp.

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

SECTION I

Provisions relating to the administration of the Community tariff ceilings

Article 2

1. Subject to the provisions of Articles 3 and 4, this suspension shall be granted, in respect of each category of products, within the limits of a Community ceiling expressed in tonnes:

— indicated, for each of the products listed in Annex B, under (a) in column 5,

— equal, as regards the products listed in Annex C, to 91.5% of the amount obtained by adding together imports into the Community in 1968, expressed in tonnes, of the products concerned from the independent countries listed in Annex D, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5% of the tonnage of imports in 1970 from other countries and from countries already enjoying such arrangements.

2. Only the products originating in the countries and territories listed in Annex D, other than those specified under (b) in column 4 of Annex B, in respect of the corresponding products, may be charged against the ceilings fixed under (a) in column 5 of the said Annex B.

3. Subject to the provisions of Articles 3 and 4, within each ceiling thus indicated or calculated, charges of products originating in any one of the countries and territories listed in Annex D must not exceed a Community maximum amount equivalent to 50% of this ceiling with the exception of certain products for which the maximum amount shall be reduced to the percentage shown in Annex C.

Article 3

1. As soon as the ceilings indicated or calculated in accordance with Article 2 (1), which are laid down for Community imports of products originating in all the countries and territories referred to in Article 1 (2) —

⁽¹⁾ OJ No L 324, 19. 12. 1977, p. 67.

account being taken of Article 2 (2) — are reached at Community level, the levying of customs duties on imports of the products in question from all the countries and territories concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with Article 2 (3) — account being taken of Article 2 (2) — for Community imports of products originating in each of the countries and territories referred to in Article 1 (2) are reached for any one of these countries or territories at Community level, the levying of customs duties on imports of the products in question from the country or territory concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

However, the first subparagraph shall not apply to the imports in question originating in the countries listed in Annex E.

Article 4

The Commission shall reintroduce the levying of customs duties in respect of all the countries or territories referred to in Article 1 (2) or in respect of any one of them by means of a Regulation according to the conditions laid down in Article 3 (1) and (2).

SECTION II

Provisions relating to the allocation and administration of the Community tariff quotas

Article 5

1. The total suspension of customs duties within the framework of the Community tariff quotas referred to in Article 1 (1) concerns the products in Annex A and the products in Annex B for each of which the quota amount, expressed in tonnes, is indicated in column 3 of Annex A under (a) in column 4 of Annex B.

2. The amount to be charged in respect of each independent country referred to in Article 1 (2) against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given under (a) in column 4 of Annex A against each category of products.

For the products listed in Annex A, charges of the products originating in each of the countries listed

under (b) in column 4 of the said Annex shall be limited in each Member State to 10 % of its share. Each Member State shall reintroduce the levying of normal customs duties in respect of the country concerned as soon as it records that the said percentage has been reached. The Member State in question shall immediately notify the Commission, which shall inform the other Member States without delay.

This limitation of the amount charged shall not apply to the tariff quotas given under (a) in column 4 of Annex B, such quotas being available only to the countries and territories mentioned opposite, under (b) in column 4 of the said Annex, considered as a group.

Article 6

1. For the products listed in Annexes A and B, the Community tariff quotas referred to in Article 5 (1) shall be allocated in shares which shall be, for each Member State, the amounts corresponding to the tonnages shown in column 5 of Annex A and under (c) in column 4 of Annex B against each category of products.

2. The shares allocated to Denmark for certain products falling within heading Nos and subheadings 51.04, ex 55.05, ex 55.09, 56.05 A, 56.07 A and ex 59.04 shall be increased by an amount determined in a footnote to Annex A.

The first and second subparagraphs of Article 5 (2) shall not apply to such an increase.

Article 7

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

Article 8

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 5 (2) is observed. When the charges, at Community level, of products originating in each of the independent countries listed in Annex D against any one of the Community tariff quotas reach the maximum amount laid down under (a) in column 4 of Annex A, the Commission shall immediately notify the Member States of the date on which, as a result of this fact, the normal tariff is to be reintroduced in respect of the independent country in question. This notification shall be published in the *Official Journal of the European Communities*.

SECTION III

General provisions

Article 9

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

2. Goods may be charged against a ceiling or maximum amount or admitted under a tariff quota only if the certificate of origin referred to in paragraph 1 is presented before the date on which the levying of duties is reintroduced.

3. The extent to which the ceilings, shares and maximum amounts have been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

4. Any amendment to Annex D, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the amounts of the Community ceilings, quotas and maximum amounts referred to in Articles 2 (1) and (3), and 5 (1) and (2).

Article 10

On receipt of a request from the Commission, and in any case at least monthly, Member States shall inform it of imports of the products concerned charged against their shares and the Community ceilings and maximum amounts.

Article 11

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

Article 12

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of textile products subject to zero-duty Community tariff quotas under the generalized tariff preferences granted to developing countries

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
1	51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	201	30	10 for — Colombia — Korea (South)	Germany 54.27 Benelux 20.10 France 38.19 Italy 28.14 Denmark ⁽¹⁾ 14.07 Ireland 2.01 United Kingdom 44.22
2	55.05	Cotton yarn, not put up for retail sale: B. Other: II. Other: Measuring, per single yarn, per kg: — 14 000 m or less	732	30	10 for Brazil	Germany 197.64 Benelux 73.20 France 139.08 Italy 102.48 Denmark 51.24 Ireland 7.32 United Kingdom 161.04

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 6.73 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
3	55.05 (cont'd)	— More than 14 000 m but not more than 40 000 m	3 377	30	10 for — Brazil — Mexico	Germany 911.79 Benelux 337.70 France 641.63 Italy 472.78 Denmark (1) 236.39 Ireland 33.77 United Kingdom 742.94
4		— More than 40 000 m but not more than 80 000 m	1 161	30	10 for — Brazil — Colombia — Mexico	Germany 313.47 Benelux 116.10 France 220.59 Italy 162.54 Denmark (2) 81.27 Ireland 11.61 United Kingdom 255.42
5		— More than 80 000 m but less than 120 000 m	167.50	20		Germany 45.22 Benelux 16.75 France 31.82 Italy 23.45 Denmark 11.73 Ireland 1.68 United Kingdom 36.85

(1) Pursuant to Article 6 (2) this share is increased by 275.21 tonnes.

(2) Pursuant to Article 6 (2) this share is increased by 149.25 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
6	55.09	Other woven fabrics of cotton: A. Containing 85% or more by weight of cotton: I. Of a width of less than 85 cm: — Unbleached	488	40		Germany 131.76 Benelux 48.80 France 92.72 Italy 68.32 Denmark 34.16 Ireland 4.88 United Kingdom 107.36
7		— Other	298	40	10 for — Colombia — Mexico	Germany 80.46 Benelux 29.80 France 56.62 Italy 41.72 Denmark 20.86 Ireland 2.98 United Kingdom 65.56
8		II. Other: — Unbleached, of a width of: — 85 cm or more but not more than 115 cm	3 024	30	10 for Brazil	Germany 816.48 Benelux 302.40 France 574.56 Italy 423.36 Denmark 211.68 Ireland 30.24 United Kingdom 665.28

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
9	55.09 (cont'd)	— More than 115 cm but not more than 165 cm	1 837.50	40	10 for — Brazil — Colombia — Korea (South)	Germany Benelux France Italy Denmark ⁽¹⁾ Ireland United Kingdom 496.12 183.75 349.12 257.25 128.63 18.38 404.25
10		— More than 165 cm	593	40	10 for — Brazil — Korea (South) — Singapore — Yugoslavia	Germany Benelux France Italy Denmark Ireland United Kingdom 160.11 59.30 112.67 83.02 41.51 5.93 130.46
11		— Other	287	40	10 for — Brazil — Colombia — Mexico	Germany Benelux France Italy Denmark ⁽²⁾ Ireland United Kingdom 77.49 28.70 54.53 40.18 20.09 2.87 63.14
12	B. Other		164.50	40	10 for Yugoslavia	Germany Benelux France Italy Denmark Ireland United Kingdom 44.42 16.45 31.25 23.03 11.52 1.65 36.18

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 196.8 tonnes.

⁽²⁾ Pursuant to Article 6 (2) this share is increased by 294.47 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
13	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: A. Of synthetic textile fibres	333	30	10 for — Korea (South) — Singapore	Germany 89.91 Benelux 33.30 France 63.27 Italy 46.62 Denmark ⁽¹⁾ 23.31 Ireland 3.33 United Kingdom 73.26
14	56.07	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres	310	30	10 for Korea (South)	Germany 83.70 Benelux 31.00 France 58.90 Italy 43.40 Denmark ⁽²⁾ 21.70 Ireland 3.10 United Kingdom 68.20
15	58.01	Carpets, carpeting and rugs, knotted (made up or not): ex A. Of wool or of fine animal hair, containing per metre of warp not more than 500 rows of knots	2 839	40		Germany 766.53 Benelux 283.90 France 539.41 Italy 397.46 Denmark 198.73 Ireland 28.39 United Kingdom 624.58

⁽¹⁾ Pursuant to Article 6 (2) this share is increased by 15.41 tonnes.

⁽²⁾ Pursuant to Article 6 (2) this share is increased by 116.03 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
16	ex 59.04	Twine, cordage, ropes and cables plaited or not: — Of hemp	1 459	40		Germany 393.93 Benelux 145.90 France 277.21 Italy 204.26 Denmark 102.13 Ireland 14.59 United Kingdom 320.98
17		— Of sisal (Agave sisalana)	365.50	30		Germany 98.68 Benelux 36.55 France 69.45 Italy 51.17 Denmark (1) 25.59 Ireland 3.66 United Kingdom 80.40
18		— Of synthetic textile fibres	351	20		Germany 94.77 Benelux 35.10 France 66.69 Italy 49.14 Denmark 24.57 Ireland 3.51 United Kingdom 77.22
19		— Other, other than of jute or of other textile bast fibres of heading No 57.03 or of coir	274	30		Germany 73.98 Benelux 27.40 France 52.06 Italy 38.36 Denmark 19.18 Ireland 2.74 United Kingdom 60.28

(1) Pursuant to Article 6 (2) this share is increased by 39.5 tonnes.

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
20	60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: B. Of synthetic textile fibres	60	30	10 for Korea (South)	Germany 16.20 Benelux 6.00 France 11.40 Italy 8.40 Denmark 4.20 Ireland 0.60 United Kingdom 13.20
21		A. Of wool or of fine animal hair C. Of cotton D. Of other textile materials	210	30	10 for — Korea (South) — Yugoslavia	Germany 56.70 Benelux 21.00 France 39.90 Italy 29.40 Denmark 14.70 Ireland 2.10 United Kingdom 46.20
22	60.04	Under garments, knitted or crocheted, not elastic or rubberized	1 288	30	10 for — Korea (South) — Yugoslavia	Germany 347.76 Benelux 128.80 France 244.72 Italy 180.32 Denmark 90.16 Ireland 12.88 United Kingdom 283.36

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
23	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	422	30	10 for — Korea (South) — Yugoslavia	Germany 113.94 Benelux 42.20 France 80.18 Italy 59.08 Denmark 29.54 Ireland 4.22 United Kingdom 92.84
24	61.01	Men's and boys' outer garments	443	30	10 for — Korea (South) — Yugoslavia	Germany 119.61 Benelux 44.30 France 84.17 Italy 62.02 Denmark 31.01 Ireland 4.43 United Kingdom 97.46
25	61.02	Women's, girls' and infants' outer garments	347	30	10 for — Korea (South) — Yugoslavia	Germany 93.69 Benelux 34.70 France 65.93 Italy 48.58 Denmark 24.29 Ireland 3.47 United Kingdom 76.34
26	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	391	30	10 for — Korea (South) — Yugoslavia	Germany 105.57 Benelux 39.10 France 74.29 Italy 54.74 Denmark 27.37 Ireland 3.91 United Kingdom 86.02

Order No	CCT heading No (1)	Description (2)	Quota amount (in tonnes) (3)	Maximum amount per country (in %) (4)		Volume of shares allocated to Member States (in tonnes) (5)
				(a) general	(b) special	
27	61.04	Women's, girls' and infants' under garments	155.50	30	10 for — Korea (South) — Yugoslavia	Germany 41.98 Benelux 15.55 France 29.55 Italy 21.77 Denmark 10.89 Ireland 1.55 United Kingdom 34.21
28	61.05	Handkerchiefs	82	30		Germany 22.14 Benelux 8.20 France 15.58 Italy 11.48 Denmark 5.74 Ireland 0.82 United Kingdom 18.04
29	61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	52.50	30		Germany 14.17 Benelux 5.25 France 9.98 Italy 7.35 Denmark 3.68 Ireland 0.52 United Kingdom 11.55
30	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles	189	30	10 for Brazil	Germany 51.03 Benelux 18.90 France 35.91 Italy 26.46 Denmark 13.23 Ireland 1.89 United Kingdom 41.58

ANNEX B

List of textile products referred to in Articles 2 and 5 which are subject to zero-duty Community ceilings and tariff quotas under the generalized tariff preferences for developing countries and territories

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)	
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b) in % (1) in tonnes (2)
1	50.09	Woven fabrics of silk, of noil or other waste silk	102	30.50	Brazil Korea (South)	Germany Benelux France Italy Denmark Ireland United Kingdom	71.50	50 35.75
2	53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale	210.50	63	Brazil Uruguay	Germany Benelux France Italy Denmark Ireland United Kingdom	147.50	50 73.75
3	54.03	Flax or ramie yarn, not put up for retail sale	128	25.50	Brazil	Germany Benelux France Italy Denmark Ireland United Kingdom	102.50	50 51.25
4	55.05	Cotton yarn, not put up for retail sale: A. Multiple or cabled, finished in balls or on cards, reels, tubes or similar supports, of a weight (including support) not exceeding 900 g	28	8.50	Brazil Hong Kong	Germany Benelux France Italy Denmark Ireland United Kingdom	19.50	50 9.75

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
5	55.05 (cont'd)	B. Other: I. Measuring, per single yarn, 120 000 m or more per kg	26.50	5.50	Brazil	Germany Benelux France Italy Denmark Ireland United Kingdom	21	50	10.50
6	55.08	Terry towelling and similar terry fabrics of cotton	54.50	11	Brazil	Germany Benelux France Italy Denmark Ireland United Kingdom	43.50	50	21.75
7	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres	346.50	104	Brazil Yugoslavia	Germany Benelux France Italy Denmark Ireland United Kingdom	242.50	50	121.25

Order No	CCT heading No	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)	
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b) in % (1) in tonnes (2)
8	58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)	247.50	74.50	Colombia Korea (South) Hong Kong	Germany Benelux France Italy Denmark Ireland United Kingdom	173	50 86.50
9	58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than of jute or other textile bast fibres of heading No 57.03, other than goods falling within heading No 58.06	52.50	10.50	Hong Kong	Germany Benelux France Italy Denmark Ireland United Kingdom	42	50 21
10	58.10	Embroidery, in the piece, in strips or in motifs	86	17	Korea (South)	Germany Benelux France Italy Denmark Ireland United Kingdom	69	50 34.50

Order No	CCT heading No (1)	Description (2)	Total preferential amount (in tonnes) (3)	Quota (4)			Ceiling (5)		
				Amount (in tonnes) (a)	Beneficiary countries and territories (b)	Volume of shares allocated to Member States (in tonnes) (c)	Amount (in tonnes) (a)	Maximum amount per country and territory (b)	
								in % (1)	in tonnes (2)
11	60.01	Knitted or crocheted fabrics, not elastic or rubberized	413	124	Brazil Uruguay Yugoslavia	Germany 33.48 Benelux 12.40 France 23.56 Italy 17.36 Denmark 8.68 Ireland 1.24 United Kingdom 27.28	289	50	144.50
12	60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized	52.50	16.00	Korea (South) Hong Kong	Germany 4.32 Benelux 1.60 France 3.04 Italy 2.24 Denmark 1.12 Ireland 0.16 United Kingdom 3.52	36.50	50	18.25
13	62.03	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: I. Used: a) Of flax or of sisal ex b) Other (excluding coir fibres) ex II. Other (excluding coir fibres)	266.50	80	Korea (South) Hong Kong	Germany 21.60 Benelux 8.00 France 15.20 Italy 11.20 Denmark 5.60 Ireland 0.80 United Kingdom 17.60	186.50	50	93.25

ANNEX C

List of products originating in developing countries and territories to which the generalized tariff preferences for certain textile products will apply (a)

Order No	CCT heading No	Description
	CHAPTER 50	
1	50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale
2	50.05	Yarn spun from noil or other waste silk, not put up for retail sale
3	50.07	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale; silk-worm gut; imitation catgut of silk
	CHAPTER 51	
4	51.01	Yarn of man-made fibres (continuous), not put up for retail sale ⁽¹⁾
5	51.02	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials
6	51.03	Yarn of man-made fibres (continuous), put up for retail sale
7	CHAPTER 52	METALLIZED TEXTILES
	CHAPTER 53	
8	53.06	Yarn of carded sheep's or lambs' wool (wollen yarn), not put up for retail sale
9	53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale
10	53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale
11	53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale
12	53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair ⁽²⁾
13	53.12	Woven fabrics of horsehair or of other coarse animal hair

(a) Products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

⁽¹⁾ For products falling within subheading 51.01 A and B II, the maximum Community amount referred to in Article 2 (3) is reduced to 30 %.

⁽²⁾ For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 20 %.

Order No	CCT heading No	Description
	CHAPTER 54	
14	54.04	Flax or ramie yarn, put up for retail sale
15	54.05	Woven fabrics of flax or of ramie
	CHAPTER 55	
16	55.06	Cotton yarn, put up for retail sale
17	55.07	Cotton gauze
	CHAPTER 56	
18	56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾
19	56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous) ⁽¹⁾
20	56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning ⁽¹⁾
21	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning
22	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres
23	56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale
	CHAPTER 57	
24	ex 57.07	Yarn of other vegetable textile fibres, other than coir yarn; paper yarn
25	ex 57.11	Woven fabrics of other vegetable textile fibres, other than those of coir; woven fabrics of paper yarn
	CHAPTER 58	
26	ex 58.01	Carpets, carpeting and rugs, knotted (made up or not), other than of jute or of other textile bast fibres of heading No 57.03 or of coir or wool or fine animal hair, containing per metre of warp not more than 500 rows of knots
27	58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not):

⁽¹⁾ For products falling within this heading, the maximum Community amount referred to in Article 2 (3) is reduced to 30%.

Order No	CCT heading No	Description
27	58.02 (cont'd)	ex A. Carpets, whether tufted or not other than of jute or other textile bast fibres of heading No 57.03 or coir
28		B. 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like
29	58.03	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point and cross stitch) made in panels and the like by hand
30	58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size
31	58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like
32	58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain
33	58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs
	CHAPTER 59	
34	59.01	Wadding and articles of wadding; textile flock and dust and mill neps
35	59.02	Felt and articles of felt, whether or not impregnated or coated
36	59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated
37	59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope
38	59.06	Other articles made from yarn, twine, cordage, rope or cables other than textile fabrics and articles made from such fabrics
39	59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses
40	59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials
41	59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not
42	59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods
43	59.12	Textile fabrics otherwise impregnated or coated; painting canvas being theatrical scenery, studio back-cloths or the like

Order No	CCT heading No	Description
44	59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads
45	59.14	Wicks, of woven, plaited or knitted textile materials, for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles
46	59.15	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials
47	59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material
48	59.17	Textile fabrics and textile articles of a kind commonly used in machinery or plant
	CHAPTER 60	
49	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings)
	CHAPTER 61	
50	61.06	Shawls, scarves, mufflers, mantillas, veils and the like
51	61.07	Ties, bow ties and cravats
52	61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods
53	61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)
	CHAPTER 62	
54	62.01	Travelling rugs and blankets
55	62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods
56	ex 62.05	Other made up textile articles (including dress patterns) other than of jute, other than textile bast fibres of heading No 57.03 or coir
	CHAPTER 63	
57	ex 63.01	Clothing, clothing accessories, travelling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No 58.01, 58.02 or 58.03), of textile materials; footwear and headgear of any material, showing signs of appreciable wear and imported in bulk or in bales, sacks or similar bulk packings other than of jute, other than textile bast fibres of heading No 57.03 or coir

ANNEX D

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex E.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX E

List of least developed developing countries to which the first subparagraph of Article 3 (2) does not apply

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3158/78

of 29 December 1978

opening tariff preferences in the form of a suspension of customs duties for jute manufactures originating in India, Thailand and Bangladesh and for coir manufactures originating in India and Sri Lanka

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Common Customs Tariff which originate in developing countries;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas, however, as regards jute and coir products, the said offer includes the elimination of customs duties only where special arrangements have been made with the developing exporting countries;

Whereas the Agreements concluded between the Community and India on jute and coir manufactures

expired on 31 December 1975; whereas pending the conclusion of a new Agreement with this country and with particular reference to terms enabling the special arrangements referred to above to be put into effect, the Community has considered that it is advisable in general to extend for 1976 the preferential tariff scheme which was in force for 1975; whereas the same scheme has also been for Bangladesh but exclusively for its jute products, whose situation is appreciably the same as that described above; whereas for 1977, on the basis of the negotiations with India and Bangladesh, new tariff suspensions have been applied, as in respect of Thailand and Sri Lanka;

Whereas, under the Agreements concluded between the Community and India of the one part and Bangladesh of the other, duties were completely suspended for the second half of 1978; whereas in view of the *ad hoc* measures agreed between the Community and Sri Lanka in respect of coir manufactures and between the Community and Thailand in respect of jute manufactures, an equivalent preferential tariff scheme may be adopted as regards these two countries;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽³⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of these suspensions should be restricted to the said products originating in India, Bangladesh, Thailand and Sri Lanka, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Common Customs Tariff duties on the products listed below shall

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 1.

CCT heading No	Description	Preferential rate of duty %
57.06	Yarn of jute or of other textile bast fibres of heading No 57.03	0
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03:	
	A. Of a width of not more than 150 cm and weighing per m ² :	
	I. Less than 310 g	0
	II. Not less than 310 g but not more than 500 g	0
	III. More than 500 g	0
	B. Of a width of more than 150 cm	0
58.02	Other carpets, carpeting, rugs, mats and matting and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not):	
	A. Carpets, carpeting, rugs, mats and matting:	
	ex I. Coir mats and matting, and tufted carpets of jute or of other textile bast fibres of heading No 57.03 and of coir	0
	ex II. Carpets, carpeting, rugs, mats and matting, of jute or of other textile bast fibres of heading No 57.03	0
ex 58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, of jute or of other textile bast fibres of heading No 57.03, other than goods falling within heading No 58.06	0
ex 59.04	Twine, cordage, ropes and cables, plaited or not, of jute or of other textile bast fibres of heading No 57.03	0
62.03	Sacks and bags, of a kind used for the packing of goods:	
	A. Of jute or of other textile bast fibres of heading No 57.03:	
	II. Other:	
	a) Of fabric weighing less than 310 g/m ²	0
	b) Of fabric weighing not less than 310 g/m ² but not more than 500 g/m ²	0
	c) Of fabric weighing more than 500 g/m ²	0

be suspended at the preferential rates indicated for each of them.

2. The benefit of the suspensions referred to in paragraph 1 shall be restricted to products originating in India until 31 December 1979. Products originating in Bangladesh and Thailand, except coir mats and matting and tufted carpets of coir, shall also benefit from these suspensions. Coir mats and matting and tufted carpets of coir originating in Sri Lanka shall also benefit from the suspensions. For the purposes of this Regulation, the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

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

2. The Member States shall, on request, inform the Commission of imports benefiting under the preceding provisions.

Article 3

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

COUNCIL REGULATION (EEC) No 3159/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured Virginia type tobaccos originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas in the Joint Declaration of Intent, on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore ⁽³⁾, the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas, on the one hand, for several Asian countries of the Commonwealth and particularly India, the types of unmanufactured tobaccos concerned are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community and, on the other hand, these countries are among the worst hit by the present economic crisis; whereas the system of generalized tariff preferences may constitute a solution to the problems of this nature; whereas these types of tobaccos should be included in the generalized preferences scheme;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that

Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the tobacco sector generally and of the need to safeguard the interests of the associated countries and of the ACP States in this field, to lay down for raw or unmanufactured Virginia type tobacco special conditions consisting in a reduction of the customs duty applicable to these products within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

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

Whereas tariff preferences have been applied as from the second half of 1971; whereas, however, for the flue-cured Virginia type tobacco, the said system of tariff preferences has been made applicable from 1974 and it is appropriate to apply this system henceforth for all Virginia type tobaccos;

Whereas it is expedient, therefore, that the Community should open for 1979 for these raw or unmanufactured tobaccos, originating in the countries and territories listed in the Annex, a Community tariff quota limited to

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 195.

60 000 tonnes, at a customs duty rate of 7% with a minimum charge of 15 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheading 24.01 ex B and with a maximum charge of 45 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community ceiling, arrangements should be made for the customs duties on imports originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first

being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might be fixed at a relatively high level, in this case 98% of the full quota;

Whereas, on the basis of the available statistical data which cover only a relatively brief period and whereas they should be weighted on the basis of the estimates which may be made in respect of the quota year, the shares in the first tranche may be set out as follows:

Germany	10 315 tonnes,
Benelux	5 586 tonnes,
France	980 tonnes,
Italy	3 920 tonnes,
Denmark	1 862 tonnes,
Ireland	1 935 tonnes,
United Kingdom	34 202 tonnes;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas 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, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 % of their initial share; 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, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 178.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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

2. The second tranche of 1 200 tonnes shall constitute the reserve.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, a Community tariff quota of 60 000 tonnes shall be opened in the Community for the imports of raw or unmanufactured Virginia type tobaccos falling within subheadings 24.01 A ex I, 24.01 A ex II and 24.01 ex B of the Common Customs Tariff. Within this tariff quota the customs duty shall be suspended at 7% with a minimum charge of 15 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheading 24.01 ex B and a maximum charge of 45 European units of account per 100 kilograms net weight for Virginia type tobaccos falling within subheadings 24.01 A ex I and 24.01 A ex II.

However, in the context of this tariff quota, the customs duty on imports originating in the countries listed in Annex B shall be totally suspended.

2. This tariff quota shall apply solely to products originating in the countries and territories listed in Annex A. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against this tariff quota.

For the purposes of the application of this Regulation the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Entry to this tariff quota shall be subject to the production of a certificate of authenticity appearing in the certificate of origin and made out in accordance with the procedure referred to in the second subparagraph.

Article 2

1. A first tranche of 58 800 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1979, shall for each Member State be as follows:

Germany	10 315 tonnes,
Benelux	5 586 tonnes,
France	980 tonnes,
Italy	3 920 tonnes,
Denmark	1 862 tonnes,
Ireland	1 935 tonnes,
United Kingdom	34 202 tonnes.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

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

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 25 October 1979 has not exhausted one of its initial shares shall, not later than 7 November 1979 return to the reserve any unused portion in excess of 15 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 7 November 1979, notify the Commission of the total quantities of the product in question imported up to and including 25 October 1979 and charged against the Community quotas and of any portion of their initial shares 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 the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 21 November 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

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

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

Should imports of the products benefiting under the arrangements provided for in Article 1 be imported into the Community at prices such as to put or be likely to put Community producers of similar or directly competitive products at a serious disadvantage or create an unfavourable situation in the ACP States, the customs duties applied within the Community may be re-introduced in part or in full for imports of the products in question from the country or countries or territory or territories which are the cause of such disadvantage. Such measures may also be taken in the event of a serious disadvantage, either actual or foreseeable, which is confined to a single region of the Community.

Article 10

1. In order to ensure that Article 9 is applied, the Commission may, by way of a Regulation, re-introduce normal duties for a fixed period.

2. If the Commission has acted at the request of a Member State, the former shall give its decision within a maximum period of 10 working days from the date of receipt of the request and shall inform the Member State of the action it has taken.

3. Each Member State may refer the measure taken by the Commission to the Council within a period of 10 working days following the date it was notified. The fact that the matter has been referred to the Council shall not constitute the suspension of the measure. The Council shall meet without delay. Acting on a qualified majority, it may amend or repeal the measure in question.

Article 11

Articles 9 and 10 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall cooperate closely to ensure that the above Articles are observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660	Afghanistan	386	Malawi
666	Bangladesh	667	Maldives
284	Benin	232	Mali
675	Bhutan	672	Nepal
391	Botswana	240	Niger
328	Burundi	652	North Yemen
306	Central African Empire	324	Rwanda
244	Chad	819	Samoa
334	Ethiopia	342	Somalia
252	Gambia	656	South Yemen
260	Guinea	224	Sudan
452	Haiti	352	Tanzania
684	Laos	350	Uganda
395	Lesotho	236	Upper Volta

COUNCIL REGULATION (EEC) No 3160/78

of 29 December 1978

opening preferential tariffs for developing countries for raw or unmanufactured tobaccos falling within subheading 24.01 A ex II of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore ⁽³⁾, the Community declared its readiness to seek solutions to the problems which may arise in the field of trade for the countries referred to as well as for developing countries situated in the same geographical region;

Whereas, particularly for Indonesia, raw or unmanufactured tobaccos, other than Virginia type, falling within subheading 24.01 A ex II, represent an important export product; whereas the generalized preferences scheme may constitute a solution for problems arising in this connection; whereas these types of tobaccos should therefore be included in the generalized preferences scheme;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas, it appears appropriate however, in

view of the sensitiveness of the tobacco sector generally and of the need to safeguard the interests of the associated countries and of the ACP States in this field, to lay down for these raw or unmanufactured tobaccos special conditions consisting in a reduction of the customs duty applicable to these products within the limits of a Community tariff ceiling;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

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

Whereas tariff preferences have been applied as from the second half of 1971; whereas, however, for certain types of tobacco the said system of tariff preferences has been made applicable from 1974; whereas it is appropriate to extend this system also for tobaccos falling within subheading 24.01 A ex II;

Whereas it is expedient, therefore, that the Community should open for 1979 for the said raw or unmanufactured tobaccos, other than Virginia type, originating in the countries and territories listed in the Annex, a Community ceiling of 2 500 tonnes, at a customs duty rate of 7 % with a minimum charge of 33 European units of account and a maximum charge of 45 European units of account per 100 kilograms net weight;

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 195.

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community ceiling, provision should be made for the customs duties on imports originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is essential to reserve the benefit of this tariff suspension for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾; whereas the charging of imports against a ceiling must be carried out as and when the tobaccos concerned are presented for customs clearance under cover of declarations that they are intended for home use and are accompanied by a certificate of origin; whereas this method of administration must make provision for the re-introduction of customs duties as soon as the ceiling is reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceiling and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to re-introduce customs duties either generally or individually, when the ceiling is reached;

Whereas measures should be provided for which will enable any serious disruption in any sector of the economic activity of the Community to be avoided; whereas to this end, the Commission should be empowered to re-introduce partially or wholly the levying of customs duties in order that such disruption may be avoided,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, the duties under the Common Customs Tariff relating to raw or

unmanufactured tobacco, other than Virginia type, falling within subheading 24.01 A ex II shall be suspended at 7% with a minimum charge of 33 European units of account per 100 kilograms net weight and a maximum charge of 45 European units of account per 100 kilograms net weight.

However, as part of the Community ceiling referred to in paragraph 3, Common Customs Tariff duties on imports originating in the developing countries listed in Annex B shall be totally suspended.

2. This tariff suspension shall apply solely to products originating in the countries and territories listed in Annex A.

However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against the ceiling referred to in paragraph 3.

For the purposes of the application of this Regulation the concept of 'originating products' shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. Subject to Articles 2 and 4 this suspension shall be granted for the tobaccos in question up to a Community ceiling of 2 500 tonnes.

Article 2

As soon as the ceiling calculated in accordance with the provisions of Article 1 (3), which is laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2), is reached at Community level, the levying of customs duties on imports of the tobaccos from all the countries and territories listed in Annex A may at any time be re-introduced until the end of the period referred to in Article 1 (1).

Article 3

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

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

3. The extent to which the ceiling has been used up shall be determined at Community level on the basis of the imports charged in accordance with paragraphs 1 and 2.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

Article 4

1. The Commission, in close cooperation with the Member States, shall take all necessary measures to ensure that the above provisions are applied.
2. The Commission shall issue a Regulation to re-introduce the levying of customs duties in respect of all the countries and territories referred to in Article 1 (2) in accordance with Article 2.

Article 5

Member States shall inform the Commission periodically of imports of the products in question charged against the Community ceiling laid down in Article 1 (3). This information shall show both the value, expressed in European units of account, and the quantities expressed in tonnes.

Article 6

When products benefiting from the treatment provided for in Article 1 are imported into the Community at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 7

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 6 is applied.
2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.
3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 8

Articles 6 and 7 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 9

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3161/78

of 29 December 1978

establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalized preferences in favour of developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

Having regard to the proposal from the Commission,

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

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

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff which originate in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned should be effected without quantitative restrictions;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a

binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

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

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽⁴⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas it is expedient, therefore, that the Community should authorize the importation of the products referred to in Annex A, originating in the countries and territories listed in Annex B, subject to the customs duties given in respect of each of them, throughout 1979; whereas the benefit of such preferential terms should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽⁵⁾;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, the products listed in Annex A originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 should not be subject to customs duties;

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 1.

Whereas measures should be provided for which will enable any serious disruption in any sector of the economic activity of the Community to be avoided; whereas, to this end, the Commission should be empowered to re-introduce partially or wholly the levying of customs duties in order that such disruption may be avoided;

Whereas the Commission must be able to have access to information concerning imports effected within the framework of generalized preferences; whereas, to this end, Member States shall inform the Commission every three months of imports actually effected, classified by origin,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Community imports of the products listed in Annex A shall benefit from the customs duties specified for each product.

2. The treatment provided for in paragraph 1 shall be enjoyed solely by products originating in the countries and territories listed in Annex B.

For the purpose of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. The products listed in Annex A originating in the countries listed in Annex C shall be imported into the Community free of customs duties.

'Tequila' falling within subheading 22.09 C V ex a) shall qualify for the preferential system subject to the production of a certificate of authenticity appearing in the certificate of origin and drawn up according to the procedure referred to in the second subparagraph of paragraph 2.

Article 2

When products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community

producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 2 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 4

Articles 2 and 3 shall not prejudice the application of the protective clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty nor those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 5

Member States shall inform the Commission every three months of imports effected under this Regulation, classified by origin.

Article 6

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of products falling within Chapters 1 to 24 originating in developing countries and territories to which the generalized tariff preferences will apply (a)

CCT heading No	Description	Rate of duty
01.01	Live horses, asses, mules and hinnies: A. Horses: II. For slaughter (b) III. Other	2% 12%
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, frozen C. Other: ex I. Frogs' legs II. Other	7% Free Free Free
03.01	Fish, fresh (live or dead), chilled or frozen: B. Saltwater fish: I. Whole, headless or in pieces: e) Sharks g) Halibut (<i>Hippoglossus vulgaris</i> , <i>Hippoglossus reinhardtius</i>) ex q) Other: — Aquarium fish II. Fillets: b) Frozen: ex 7. Other: — Of sharks and of halibut C. Livers and roes	4% 4% Free Free 10% 5%
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process: A. Dried, salted or in brine: I. Whole, headless or in pieces: d) Common halibut (<i>Hippoglossus vulgaris</i>) e) Salmon, salted or in brine ex f) Hilsa spp, in brine	10% 2% 8%

Note: The terms expressed in the 'Rate of duty' column are explained under 'Abbreviations' on page 135.

(a) Agricultural products qualifying under the ordinary arrangements for exemption or total temporary suspension of the Common Customs Tariff duty are only token entries.

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

CCT heading No	Description	Rate of duty
03.02 <i>(cont'd)</i>	II. Fillets: ex d) Other: — Hilsa spp, in brine	10%
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:	
	A. Crustaceans:	
	I. Crawfish	7%
	II. Lobsters (<i>Homarus</i> spp): a) Live b) Other: 1. Whole 2. Other	7% 7% 7%
	III. Crabs and freshwater crayfish	7%
	IV. Shrimps and prawns: a) Prawns (<i>Pandalidae</i> spp) ex c) Other: — Prawns (<i>Palaemonidae</i> spp) — Prawns (<i>Penaeidae</i> spp)	6% 6% 6%
	ex V. Other (for example Norway lobsters): — <i>Peurullus</i> spp	7%
	B. Molluscs:	
	II. Mussels	7%
	IV. Other: a) Frozen: 1. Squid: aa) <i>Ommastrephes sagittatus</i> and <i>Loligo</i> spp 2. Cuttle-fish of the species <i>Sepia officinalis</i> , <i>Rossia macrosoma</i> and <i>Sepiola rondeleti</i> 3. Octopus 4. Other b) Other: 1. Squid (<i>Ommastrephes sagittatus</i> and <i>Loligo</i> spp 2. Other	4% 6% 4% 4% 4% 4%
04.06	Natural honey	22%
04.07	Edible products of animal origin, not elsewhere specified or included	6%
05.03	Horsehair and horsehair waste, whether or not put up on a layer or between two layers of other material:	
	B. Other	Free

CCT heading No	Description	Rate of duty
05.07	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers: A. Bed feathers; down: II. Other B. Other	Free Free
05.13	Natural sponges: B. Other	Free
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: A. Fresh: ex I. From 1 June to 31 October: — Orchids (family Orchidaceae) and Anthurium ex II. From 1 November to 31 May: — Orchids (family Orchidaceae) and Anthurium	15% 15%
07.01	Vegetables, fresh or chilled: ex T. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks) — Pumpkins, courges and courgettes, from 1 December to last day of February — Other, excluding celery sticks and parsley, from 1 January to 31 March	Free 9% 9%
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: ex E. Other vegetables: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder but not further prepared: ex B. Other: — Mushrooms, excluding cultivated mushrooms — Horse-radish (<i>Cochlearia armoracia</i>)	8% Free
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: B. Other: I. Peas (including chick peas) and beans (of the species <i>Phaseolus</i>):	

CCT heading No	Description	Rate of duty
07.05 (cont'd)	— Beans of the genus 'Phaseolus mungo' Free — Chick peas of the genus 'Cicer arietinum' Free — Other 3%	
	III. Other:	
	— Cajan peas of the genus 'Cajanus cajan' Free — Other 3%	
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith:	
	B. Other Free	
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guaves and mangosteens, fresh or dried, shelled or not:	
	ex B. Bananas:	
	— Dried 10%	
	D. Avocados 6%	
	E. Coconuts Free	
	H. Other:	
	— Mangosteens, guavas Free — Mangoes 5%	
08.02	Citrus fruit, fresh or dried:	
	ex E. Other:	
	— Limes and limettes (Citrus aurantifolia var. Lumio and var. Limetta) 9.6%	
08.04	Grapes, fresh or dried:	
	B. Dried:	
	I. In immediate containers of a net capacity of 15 kg or less Free ⁽¹⁾ II. Other Free ⁽¹⁾	
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not:	
	D. Pistachios Free	
	E. Pecans Free	
	F. Areca (or betel) and cola Free	
	ex G. Other (excluding hazelnuts) Free	
08.07	Stone fruit, fresh:	
	E. Other 7%	
08.08	Berries, fresh:	
	F. Other 6%	

⁽¹⁾ This exemption applies only to the developing countries listed in Annex C.

CCT heading No	Description	Rate of duty
ex 08.09	Other fruit, fresh:	
	— Rose-hips fruit	Free
	— Watermelons, from 1 November to 30 April	6.5%
	— Other, excluding melons and watermelons	6%
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar:	
	ex A. Bilberries (fruit of the species <i>Vaccinium myrtillus</i>), blackberries (brambleberries), mulberries and cloudberries	9%
	ex B. Other:	
	— Quinces	11%
	— Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8%
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption):	
	C. Papaws	Free
	D. Bilberries (fruit of the species <i>Vaccinium myrtillus</i>)	4%
	ex E. Other:	
	— Quinces	4%
	— Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B and F and 08.09, excluding pineapples, melons and watermelons	Free
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05:	
	A. Apricots	5.5%
	E. Papaws	Free
	ex G. Other:	
	— Tamarind (pods, pulp)	Free
08.13	Peel of melons and citrus fruit, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free
09.01	Coffee, whether or not roasted or free of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:	
	A. Coffee:	
	I. Unroasted:	
	a) Not free of caffeine	Free ⁽¹⁾
	b) Free of caffeine	10%
	II. Roasted:	
	a) Not free of caffeine	12%
	b) Free of caffeine	15%
	B. Husks and skins	10%
	C. Coffee substitutes containing coffee in any proportion	15%

⁽¹⁾ This exemption applies only to the developing countries listed in Annex C.

CCT heading No	Description	Rate of duty
09.02	Tea:	
	A. In immediate packings of a net capacity not exceeding 3 kg	Free
09.04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta':	
	A. Neither crushed nor ground:	
	I. Pepper:	
	b) Other	5%
	II. Pimento:	
	c) Other	5%
	B. Crushed or ground:	
	I. Pimento of the genus 'Capsicum'	7%
	II. Other	7%
09.06	Cinnamon and cinnamon-tree flowers:	
	A. Ground	5%
	B. Other	4%
09.07	Cloves (whole fruit, cloves and stems)	12%
09.08	Nutmeg, mace and cardamons:	
	A. Neither crushed nor ground:	
	II. Other:	
	a) Nutmeg	2%
	B. Crushed or ground:	
	I. Nutmeg	3%
	II. Mace	Free
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper:	
	A. Neither crushed nor ground:	
	I. Aniseed	Free
	II. Badian seed	11%
	III. Seeds of fennel, coriander, cumin, caraway and juniper:	
	b) Other:	
	2. Other	Free
	B. Crushed or ground:	
	I. Badian seed	12%
	III. Other	Free
09.10	Thyme, saffron and bay leaves; other spices:	
	F. Other spices, including the mixtures referred to in Note 1 (b) to this Chapter:	
	I. Neither crushed nor ground	4%
	II. Crushed or ground:	
	b) Other	5%

CCT heading No	Description	Rate of duty
11.04	Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8; flour and meal of sago and of roots and tubers falling within heading No 07.06: A. Flour of the dried leguminous vegetables falling within heading No 07.05 5% B. Flour of the fruits falling within any heading in Chapter 8: I. Of bananas: — Denatured (a) Free — Other 6% II. Other: — Chestnuts 7.5% — Not specified 5%	
12.07	Plants and parts (including seeds and fruits) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered: B. Liquorice roots Free C. Tonquin beans Free	
12.08	Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading: C. Locust bean seeds: I. Not decorticated, crushed or ground Free II. Other 6% D. Apricot, peach and plum stones, and kernels thereof Free	
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams: A. Conifer resins Free	
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: A. Vegetable saps and extracts: III. Of quassia amara Free IV. Of liquorice Free V. Of pyrethrum and of the roots of plants containing rotenone Free VII. Intermixtures of vegetable extracts, for the manufacture of beverages or of food preparations Free VIII. Other: a) Medicinal Free	

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

CCT heading No	Description	Rate of duty
13.03 (cont'd)	B. Pectic substances, pectinates and pectates: ex I. Dry, excluding apple, pear and quinze pectic substances ex II. Other, excluding apple, pear and quinze pectic substances C. Agar-agar and other mucilages and thickeners derived from vegetable products: I. Agar-agar II. Mucilages and thickeners extracted from locust beans or locust bean seeds	12% 7% Free Free
14.01	Vegetable materials of a kind used primarily for plaiting (for example, cereal straw, cleaned, bleached or dyed, osier, reeds, rushes, rattans, bambôos, raffia and lime bark): A. Osier: II. Other B. Cereal straw, cleaned, bleached or dyed	Free Free
15.03	Lard stearin, oleostearin and tallow stearin; lard oil, oleo-oil and tallow oil, not emulsified or mixed or prepared in any way: A. Lard stearin and oleostearin: II. Other B. Tallow oil for industrial uses other than the manufacture of foodstuffs for human consumption (a) C. Other	3% Free 5%
15.04	Fats and oils, of fish and marine mammals, whether or not refined: A. Fish-liver oil: I. Of a vitamin A content not exceeding 2 500 international units per gram	Free
15.05	Wool grease and fatty substances derived therefrom (including lanolin): A. Wool grease, crude B. Other	Free Free
15.06	Other animal oils and fats (including neat's foot oils and fats from bones or waste)	Free
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: B. China-wood and oiticica oils; myrtle wax and Japan wax C. Castor oil: II. Other	Free 6%

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

CCT heading No	Description	Rate of duty
15.07 (cont'd)	D. Other oils: I. For technical or industrial uses other than the manufacture of foodstuffs for human consumption (a): a) Crude: 1. Palm oil 2.5% ex 3. Other, excluding linseed oil, groundnut oil, sunflower seed oil and colza oil 2.5% b) Other: ex 2. Other: — Palm kernel and coconut oil 6.5% II. Other: a) Palm oil: 1. Crude 4% 2. Other 12% b) Other: 1. Solid, in immediate packings of a net capacity of 1 kg or less 18% 2. Solid, other; fluid: ex aa) Crude: — Palm kernel and coconut oil 7% ex bb) Other: — Palm kernel and coconut oil 13%	
15.10	Fatty acids; acid oils from refining; fatty alcohols: A. Stearic acid 2% B. Oleic acid 5% C. Other fatty acids; acid oils from refining Free D. Fatty alcohols 6%	
15.11	Glycerol and glycerol lyes: A. Crude glycerol and glycerol lyes Free B. Other, including synthetic glycerol Free	
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared: A. In immediate packings of a net capacity of 1 kg or less 16% B. Other 11%	
15.15	Spermaceti, crude, pressed or refined, whether or not coloured; beeswax and other insect waxes, whether or not coloured: A. Spermaceti, crude, pressed or refined, whether or not coloured Free	

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

CCT heading No	Description	Rate of duty
15.15 (cont'd)	B. Beeswax and other insect waxes, whether or not coloured: II. Other	Free
15.16	Vegetable waxes, whether or not coloured: B. Other	Free
15.17	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes: A. Degras B. Residues resulting from the treatment of fatty substances or animal or vegetable waxes: II. Other: a) Oil foots and dregs; soapstocks b) Other	Free Free Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal: — Game — Rabbit III. Other: b) Other: 1. Containing bovine meat or offal: ex bb) Other: — Prepared or preserved bovine tongue 2. Other: aa) Ovine meat or offal bb) Other	14% 9% 14% 17% 18% 16%
16.03	Meat extracts, meat juices and fish extracts, in immediate packings of a net capacity of: B. More than 1 kg but less than 20 kg C. 1 kg or less	1% 9%
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes: I. Caviar (sturgeon roe) II. Other B. Salmonidae ex F. Bonito (<i>Sarda</i> spp) and mackerel G. Other: I. Fillets, raw, coated with batter or breadcrumbs, deep frozen II. Other	12% 16% 4% 19% 10% 10%

CCT heading No	Description	Rate of duty
16.05	Crustaceans and molluscs, prepared or preserved:	
	A. Crabs	6.5%
	ex B. Other, excluding shrimps of the Crangon spp type and snails	6%
17.04	Sugar confectionery, not containing cocoa:	
	A. Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	9%
	B. Chewing gum	3% + vc with a max. of 23%
	C. White chocolate	5% + vc with a max. of 27% + ads
	D. Other	7% + vc with a max. of 27% + ads
18.03	Cocoa paste (in bulk or in block), whether or not defatted	11%
18.05	Cocoa powder, unsweetened	11%
18.06	Chocolate and other food preparations containing cocoa:	
	A. Cocoa powder, not otherwise sweetened than by the addition of sucrose	3% + vc
	C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	10% + vc with a max. of 27% + ads
19.02	Malt extract; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa:	
	B. Other:	
	I. Containing malt extract and not less than 30% by weight of reducing sugars (expressed as maltose)	3% + vc
	II. Other:	
	— Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free
	— Other	3% + vc
ex 19.04	Tapioca and sago, excluding tapioca and sago substitutes obtained from potato or other starches	4% + vc
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereals products (puffed rice, corn flakes and similar products)	2% + vc

CCT heading No	Description	Rate of duty
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: A. Crispbread B. Matzos C. Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products D. Other	3% + vc with a maximum of 24% + adf Free + vc with a maximum of 20% + adf Free + vc 5% + vc
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: A. Gingerbread and the like	5% + vc
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salts, spices or mustard: ex B. Other, excluding gherkins, cucumbers, 'mixed pickles' and sweet peppers	15%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers ex H. Other, including mixtures: — Moringa oleifera (drumsticks)	14% 20% 16% 12% Free
20.03	Fruit preserved by freezing, containing added sugar: ex A. With a sugar content exceeding 13% by weight: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex B. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	12% + (L) 12%
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized): B. Other: ex I. With a sugar content exceeding 13% by weight:	

CCT heading No	Description	Rate of duty
20.04 (cont'd)	— Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex II. Other: — Fruit falling within heading Nos 08.01, 08.02 D, 08.08 B, E and F and 08.09, excluding pineapples melons and watermelons	8% + (L) 8%
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: B. Jams and marmalades of citrus fruit: ex I. With a sugar content exceeding 30% by weight, excluding orange jam and marmalade ex II. With a sugar content exceeding 13% but not exceeding 30% by weight, excluding orange jam and marmalade ex III. Other, excluding orange jam and marmalade C. Other: I. With a sugar content exceeding 30% by weight: ex b) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex II. With a sugar content exceeding 13% but not exceeding 30% by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex III. Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	19% + (L) 19% + (L) 19% 12% + (L) 12% + (L) 12%
20.06	Fruit, otherwise prepared or preserved, whether or not containing added sugar spirit: A. Nuts (including ground-nuts), roasted, in immediate packings of a net capacity: I. Of more than 1 kg: — Almonds, walnuts and hazelnuts — Other II. Of 1 kg or less: — Almonds, walnuts and hazelnuts — Other B. Other: I. Containing added spirit:	12% 7% 14% 8%

CCT heading No	Description	Rate of duty
20.06 (cont'd)	a) Ginger	10%
	b) Pineapples, in immediate packings of a net capacity:	
	1. Of more than 1 kg:	
	aa) With a sugar content exceeding 17% by weight	10% + (L)
	bb) Other	10%
	2. Of 1 kg or less:	
	aa) With a sugar content exceeding 19% by weight	10% + (L)
	bb) Other	10%
	c) Grapes:	
	1. With a sugar content exceeding 13% by weight	25% + (L)
	2. Other	25%
	d) Peaches, pears and apricots, in immediate packings of a net capacity:	
	1. Of more than 1 kg:	
	aa) With a sugar content exceeding 13% by weight	25% + (L)
	bb) Other	25%
	2. Of 1 kg or less:	
	aa) With a sugar content exceeding 15% by weight	25% + (L)
	bb) Other	25%
	e) Other fruits:	
	ex 1. With a sugar content exceeding 9% by weight, excluding cherries	25% + (L)
	ex 2. Other, excluding cherries	25%
	f) Mixtures of fruit:	
	1. With a sugar content exceeding 9% by weight	25% + (L)
	2. Other	25%
	II. Not containing added spirit:	
	a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:	
	2. Grapefruit segments	11% + (L)
	3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids	19% + (L)
	4. Grapes	18% + (L)
	ex 8. Other fruits:	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8% + (L)
	— Tamarind (pods, pulp)	8% + (L)

CCT heading No	Description	Rate of duty
20.06 (cont'd)	9. Mixtures of fruit: ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits: — Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons .. b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: 2. Grapefruit segments 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids 4. Grapes ex 8. Other fruits: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 9. Mixtures of fruit: ex aa) Mixtures in which no single fruit exceeds 50% of the total weight of the fruits: — Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons .. c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4.5 kg or more: ex dd) Other fruits: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex ee) Mixtures of fruit: — Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons, in which no single fruit exceeds 50% of the total weight of the fruits	12% + (L) 11% + (L) 20% + (L) 19% + (L) 8% + (L) 12% + (L) 8% 12%

CCT heading No	Description	Rate of duty
20.06 (cont'd)	2. Of less than 4.5 kg: ex bb) Other fruit and mixtures of fruit: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Mixtures of two or more fruits falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding melons and watermelons, in which no single fruit exceeds 50% of the total weight of the fruits	8% 12%
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a specific gravity exceeding 1.33 at 15 °C: III. Other: ex a) Of a value exceeding 30 EUA per 100 kg net weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Fruit falling within subheading 08.02 D b) Of a value not exceeding 30 EUA per 100 kg net weight: ex 1. With an added sugar content exceeding 30% by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Fruit falling within subheading 08.02 D ex 2. Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Fruit falling within subheading 08.02 D B. Of a specific gravity of 1.33 or less at 15 °C: II. Other: a) Of a value exceeding 30 EUA per 100 kg net weight: 2. Grapefruit juice 3. Lemon juice or other citrus fruit juices: ex aa) Containing added sugar: — Excluding lemon juice ex bb) Other: — Excluding lemon juice 6. Other fruit and vegetable juices: ex aa) Containing added sugar:	15% 28% 15% + (L) 28% + (L) 15% 28% 8% 13% 13%

CCT heading No	Description	Rate of duty
20.07 (cont'd)	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10% — Other, excluding apricot and peach juices ... 17% ex bb) Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10% — Other, excluding apricot and peach juices 18% 7. Mixtures: ex bb) Other, excluding mixtures containing either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. Containing added sugar 17% 22. Other 18% b) Of a value of 30 EUA or less per 100 kg net weight: 2. Grapefruit juice: - aa) With an added sugar content exceeding 30% by weight: 8% + (L) - bb) Other 8% 4. Other citrus fruit juices: - aa) With an added sugar content exceeding 30% by weight: 14% + (L) - bb) With an added sugar content of 30% or less by weight 14% - cc) Not containing added sugar 15% 7. Other fruit and vegetable juices: ex aa) With an added sugar content exceeding 30% by weight: — Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10% + (L) — Other, excluding apricot and peach juices 17% + (L) ex bb) With an added sugar content of 30% or less by weight: — Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10%	

CCT heading No	Description	Rate of duty
20.07 (cont'd)	— Other, excluding apricot and peach juices 17% ex cc) Not containing added sugar: — Of fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10% — Other, excluding apricot and peach juices 18% 8. Mixtures: ex bb) Other, excluding mixtures containing, either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice: 11. With an added sugar content exceeding 30% by weight: 17% + (L) 22. With an added sugar content of 30% or less by weight 17% 33. Not containing added sugar 18%	
21.02	Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof: ex A. Essences of concentrates of coffee 9% B. Extracts, essences or concentrates of tea or maté and preparations with a basis of those extracts, essences or concentrates Free C. Roasted chicory and other roasted coffee substitutes: II. Other 2% + vc D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes: II. Other 6% + vc	
21.03	Mustard flour and prepared mustard: A. Mustard flour, in immediate packings of a net capacity: I. Of 1 kg or less Free II. Of more than 1 kg Free B. Prepared mustard 9%	
21.04	Sauces; mixed condiments and mixed seasonings: ex. B. Other: — Products with a tomato ketchup basis 8% — Other, excluding sauces with a vegetable oil basis 6%	

CCT heading No	Description	Rate of duty
21.05	Soups and broths, in liquid, solid or powder form; homogenized composite food preparations:	
	A. Soups and broths, in liquid, solid or powder form	11%
	B. Homogenized composite food preparations	17%
21.06	Natural yeasts (active or inactive); prepared baking powders:	
	A. Active natural yeasts:	
	I. Culture yeast	8%
	II. Baker's yeast:	
	a) Dried	5% + vc
	b) Other	5% + vc
	III. Other	10%
	B. Inactive natural yeasts:	
	I. In tablet, cube or similar form, or in immediate packings of a net capacity of 1 kg or less	6%
	II. Other	3%
	C. Prepared baking powders	4%
21.07	Food preparations not elsewhere specified or included:	
	A. Cereals in grain or ear form, pre-cooked or otherwise prepared	4% + vc
	G. Other:	
	I. Containing no milkfats or containing less than 1.5% by weight of such fats:	
	a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose):	
	ex 1. Containing no starch or less than 5% by weight of starch:	
	— Palm tree cores	9%
22.01	Waters, including spa waters and aerated waters; ice and snow:	
	A. Spa waters, natural or artificial; aerated waters	Free
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07:	
	A. Not containing milk or milkfats	6%
22.03	Beer made from malt	14.5%

CCT heading No	Description	Rate of duty
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages: C. Spirituous beverages: V. Other, in containers holding: ex a) Two litres or less: — Tequila	1-30 EUA per hl and per degree + 5 EUA per hl
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables: B. Of leguminous vegetables	3%
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included: B. Other	Free
23.07	Sweetened forage; other preparations of a kind used in animal feeding: A. Fish or marine mammal solubles	Free
	C. Other	6%
24.02	Manufactured tobacco; tobacco extracts and essences: A. Cigarettes	87%
	B. Cigars	42%
	C. Smoking tobacco	110%
	D. Chewing tobacco and snuff	45%
	E. Other, including agglomerated tobacco, in the form of sheets or strip	19%

Abbreviations

- (L): indicates that the goods referred to are subject to the levy system;
- vc: indicates that the goods referred to are subject to a charge based on a variable component which is specified under the regulations concerning trade in certain goods resulting from the processing of agricultural products;
- adf: indicates that additional duty may be levied on the flour content of the products concerned;
- ads: indicates that additional duty may be levied on the sugar content of the products concerned.
-

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 – OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Islands, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3162/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for cocoa butter and a tariff quota for soluble coffee originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 of the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the cocoa butter and soluble coffee sectors generally and of the need to safeguard the interests of the ACP States in this field, to lay down for those two products special conditions consisting in a reduction of the customs duty applicable to these two products within the limits of Community tariff quotas;

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

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

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1979;

Whereas in respect of cocoa butter and soluble coffee originating in the countries and territories listed in Annex A the Community should therefore open for 1979 two Community tariff quotas within the limits of 21 600 tonnes and at a customs duty of 8 % for cocoa butter and of 18 750 tonnes and a duty of 9 % for soluble coffee;

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries wherever this is possible; whereas, therefore, in respect of cocoa butter and soluble coffee originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975, the Community should totally suspend customs duties within the limits of the two abovementioned Community tariff quotas;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽³⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of these tariff quotas should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽⁴⁾;

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

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 1.

for these quotas to all imports of the products concerned into all Member States until these quotas are used up; whereas, having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota might be fixed at a relatively high level, in this case at approximately 90 % of the full quotas;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the quota year; whereas the shares in the first tranche may be drawn up as follows:

	(tonnes)	
	<i>cocoa butter</i>	<i>soluble coffee</i>
Germany	720	810
Benelux	10 935	1 395
France	90	225
Italy	45	45
Denmark	45	45
Ireland	45	45
United Kingdom	7 560	14 310

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost

used up its initial share should draw an additional share from the reserve; whereas 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, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 % of their initial share; 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 pay a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas provision should be made for measures enabling any serious disturbance within the sector of the Community's economic activity to be avoided, and to this end the Commission should be empowered to re-introduce in part or in full the normal duties in order to avoid such disturbance;

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

HAS ADOPTED THIS REGULATION

Article 1

1. From 1 January to 31 December 1979, Community tariff quotas shall be opened within the Community for imports of the products listed below and under the conditions stated:

CCT heading No	Description	Volume (in tonnes)	Rate of duty
18.04	Cocoa butter, including cocoa fat or oil	21 600	8 % ⁽¹⁾
21.02	Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof: ex A. Extracts, essences or concentrates of coffee and preparations with a basis of those extracts, essences or concentrates: — Extracts of coffee or 'soluble coffee' obtained by a water method of extraction from roasted coffee, put up in powder form, granulated, in grains, in tablets or in a similar solid form	18 750	9 % ⁽¹⁾

⁽¹⁾ For the countries listed in Annex B, customs duties shall be totally suspended.

2. These tariff quotas shall apply solely to products originating in the countries and territories listed in Annex A. However, those imports which enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas.

For the purposes of this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 19 440 tonnes for cocoa butter and of 16 875 tonnes for soluble coffee of the Community tariff quotas referred to in Articles 1 shall be allocated, in respect of each Member State, in shares the amounts of which are set out below:

	(tonnes)	
	cocoa butter	soluble coffee
Germany	720	810
Benelux	10 935	1 395
France	90	225
Italy	45	45
Denmark	45	45
Ireland	45	45
United Kingdom	7 560	14 310

2. The second tranche of 2 160 tonnes for cocoa butter and 1 875 tonnes for soluble coffee shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share

minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial shares, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

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

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 15 September 1979 has not exhausted one of its initial shares shall, not later than 1 October 1979, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1979 and charged against the Community quotas and of any portion of their initial shares 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 the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

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

2. The extent to which shares of Member States have been used up shall be determined on the basis of imports of the said goods which have been entered for home use, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may qualify for a tariff quota only if the certificate of origin referred to in paragraph 2 is

submitted before the date on which the levying of duties is re-introduced.

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

If the Community should find that the products benefiting under the arrangements provided for in Article 1 are being imported into the Community in quantities or at prices such as to put or be likely to put Community producers of similar or directly competitive products at a serious disadvantage or to create an unfavourable situation in the ACP States, the customs duties applied within the Community may be re-introduced in part or in full for imports of the products in question from the country or countries or territory or territories which are the cause of such disadvantage. Such measures may also be taken in the event of a serious disadvantage, either actual or foreseeable, which is confined to a single region of the Community.

Article 10

1. In order to ensure that Article 9 is applied, the Commission may, by way of a Regulation, re-introduce normal duties for a fixed period.

2. If the Commission has acted at the request of a Member State, the former shall give its decision within a maximum period of 10 working days from the date of receipt of the request and shall inform the Member State of the action it has taken.

3. Each Member State may refer the measure taken by the Commission to the Council within a period of 10 working days following the date it was notified. The fact that the matter has been referred to the Council shall not constitute the suspension of the measure. The Council shall meet without delay. Acting on a qualified majority, it may amend or repeal the measure in question.

Article 11

Articles 9 and 10 shall not prejudice the application of the protective clauses drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that the above Articles are observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 – OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3163/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, other than in slices, half slices or spirals, originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore ⁽³⁾, the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas in respect of several Asian countries of the Commonwealth and particularly as regards Malaysia, preserved pineapples are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community; whereas the system of generalized tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the system of generalized preferences;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are

subject to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the preserved fruit and vegetable sector generally and of the need to safeguard the interests of the ACP States in this field, to lay down for preserved pineapples, other than in slices, half slices or spirals, special conditions consisting in a reduction of the customs duty applicable to that product within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1979;

Whereas it is expedient, therefore, that the Community should open for 1979 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 45 000 tonnes and at a customs duty of 12 %, increased by the levy on sugar where the sugar content exceeds 17 % by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19 % by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa);

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community quota, arrangements should be made for the customs duties on imports

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 195.

originating in the least developed developing countries appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at 70 % of the full quota;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the

quota year; whereas the percentage of the shares in the first tranche may be drawn up as follows:

Germany	20.5%,
Benelux	4.9%,
France	0.5%,
Italy	2.0%,
Denmark	1.9%,
Ireland	1.0%,
United Kingdom	69.2%;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial shares 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, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40 % of their initial share; 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, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, a Community tariff quota of 45 000 tonnes shall be opened by the Community for the imports of preserved pineapples, other than in slices, half slices or spirals,

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

falling within the following subheadings of the Common Customs Tariff: ex 20.06 B II a) 5, ex 20.06 B II b) 5, ex 20.06 B II c) 1 dd) and ex 20.06 B II c) 2 bb). Within this tariff quota the customs duty shall be suspended at 12%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19 % by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa).

However, the customs duty on imports originating in the developing countries listed in Annex B shall be totally suspended in the context of this tariff quota.

2. The benefit of this tariff quota shall be reserved for the products originating in the countries and territories listed in Annex A. However, the imports already benefiting from exemption of customs duties under another preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purposes of implementing this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 31 500 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1979, shall for each Member State be as follows:

Germany	6 458 tonnes,
Benelux	1 543 tonnes,
France	157 tonnes,
Italy	630 tonnes,
Denmark	599 tonnes,
Ireland	315 tonnes,
United Kingdom	21 798 tonnes.

2. The second tranche of 13 500 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial share, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5 % of its initial share rounded up should the occasion arise to the nearest unit above.

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

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40 % of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 15 August 1979 has not exhausted its initial share shall, not later than 1 September 1979, return to the reserve any unused portion in excess of 20 % of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 September 1979, notify the Commission of the total quantities of the product in question imported up to and including 15 August 1979 and charged against the Community quotas and of any portion of their initial shares 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 the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 September 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

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

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question actually charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

If the Community finds that products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in

direct competition with them suffer or are likely to suffer from serious disadvantage, or that an unfavourable situation is created in the ACP States, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 10

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 9 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 11

The provisions of Articles 9 and 10 shall not prejudice the application of the safeguard clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty or those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

COUNCIL REGULATION (EEC) No 3164/78

of 29 December 1978

opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, in slices, half slices or spirals, originating in developing countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas in the Joint Declaration of Intent on the development of trade relations with Sri Lanka, India, Malaysia, Pakistan and Singapore ⁽³⁾, the Community declared its readiness to seek solutions to the problems which may arise in the field of trade with the countries referred to;

Whereas in respect of several Asian countries of the Commonwealth and particularly as regards Malaysia, preserved pineapples are an important export product and the flow of trade in such products is likely to be changed as a result of the enlargement of the Community; whereas the system of generalized tariff preferences may constitute a solution to problems of this nature; whereas certain forms of preserved pineapples should therefore be included in the system of generalized preferences;

Whereas, within the context of UNCTAD, the European Economic Community offered to grant tariff preferences on certain processed agricultural products of Chapters 1 to 24 to the Common Customs Tariff originating in developing countries; whereas the preferential treatment proposed in that offer consists, in respect of certain goods which are subject to the trade arrangements laid down in Regulation (EEC) No 1059/69, of a reduction in the fixed component of the charge applicable to such goods by virtue of that Regulation, and, in respect of products which are subject

to the single customs duty, of a reduction in such duty; whereas preferential imports of the products concerned could be effected without quantitative restrictions; whereas it appears appropriate, however, in view of the sensitiveness of the preserved fruit and vegetable sector generally and of the need to safeguard the interests of the ACP States in this field, to lay down for preserved pineapples, in slices, half slices or spirals, special conditions consisting in a reduction of the customs duty applicable to that product within the limits of a Community tariff quota;

Whereas the offer made by the Community includes a clause stating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the ACP States following the implementation of the generalized preference scheme;

Whereas tariff preferences have been applied as from the second half of 1971; whereas it is expedient to continue to apply them throughout 1979;

Whereas it is expedient, therefore, that the Community should open for 1979 in respect of the said products, originating in the countries and territories listed in the Annex, a Community tariff quota limited to 28 000 tonnes and at a customs duty of 15% increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa);

Whereas, however, in the multilateral trade negotiations, in accordance with paragraph 6 of the Tokyo Declaration, the Community reaffirmed that special treatment should be granted to the least developed among the developing countries whenever this is possible; whereas, therefore, as part of the abovementioned Community tariff quota, arrangements should be made for the customs duties on imports originating in the least developed developing countries

⁽¹⁾ Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).

⁽³⁾ OJ No L 73, 27. 3. 1978, p. 195.

appearing on the list drawn up under United Nations Resolution 3487 (XXX) of 12 December 1975 to be totally suspended;

Whereas, in accordance with Protocol 23 to the Act of Accession ⁽¹⁾, the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of this tariff quota should be reserved for products originating in the countries and territories under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quota and the uninterrupted application of the rate laid down for this quota to all imports of the products concerned into all Member States until this quota is used up; whereas having regard to the principles set out above, the Community nature of the quota can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quota may relate only to products which have been entered for home use and which are accompanied by a certificate of origin;

Whereas, to take account of future import trends for the products in question in the various Member States, the quotas should be divided into two tranches, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, moreover, the reserve constituted in the manner described above tends to avoid making the system of utilization of the quota excessively rigid, to the detriment of the developing countries concerned and will contribute to achieving the aim already mentioned of improving the generalized preferences system; whereas, to give importers in each Member State some degree of certainty, the first tranche of the Community quota should be fixed at 90% of the full quota;

Whereas the statistical data available cover only a relatively brief period, and they should be weighted on the basis of the estimates which may be made for the

quota year; whereas the percentage of the shares in the first tranche may be drawn up as follows:

Germany	35.1%,
Benelux	13.0%,
France	1.0%,
Italy	2.8%,
Denmark	2.7%,
Ireland	1.0%,
United Kingdom	44.4%;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas 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, however, it seems advisable to permit the Member States to limit the exercise of their total obligation to draw on the reserve amount to a level not exceeding 40% of their initial share; 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, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, a Community tariff quota of 28 000 tonnes shall be opened by the Community for the imports of preserved

⁽¹⁾ OJ No L 73, 27. 3. 1973, p. 14.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 178.

pineapples, in slices, half slices or spirals, falling within the following subheadings of the Common Customs Tariff: ex 20.06 B II a) 5, ex 20.06 B II b) 5, ex 20.06 B II c) 1 dd) and ex 20.06 B II c) 2 bb). Within this tariff quota the customs duty shall be suspended at 15%, increased by the levy on sugar where the sugar content exceeds 17% by weight in the case of products falling within subheading ex 20.06 B II a) 5 aa), and 19% by weight in the case of products falling within subheading ex 20.06 B II b) 5 aa).

However, the customs duty on imports originating in the developing countries listed in Annex B shall be totally suspended in the context of this tariff quota.

2. The benefit of this tariff quota shall be reserved for the products originating in the countries and territories listed in Annex A. However, the imports already benefiting from exemption of customs duties under another preferential tariff scheme granted by the Community shall not be charged to this quota.

For the purposes of implementing this Regulation the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

1. A first tranche of 25 200 tonnes shall be allocated among the Member States. The shares which, subject to Article 5, shall be valid until 31 December 1979, shall for each Member State be as follows:

Germany	8 846 tonnes,
Benelux	3 276 tonnes,
France	252 tonnes,
Italy	705 tonnes,
Denmark	681 tonnes,
Ireland	252 tonnes,
United Kingdom	11 188 tonnes.

2. The second tranche of 2 800 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90% or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10% of its initial share rounded up should the occasion arise to the nearest unit above.

2. If a Member State, after exhausting its initial share, has used 90% or more of the second share drawn by it, that Member State shall forthwith, by notifying the Commission, draw a third share, equal to 5% of its initial share rounded up should the occasion arise to the nearest unit above.

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

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. Any Member State may limit the sum total of its additional shares to 40% of its initial share, informing the Commission that it is so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1979.

Article 5

A Member State which on 15 September 1979 has not exhausted its initial share shall, not later than 1 October 1979, return to the reserve any unused portion in excess of 20% of the initial amount. It may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1979, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1979 and charged against the Community quotas and of any portion of their initial shares 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 the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 15 October 1979, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their cumulative shares of the Community quota.

Article 7

1. The Member States shall ensure free access to the shares which have been allocated to them for importers of the said goods who are established in their territory.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

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

Article 8

Member States shall inform the Commission at monthly intervals of imports of the products in question actually charged against their shares. This information shall show both the value expressed in European units of account and the quantity expressed in tonnes.

Article 9

If the Community finds that products benefiting from the treatment provided for in Article 1 are imported into the Community in such quantities or at such prices that Community producers of products similar to or in

direct competition with them suffer or are likely to suffer from serious disadvantage, or that an unfavourable situation is created in the ACP States, the levying of customs duties may be re-introduced in whole or in part on the products in question in respect of the countries or territories which are the cause of the disadvantage. Such measures may also be taken in the case of actual or potential serious disadvantage in a single region of the Community.

Article 10

1. The Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a specified period, in order to ensure that Article 9 is applied.

2. In the event of such action being requested by a Member State, the Commission shall decide within a period of not more than 10 working days after the request has been received and shall inform the Member States of this decision.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, by acting on a qualified majority, amend or rescind the measure in question.

Article 11

The provisions of Articles 9 and 10 shall not prejudice the application of the safeguard clauses drawn up in connection with the common agricultural policy pursuant to Article 43 of the Treaty or those drawn up in connection with the common commercial policy pursuant to Article 113 of the Treaty.

Article 12

Member States and the Commission shall collaborate closely to ensure that this Regulation is observed.

Article 13

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER

ANNEX A

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	066 Romania
666 Bangladesh ⁽²⁾	612 Iraq	324 Rwanda ⁽²⁾
469 Barbados	272 Ivory Coast	819 Samoa ⁽²⁾
284 Benin ⁽²⁾	464 Jamaica	311 Sao Tome and Principe
675 Bhutan ⁽²⁾	338 Jibuti	632 Saudi Arabia
516 Bolivia	628 Jordan	248 Senegal
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	355 Seychelles and dependencies
508 Brazil	346 Kenya	264 Sierra Leone
676 Burma	636 Kuwait	706 Singapore
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	812 Solomon Islands
302 Cameroon	604 Lebanon	342 Somalia ⁽²⁾
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	728 South Korea
244 Chad ⁽²⁾	268 Liberia	656 South Yemen ⁽²⁾
512 Chile	216 Libya	669 Sri Lanka
480 Colombia	370 Madagascar	224 Sudan ⁽²⁾
375 Comoros	386 Malawi ⁽²⁾	492 Surinam
318 Congo	701 Malaysia	393 Swaziland
436 Costa Rica	667 Maldives ⁽²⁾	608 Syria
448 Cuba	232 Mali ⁽²⁾	352 Tanzania ⁽²⁾
600 Cyprus	228 Mauritania	680 Thailand
456 Dominican Republic	373 Mauritius	280 Togo
500 Ecuador	412 Mexico	817 Tonga
220 Egypt	204 Morocco	472 Trinidad and Tobago
428 El Salvador	366 Mozambique	212 Tunisia
310 Equatorial Guinea	803 Nauru	812 Tuvalu
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	350 Uganda ⁽²⁾
815 Fiji	432 Nicaragua	647 United Arab Emirates
314 Gabon	240 Niger ⁽²⁾	236 Upper Volta ⁽²⁾
252 Gambia ⁽²⁾	288 Nigeria	524 Uruguay
276 Ghana	652 North Yemen ⁽²⁾	484 Venezuela
473 Grenada	649 Oman	690 Vietnam
416 Guatemala	662 Pakistan	048 Yugoslavia
260 Guinea ⁽²⁾	440 Panama	322 Zaire
257 Guinea Bissau	801 Papua New Guinea	378 Zambia

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex B.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX B

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION

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

of 29 December 1978

opening, allocating and providing for the administration of tariff quotas for certain steel
products originating in developing countries

(78/1037/ECSC)

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

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1979, the duties applicable in all customs areas of the Community to the products listed in Annex A shall be completely suspended within the framework of Community tariff quotas of amounts which shall be expressed in European units of account and which shall be indicated against each product in column 3 of that Annex.

2. These tariff quotas shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the nine Member States of the Community may not be charged against these tariff quotas. For the purposes of the application of this Decision, the concept of

originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾.

3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts indicated in column 5 of Annex A shall be limited to the maximum amount given as a percentage in column 4 of Annex A against each category of products.

4. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the maximum amounts expressed as percentages laid down in column 4 of Annex A and to the tariff ceilings and quotas laid down respectively in columns 3 and 5 of Annex A.

Article 2

1. The Member States shall administer their tariff quotas in accordance with their own provisions in this respect.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

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

3. Goods may be imported under the tariff quota only if the certificate of origin mentioned in paragraph 2 is presented before the date on which customs duties are re-introduced.

Article 3

Each Member State shall re-introduce the levying of duties which have been suspended in respect of a country or territory mentioned in Annex B as soon as it records that the charges against its national quota of the products concerned originating in such country or territory have reached the maximum amount laid down in column 4 of Annex A.

Such re-introduction shall be notified immediately to the Commission, which shall inform the other Member States forthwith. At the request of a Member State or of the Commission, the possible consequences of such a situation (with regard to the aggregate appearing in column 3 of Annex A) shall be jointly examined immediately.

After the quotas opened under this Decision have been used up, Common Customs Tariff duties on imports of the products in question originating in the countries listed in Annex C shall continue to be totally suspended.

Article 4

Member States shall inform the Commission at least monthly of imports of the products in question charged against their quotas.

Article 5

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

Article 6

The Member States shall take all measures necessary for the implementation of this Decision.

Article 7

For the purposes of applying this Decision, the preferential amounts expressed in European units of account (EUA) shall be converted into national currencies at the following rates:

1 EUA	=	3.6043955 DM
	=	49.508625 Bfrs/Lfrs
	=	5.5616255 FF
	=	3.5770435 Fl
	=	647.971 Lit
	=	7.4775175 Dkr
	=	0.42930445 I £
	=	0.4293044 £

The application of these rates may not result, in terms of national currency, in charges against each of the quotas concerned being lower than those resulting from the corresponding minimum obligations laid down for 1978.

Done at Brussels, 29 December 1978.

The President

H.-D. GENSCHER

ANNEX A

List of products subject to zero-duty tariff ceilings under the generalized tariff preferences granted to developing countries and territories

CCT heading No (1)	Description (2)	Aggregate of column 5 (in EUA) (3)	Maximum amount per country and territory (%) (4)	Volume of shares allocated to Member States (in EUA) (5)
73.08	Iron or steel coils for re-rolling	12 091 800	40	Germany 3 325 245 Benelux 1 269 640 France 2 297 440 Italy 1 813 770 Denmark 604 590 Ireland 120 920 United Kingdom 2 660 195
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: a) Hot-rolled or extruded	7 493 900	50	Germany 2 060 810 Benelux 786 860 France 1 423 840 Italy 1 124 090 Denmark 374 700 Ireland 74 940 United Kingdom 1 648 660
73.13	Sheets and plates of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: b) More than 1 mm but less than 3 mm c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: b) Tinned c) Zinc-coated or lead-coated d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other	23 440 200	30	Germany 6 446 055 Benelux 2 461 220 France 4 453 640 Italy 3 516 030 Denmark 1 172 010 Ireland 234 400 United Kingdom 5 156 845

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
448 Cuba	232 Mali ⁽²⁾	680 Thailand
600 Cyprus	228 Mauritania	280 Togo
456 Dominican Republic	373 Mauritius	817 Tonga
500 Ecuador	412 Mexico	472 Trinidad and Tobago
220 Egypt	204 Morocco	212 Tunisia
428 El Salvador	366 Mozambique	812 Tuvalu
310 Equatorial Guinea	803 Nauru	350 Uganda ⁽²⁾
334 Ethiopia ⁽²⁾	672 Nepal ⁽²⁾	647 United Arab Emirates
815 Fiji	432 Nicaragua	236 Upper Volta ⁽²⁾
314 Gabon	240 Niger ⁽²⁾	524 Uruguay
252 Gambia ⁽²⁾	288 Nigeria	484 Venezuela
276 Ghana	652 North Yemen ⁽²⁾	690 Vietnam
473 Grenada	649 Oman	048 Yugoslavia
416 Guatemala	662 Pakistan	322 Zaire
260 Guinea ⁽²⁾	440 Panama	378 Zambia
257 Guinea Bissau	801 Papua New Guinea	

⁽¹⁾ The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).

⁽²⁾ This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

- 808 American Oceania ⁽¹⁾
- 802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
- 421 Belize
- 413 Bermuda
- 357 British Indian Ocean Territory
- 812 British Oceania
- 703 Brunei
- 463 Cayman Islands
- 529 Falkland Islands and dependencies
- 822 French Polynesia
- 044 Gibraltar
- 740 Hong Kong
- 743 Macao
- 377 Mayotte
- 476 Netherlands Antilles
- 809 New Caledonia and dependencies
- 814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
- 890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)
- 329 St Helena and dependencies
- 454 Turks and Caicos Islands
- 457 Virgin Islands of the United States
- 811 Wallis and Futuna Islands
- 471 West Indies

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ American Oceania includes: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

ANNEX C

List of least developed developing countries

660 Afghanistan	386 Malawi
666 Bangladesh	667 Maldives
284 Benin	232 Mali
675 Bhutan	672 Nepal
391 Botswana	240 Niger
328 Burundi	652 North Yemen
306 Central African Empire	324 Rwanda
244 Chad	819 Samoa
334 Ethiopia	342 Somalia
252 Gambia	656 South Yemen
260 Guinea	224 Sudan
452 Haiti	352 Tanzania
684 Laos	350 Uganda
395 Lesotho	236 Upper Volta

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

of 29 December 1978

opening tariff preferences for certain steel products originating in developing countries

(78/1038/ECSC)

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

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1979, the duties applicable in the Community to the imports of the products listed in Annex A shall be completely suspended, subject to the provisions of Article 2.

2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. For the purposes of the application of this Decision the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾.

3. Subject to Article 2, this suspension shall be granted generally up to the limit of a ceiling equal to the amount obtained, in respect of each category of products, by adding together, in European units of account, the value for 1971 of cif imports of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the nine Member States of the Community, and 5% of the value of cif imports in 1974 from other countries and from the countries and territories already enjoying such arrangements. For the particular purpose of the abovementioned calculations, all statistical data are to be considered as being expressed in European units of account of the Common Customs Tariff.

Imports already enjoying exemption from customs duties under such arrangements shall not be charged against the aforementioned ceiling.

4. Subject to Article 2, within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a maximum amount equivalent to 50% of this ceiling, except for the specific cases indicated in Annex A.

5. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the ceilings and maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings calculated in accordance with the provisions of Article 1 (3) which are laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2) are reached at Community level, the Member States may at any time, at the request of any one of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from all the countries and territories listed in Annex B until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4) which are laid down for the Community imports of products originating in each of the countries and territories referred to in Article 1 (2) and (3) are reached for any one of these countries or territories and Community level, the Member States may at any time, at the request of any of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from the country or territory listed in Annex B until the end of the period referred to in Article 1 (1).

3. Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for re-introducing normal customs duties, in particular, by notifying the date common to the whole of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

Community and directly applicable in each Member State. This notification shall be published in the *Official Journal of the European Communities*.

4. However, paragraphs 1, 2 and 3 shall not apply to the imports in question originating in the countries listed in Annex C.

Article 3

1. Imports of the said goods shall be charged against the ceilings and maximum amounts as and when they are entered for home use, on the basis of the customs value of the said goods, and are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin mentioned in paragraph 1 is presented before the date on which the levying of duties is re-introduced.

3. The extent to which ceilings and maximum amounts have been used up shall be recorded at Community level on the basis of imports charged in the manner laid down in paragraphs 1 and 2.

Article 4

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

Article 5

Member States shall inform the Commission periodically of imports of the products in question charged against the ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

The Member States shall take all measures necessary for the implementation of this Decision.

Done at Brussels, 29 December 1978.

The President

H.-D. GENSCHER

ANNEX A

List of products in respect of which the Common Customs Tariff duties are completely suspended under the generalized tariff preferences granted to developing countries and territories

CCT heading No	Description
73.07 ⁽¹⁾	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.09	Universal plates of iron or steel
73.11 ⁽²⁾ ⁽³⁾	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate C. Clad, coated or otherwise surface-treated: III. Tinned: a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): a) Not further worked than clad: I. Hot-rolled

⁽¹⁾ For products covered by heading No 73.07, the ceiling referred to in Article 1 (3) has been lowered to 6 899 000 EUA.

⁽²⁾ For products covered by heading No 73.11 and with respect to Yugoslavia, the maximum amount referred to in Article 1 (4) has been lowered to 594 150 EUA.

⁽³⁾ For products covered by heading No 73.11, the ceiling referred to in Article 1 (3) has been lowered to 3 961 000 EUA.

CCT heading No	Description
73.15 ⁽¹⁾	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other: 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: - aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: - aa) Hot-rolled VII. Sheets and plates: a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other: 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: - aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: - aa) Hot-rolled VII. Sheets and plates: a) 'Electrical' sheets and plates

⁽¹⁾ For products covered by heading No 73.15, the ceiling referred to in Article 1 (3) has been lowered to 12 224 000 EUA.

CCT heading No	Description
73.15 (<i>cont'd</i>)	b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair-wedges, sole plates (base plates), rail clips, bedplates, ties, and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences ⁽¹⁾

I. INDEPENDENT COUNTRIES

660 Afghanistan ⁽²⁾	488 Guyana	520 Paraguay
208 Algeria	452 Haiti ⁽²⁾	504 Peru
330 Angola	424 Honduras	708 Philippines
528 Argentina	664 India	644 Qatar
453 Bahamas	700 Indonesia	247 Republic of Cape Verde
640 Bahrain	616 Iran	324 Rwanda ⁽²⁾
666 Bangladesh ⁽²⁾	612 Iraq	819 Samoa ⁽²⁾
469 Barbados	272 Ivory Coast	311 Sao Tome and Principe
284 Benin ⁽²⁾	464 Jamaica	632 Saudi Arabia
675 Bhutan ⁽²⁾	338 Jibuti	248 Senegal
516 Bolivia	628 Jordan	355 Seychelles and dependencies
391 Botswana ⁽²⁾	696 Kampuchea (Cambodia)	264 Sierra Leone
508 Brazil	346 Kenya	706 Singapore
676 Burma	636 Kuwait	812 Solomon Islands
328 Burundi ⁽²⁾	684 Laos ⁽²⁾	342 Somalia ⁽²⁾
302 Cameroon	604 Lebanon	728 South Korea
306 Central African Empire ⁽²⁾	395 Lesotho ⁽²⁾	656 South Yemen ⁽²⁾
244 Chad ⁽²⁾	268 Liberia	669 Sri Lanka
512 Chile	216 Libya	224 Sudan ⁽²⁾
480 Colombia	370 Madagascar	492 Surinam
375 Comoros	386 Malawi ⁽²⁾	393 Swaziland
318 Congo	701 Malaysia	608 Syria
436 Costa Rica	667 Maldives ⁽²⁾	352 Tanzania ⁽²⁾
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- 743 Macao
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